

GOVERNING BOARD

AP 2712 CONFLICT OF INTEREST CODE

References:

Government Code Section 87100 – 87500;
Title 2 Section 18730

The Political Reform Act (Government Code Sections 87100 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 (Title 2 California Code of Regulations Section 18730) which contains the terms of a standard conflict of interest code, and which can be incorporated by reference as the local agency’s conflict of interest code. Whenever the Fair Political Practices Commission adopts any changes or amendments to Section 18730, they are automatically adopted without further action by any local agency which has incorporated Section 18730 as the agency’s conflict of interest code. Therefore, the Palomar Community College District (“District”) hereby adopts Section 18730 and incorporates it by reference as its conflict of interest code. This replaces and supersedes any prior conflict of interest code after approval by the San Diego County Board of Supervisors.

Designated employees who are required to file statements of economic interest are set forth in Appendix “A.” Those designated employees are classified as either “Government Code Section 87200 Filers” or “Code Filers.” Government Code Section 87200 Filers shall file their statements of economic interest with the San Diego County Board of Supervisors with the District retaining a copy. Code Filers will file their statements of economic interest with the District which will retain the originals.

APPENDIX “A”

Government Code Section 87200 Filers

The following designated employees manage public investments and shall file a full statement of economic interest for all disclosure categories listed below.

- Governing Board Members
- Superintendent/President
- Assistant Superintendent/Vice President for Finance and Administrative Services

Code Filers

The following designated employees shall file statements of economic interest for the disclosure categories shown after their titles.

- Assistant Superintendent/Vice President for Human Resource Services Category 6
- Assistant Superintendent/Vice President for Instruction Categories 5, 6
- Assistant Superintendent/Vice President for Student Services Categories 5, 6
- Director, Fiscal Services Categories 4, 5
- Deans Category 6
- Director, Business Services Categories 1, 4, 5
- Director, Facilities Categories 1, 2, 3, 4
- Police Chief Categories 5, 6
- Consultant* Categories 1, 2, 3, 4, 5, 6

*Consultants must be included in the list of designated employees and must disclose pursuant to the broadest disclosure category in this Code subject to the following limitation: The Superintendent/President or designee may determine in writing that a particular consultant, although a “designated position” is hired to perform a range of duties that were limited in scope and thus not required to comply fully with the disclosure requirements described in this section. Such written determination shall include a description of the consultant’s duties and, based on that description, a statement of the extent of disclosure requirements. The Superintendent/President’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 disclosure categories listed below identify the types of investments, business entities, sources of income, or real property which the designated employees must disclose for each disclosure category to which they are assigned.

Category 1: All investments and business positions and sources of income from business entities that do business with the District or own real property within the boundaries of the District, plan to do business or own real property within the boundaries of the District within the next year, or have done business with or owned real property within the boundaries of the District within the past two years.

Category 2: All interests in real property which is located in whole or in part within, or not more than two miles outside, the boundaries of the District.

Category 3: All investments and business positions in, and sources of income from, business entities that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the District, plan to engage in such activities within the jurisdiction of the District within the next year, or have engaged in such activities within the jurisdiction of the District within the past two years.

Category 4: All investments and business positions in, and sources of income from, business entities that are banking, savings and loan, or other financial institutions.

Category 5: All investments and business positions in, and sources of income from, business entities that provide services, supplies, materials, machinery, vehicles, or equipment of a type purchased or leased by the District.

Category 6: All investments and business positions in, and sources of income from, business entities that provide services, materials, machinery, vehicles, or equipment of a type purchased or leased by the designated employee's Department.

Office of Primary Responsibility: Superintendent/President