



PASADENA AREA COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES BYLAWS

Title: Conflict of Interest

Bylaw No. 1480

Legal Authority: Government Code, Section 1090, et; 1126; 81000 et seq;
87100, et seq.; 87200, et seq; 87300, et seq; 89502, 89503
Title 2, Section 18730 et seq.

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1. Conflict of Interest codes
Pursuant to the provisions of Government Code Sections 87300, the Board adopts a Conflict of Interest Code. Nothing contained therein is intended to modify or abridge the provisions of the Political Reform Act of 1974, (Government Code Section 81000 et seq.). The provisions of this Code are additional to Government Code Section 87100 and other laws pertaining to conflicts of interest. Except as otherwise indicated, the definitions of the Political Reform Act of 1974 and associated regulations are incorporated within this bylaw. A copy of the Code is on file in the Office of the Vice President of Administrative Services.

2. Designated Positions
The following positions are designated positions, and disclosure statements shall be filed in the categories as listed:

Positions	Category(ies)
Member, Board of Trustees	5*
Superintendent/President	1, 2, 3
Vice Presidents	1, 2, 3
Dean of External Relations	4
Director of Fiscal Services	4
Director of Purchasing	1, 4

3. Officers and employees holding these positions are designated employees and are deemed to make, or participate in the making of, decisions which may foreseeably have a material effect on a financial interest. These individuals shall file statements of Economic Interest with the Human Resources office, which in turn will file the statements with the appropriate county office.

4. 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. A Board member shall not be considered to be financially interested in a contract if his or 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.

5. If a Board member or designated employee determines that he or she has a financial interest in a decision, as described in Government Code Section 87103, this determination shall be disclosed and made part of the Board's official minutes. In the case of a designated employee, this announcement

shall be made in writing and submitted to the Board. A Board member, upon identifying a conflict of interest, or a potential conflict of interest, shall do all of the following prior to consideration of the matter.

- a. Publicly identify the financial interest in detail sufficient to be understood by the public;
 - b. Recuse himself or herself from discussing and voting on the matter;
 - c. Leave the room until after the discussion, vote, and any other disposition of the matter is concluded unless the matter is placed on the agenda reserved for uncontested matters. A Board member may, however, discuss the issue during the time the general public speaks on the issue.
6. A Board member shall not engage in any employment or activity that is inconsistent with, incompatible with, in conflict with, or inimical to his or her duties as an officer of the District.
7. Board members and any employees who manage public investments shall not accept from any single source in any calendar year any gifts in excess of the prevailing gift limitation specified in law.

Designated employees shall not accept from any single source in any calendar year any gifts in excess of the prevailing gift limitation specified in law if the employee would be required to report the receipt of income or gifts from that source on his/her statement of economic interests.

The above limitations on gifts do not apply to wedding gifts and gifts exchanged between individuals on birthdays, holidays and other similar occasions, provided that the gifts exchanged are not substantially disproportionate in value.

Gifts of travel and related lodging and subsistence shall be subject to the above limitations except as described in Government Code Section 89506.

A gift of travel does not include travel provided by the District for board members and designated employees.

Board members and any employees who manage public investments shall not accept any honorarium, which is defined as any payment made in consideration for any speech given, article published, or attendance at any public or private gathering (Government Code Sections 89501, 89502) that is given or offered in connection with any speech, article, or other activity related to his/her responsibilities or duties for the Board of Trustees, Pasadena City College, or the Pasadena Area Community College District.

Designated employees shall not accept any honorarium that is defined as any payment made in consideration for any speech given, article published, or attendance at any public or private gathering, if the employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests.

The term "honorarium" does not include:

- a. Earned income for personal services customarily provided in connection with a bona fide business, trade, or profession unless the sole or predominant activity of the business, trade or profession is making speeches.
- b. Any honorarium that is not used and, within 30 days after receipt, is either returned to the donor or delivered to the District for donation into the general fund without being claimed as a deduction from income tax purposes.