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Chapter Lead Jose Torres:
Chapter 1&2(BOT),3(CC)&6
Policy Area Chapter 2 Board of Trustees
References CCLC | Legally Advised

AP 2712 Conflict of Interest Code

The Political Reform Act (Government Code Section 87200, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 California Code of Regulations Section 18730) which contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing it may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation establishes disclosure categories, and shall constitute the conflict of interest code of the San Bernardino Community College District (District). A list of designated officials and District positions will be maintained by the Chancellor and/or designee on a list separate from this AP, which will appear on the Policies & Procedures web-page alongside this AP.

DESIGNATED POSITIONS

Individuals holding designated positions shall file their statements of economic interests with the District, which will make the statements available for public inspection and reproduction. (Gov. Code Sec. 81008.) All statements will be retained by the District. Consultants/new positions shall be included in the list of designated positions and shall disclose pursuant to the broadest disclosure requirements in this conflict of interest code subject to the following limitation:

The Chancellor may determine in writing that a particular consultant or new position, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to comply fully with the disclosure requirements described in this section. Such written determination shall include a description of the consultant's or new position's duties and, based upon that description, a statement of the extent of disclosure requirements. The Chancellor's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.

The following positions are NOT covered by the code because they must file under Government Code Section 87200 and, therefore, are listed for informational purposes only:

- **Retirement Board Authority**
- **Investment Advisors**

An individual holding a designated position may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been incorrectly categorized. The Fair Political Practices Commission makes the final determination whether a position is covered by Government Code Section 87200.

DISCLOSURE CATEGORIES

Category 1. Designated positions assigned to this category must report:

- Interests in real property within the boundaries of the District that are used by the District or are of the type that could be acquired by the District as well as real property within two miles of the property used or the potential site.
- Investments and business positions in business entities and income (including receipt of gifts, loans, and travel payments) from sources of the type that engage in the acquisition or disposal of real property or are engaged in building construction or design for school districts.

Category 2. Designated positions assigned to this category must report:

Investments and business positions in business entities and income (including receipt of gifts, loans, and travel payments) from sources that are contractors engaged in the performance of work, training, consulting or services, or are sources that manufacture or sell supplies, instructional materials, machinery, equipment, or vehicles of the type utilized by the District.

Category 3. Designated positions assigned to this category must report:

Investments and business positions in business entities and income (including receipt of gifts, loans, and travel payments) from sources that are contractors engaged in the performance of work, training, consulting or services, or are sources that manufacture or sell supplies, instructional materials, machinery, equipment, or vehicles of the type utilized by the designated position's department.

References:

Government Code Sections 87103 subdivision(e), 87200, 87300-87302, 89501, 89502, and 89503;
Title 2 Section 18730

Any changes to this AP requires approval of the FPPC prior to Board approval.

Attachments

- [AP 2712 Conflict of Interest - Declaration of CEO.pdf](#)
- [AP 2712 Conflict of Interest Code - Comments](#)
- [AP 2712 Conflict of Interest Code - Legal Citations](#)
- [FPPC Approval of AP 2712 Conflict of Interest Code.pdf](#)
- [SBCCD - Overview for Legal Update 31 Final Version.docx](#)

Approval Signatures

Step Description	Approver	Date
Final Board Approval	Kelly Goodrich	06/2024
Reviewed and Approved per AP 2410	Kelly Goodrich	06/2024

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