



Board Policy
Chapter 2 – Board of Trustees

BP 2710 CONFLICT OF INTEREST

Board members and employees shall not be financially interested in any contract made by them in their official capacity, or in any body or board of which they are members.

A Board member shall not be considered to be financially interested in a contract if his/her interest is limited to those interests defined as remote under Government Code Section 1091 or is limited to interests defined by Government Code Section 1091.5.

A Board member who has a remote interest in any contract considered by the Board of Trustees shall disclose his/her interest during a Board meeting and have the disclosure noted in the official Board minutes. The Board member shall not vote or debate on the matter or attempt to influence any other Board member to enter into the contract.

A Board member shall not engage in any employment or activity that is inconsistent with, incompatible with, in conflict with or inimical to his/her duties as an officer of the District.

In compliance with law and regulation, the Superintendent/President shall establish administrative regulations to provide for disclosure of assets of income of Board members who may be affected by their official actions, and prevent members from making or participating in the making of Board decisions which may foreseeably have a material effect on their financial interest.

Board members shall file statements of economic interest with the filing officer identified by the administrative regulations.

Limits of Authority

Individually, a member of the Board of Trustees may not commit the District to any policy, act, or expenditure. The Board member cannot do business with the District or have an interest in any contract with the District in general. The Board member does not represent any factional segment of the community as a whole.

No individual member of the Board, by virtue of holding office, shall exercise any administrative responsibility with respect to the District.

The Board of Trustees shall adopt a Conflict of Interest Code BP 2712 Conflict of Interest Code). In addition, the Superintendent/President shall establish an AR 2712 Conflict of Interest Code. Nothing contained in this code is intended to modify or abridge the provisions of the Political Reform Act of 1974. The provisions of this Code are additional to Government Code and other laws pertaining to conflicts of interest. Except as otherwise indicated the definitions of said Act and regulations adopted pursuant thereto are incorporated herein and this Code shall be interpreted in a manner consistent therewith.

Board members are encouraged to seek counsel from the District’s legal advisor in every case where any question arises.

Also see BP 2200 Board Duties and Responsibilities, AR 2710 Conflict of Interest, BP/AR 2712 Conflict of Interest Code, BP 2715 Code of Ethics/Standards of Practice, BP 2716 Board Political Activity, and BP 2717 Personal Use of Public Resources – Board

References:

Education Code Sections 72530, and 72533;
Government Code Sections 1090 et seq., 1126, 81000 et seq., and 87200 et seq. ;
Title 2 Sections 18730 et seq.

Adopted: May 1, 2000 (for BP 1240 and BP 1250)

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