



Book	Board Policies
Section	CHAPTER 2: Board of Trustees
Title	Conflict of Interest
Code	BP 2710
Status	Active
Adopted	November 29, 2023
Last Revised	November 29, 2023

### **BP 2710** **Conflict of Interest**

References: Government Code Sections 1090 ; et seq., 1126, and 87200 ; et seq.; Title 2 ; Sections 18730 et seq.

In compliance with law, the Board of Trustees shall adopt a Conflict of Interest Code and shall periodically review the list of designated employees required to complete financial disclosure forms. The Chancellor shall designate a filing Officer for conflict of interest matters and that person shall perform related duties as required by law.

Each Board member and each designated employee under the District's Conflict of Interest Code shall annually file a statement of economic interest with the filing officer identified by the administrative procedures disclosing those interests in investments, real property, and income that are designated as reportable under the Conflict of Interest Code.

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

No Board member nor any employee of the District shall make, participate in making or, in any way, attempt to use the member's position to influence a governmental decision in which the member knows or has reason to know that the member has a financial 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 the member's 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 shall disclose the member's 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.

In compliance with law and regulation, the District Chancellor shall establish administrative procedures to provide for disclosure of assets or 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 are encouraged to seek counsel from the District's legal advisor in every case where any question arises.

*See BP 2200 Board Duties and Responsibilities, AP 2710 Conflict of Interest, AP 2712 Conflict of Interest Code, BP/AP 2715 Code of Ethics/Standards of Practice, BP/AP 2716 Board Political Activity, and BP 2717 Personal Use of Public Resources – Board, BP/AP 3050 Institutional Code of Ethics, and BP/AP 3300 Public Records.*

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*(Replaces former SMCCCD BP 2.45)*

Revised: 5/12, 7/17

Reviewed: