

CONFLICT OF INTEREST CODE

References: *Government Code §§ 81000, et seq., 87103(e), 87300-87302, & 89501- 89503; California Code of Regulations Title 2 §18730*

The Political Reform Act (Government Code Section 81000, et seq.) requires the Southwestern Community College District ("District") to adopt and publish a Conflict of Interest Code. California Code of Regulations, title 2, Section 18730, which contains the terms of a standard Conflict of Interest Code, and any amendments to it duly adopted by the Fair Political Practices Commission, is hereby incorporated by reference. This regulation, the list of Designated Positions establishing disclosure requirements, and the list of Disclosure Categories, shall constitute the Conflict of Interest Code of Southwestern Community College District.

Designated Positions. The persons holding positions listed as Designated Positions are employees who make or participate in making decisions which may foreseeably have a material effect on the District's economic interests. Designated employees must file a Statement of Economic Interest, Form 700 annually.

Pursuant to Title 2, §18734, consultants are also included in the list of designated employees and must disclose pursuant to the broadest disclosure category in this Code. However, 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 are limited in scope and thus is not required to comply fully with the broadest disclosure requirements. 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. This determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

All persons assuming designated positions shall file Statements of Economic Interest within 30 days after assuming the designated position. All persons who leave designated positions shall file Statements within 30 days after leaving the designated position.

Disclosure Categories. Designated employees must report economic interests according to the disclosure category(ies) which have been assigned to each designated position.

Disqualification. No employee holding a designated position shall make, participate in making, or in any way attempt to use his or her official position to influence the making of any governmental decision which he or she knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable on its effect on the general public, on the employee or a member of his or her immediate family. (California Code of Regulations, title 2, §18730(b)(9)).

CONFLICT OF INTEREST CODE**DESIGNATED POSITIONS**

Designated Position	Disclosure Categories
Governing Board Members	1
Superintendent/President	1
Vice President for Academic Affairs	2 & 3
Vice President for Business & Financial Affairs	2 & 3
Vice President for Human Resources	2 & 3
Vice President for Student Affairs	2 & 3
Director of Finance	2 & 3
Dean, Higher Education Center National City & Crown Cove Aquatic Center at Coronado	4
Dean, Higher Education Centers Otay Mesa & San Ysidro	4
Dean, Student Services	4
Dean, Counseling & Matriculation	4
Director of Institutional Research, Grants & Planning	4
Dean, School of Business, Professional & Technical Education	4
Dean, School of Arts & Communication	4
Dean, School of Social Sciences & Humanities	4
Dean, School of Languages & Literature	4
Dean, School of Math, Science & Engineering	4
Dean, School of Continuing Education, Economic & Workforce Development	4
Dean, School of Health, Exercise Science & Athletics	4
Director of Athletics	4
Director of Facilities, Operations & Planning	2 & 4
Director of Bookstore	4
Director of Contracting, Purchasing & Central Services	4
Director of Continuing Education & Special Projects	4
Director of Computer Systems & Services	4
Director of Finance	4
Director of Payroll & Risk Management	4
Director of Food Services Contracts Food Program Projects	4
District Buyers	2 & 3
Facilities Coordinator	2 & 3
Consultants	1

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DISCLOSURE CATEGORIES: Individuals holding designated positions must report their economic interests according to the following disclosure category(ies) to which their position has been assigned.

Disclosure Category 1: Interests in real property located within the jurisdiction or within two miles of the boundaries of the jurisdiction or within two miles of any land owned or used by the agency; and investments and business positions in business entities, and income, including loans, gifts¹, and travel payments, from all sources.

Disclosure Category 2: Interests in real property located within the jurisdiction or within two miles of the boundaries of the jurisdiction or within two miles of any land owned or used by the agency.

Disclosure Category 3: Investments and business positions in business entities, and income, including loans, gifts, and travel payments, from sources, that provide services, supplies, materials, machinery, or equipment of the type utilized by the agency.

Disclosure Category 4: Investments and business positions in business entities, and income, including loans, gifts, and travel payments, from sources, that provide services, supplies, materials, machinery, or equipment of the type utilized by the department or division to which the filer is assigned duties.

Disclosure Category 5: Investments and business positions in business entities, and income, including loans, gifts, and travel payments, from sources, that filed a claim against the agency during the previous two years, or have a claim pending.

Disclosure Category 6: Investments and business positions in business entities, and income, including loans, gifts, and travel payments, from sources, that are of the type to request an entitlement to use agency property or facilities, including, but not limited to:

- A license
- Utility permit
- Station vendor permit.

Upon receipt of the annual Statements of Economic Interest for all designated positions, the Human Resources Compliance Coordinator for the District shall make and retain a copy and forward the original of each statement to the County Board of Supervisors.

¹ "Gifts," as used in all disclosure categories, shall be defined as gifts with a value of \$50 or more received from persons doing business with Southwestern Community College District.