

Conflict of Interest

Governing Board members and designated employees shall adhere to the district Conflict of Interest Code adopted pursuant to the provisions of Government Code 87300.

The district Conflict of Interest Code shall comprise the terms of the California Code of Regulations, Title 2, 18730 and any amendments to it duly adopted by the Fair Political Practices Commission, together with district attachments specifying designated positions and disclosure categories.

Board members and designated employees shall file statements of economic interests with the district. These statements shall be filed pursuant to Government Code 87500.

Board members shall not be financially interested in any contract made by the Board or in any contract they make in their capacity as Board members. (Government Code 1090)

A Board member shall not be deemed to be financially interested in a contract between the Board and the Board member's minor child as long as the Board member's interest in the contract is disclosed to the Board and noted in the minutes of the Board. The Board member shall abstain from voting on the contract and shall not attempt to influence other members of the Board to approve the contract. (Government Code 1091)

A Board member shall not be deemed to be financially interested in a contract between the Board member's spouse and the district provided the contract concerns the same employment as that held by the employee when the employee's spouse became a Board member, and provided the Board member's spouse has been employed by the district in that same position for at least one year prior to the Board member's election or appointment. (Government Code 1091.5 and 69 Ops.Cal.Atty.Gen. 255)

A Board member shall not be considered to be financially interested in a contract if any of the exceptions set forth in Government Code 1091.5 apply.

(cf. 4112.8 - Nepotism: Employment of Relatives)

A Board member who maintains a remote interest in any contract considered by the Board shall disclose the interest during a Board meeting and have the disclosure noted in the official Board minutes. "Remote interests" shall be those defined in Government Code 1091. The affected Board member shall not vote or debate on the matter or attempt to influence any other Board member to enter into the contract.

Board members shall not engage in any employment or activity which is inconsistent with, incompatible with, in conflict with or inimical to the Board member's duties as an officer of the district. (Government Code 1126)

(cf. 2300 - Conflict of Interest Code: Designated Personnel)

Legal References: (see next page)

Conflict of Interest

Legal References:

EDUCATION CODE

1006 Qualifications for holding office

GOVERNMENT CODE

1090-1097 Prohibitions applicable to specified officers

1125-1128 Incompatible activities

82028 Definitions "Gifts"

82030 Definitions "Income"

82033 Definitions "Interest in real property"

92034 Definitions "Investment"

87100-87103.5 Conflicts of interest

87200-87210 Disclosure

87300-87313 Conflict of interest code

87500 Statements of economic interests

91000-91015 Enforcement

CODE OF REGULATIONS, TITLE 2

18100 et.seq. Regulations of the Fair Political Practices Commission

69 OPS.CAL.ATTY.GEN. 255 (1986)