

Board Member Conflict of Interest

Board members are expected to avoid conflicts of interest involving all matters considered by the Board. A conflict of interest exists when a member is confronted with an issue in which the member has a personal or financial interest or an issue or circumstance that could render the member unable to devote complete loyalty and singleness of purpose to the public interest.

1. If a Board member has a personal or financial interest in any matter being considered by the Board, the member shall disclose such interest to the Board, shall not vote on the matter and shall not attempt to influence the decisions of other Board members.
2. If the Board lacks a quorum without the member's participation, the member may vote if his participation is necessary to enable the Board to act. If a member votes under such circumstances, the member shall state for the record the fact and nature of the potential conflict of interest.
3. The Board shall not enter into any contract with any of its members or with a firm in which a member has a financial interest.
4. A Board member is expected to avoid conflict of interest in the exercise of the member's fiduciary responsibility. Accordingly, a Board member may not:
 - a. disclose or use confidential information acquired during the performance of official duties as a means to further the Board member's own personal financial interests or the interests of a member of the Board member's immediate family;
 - b. accept a gift of substantial value or economic benefit which would tend to improperly influence a reasonable person, or which the Board member knows or should know is primarily for the purpose of a reward for official action;
 - c. engage in a substantial financial transaction for private business purposes with a person whom the Board member directly or indirectly supervises;
 - d. perform an official act which directly confers an economic benefit on a business in which the Board member has a substantial financial interest or is engaged as a counsel, consultant, representative or agent.

Legal Reference:

EDUCATION CODE

1006 Qualifications for holding office; term limits; electoral approval
5095 Powers of remaining governing board members and new appointees
35010 Control of district; prescription and enforcement of rules
35107 Eligibility; school district employees; term limitations; voting restrictions
35160 Authority of governing boards commencing January 1, 1976
35164 Vote requirements
35165 Vacancies; effect on majorities and unanimous actions
35230-35240 Corrupt practices

GOVERNMENT CODE

1090-1099 Conflicts of interest, prohibitions applicable to specified officers
81000-91015 Political Reform Act of 1974, especially:
82019 Definition of "Designated employee"
82028 Definition of "Gift"
82030 Definition of "Income"
82033 Definition of "Interest in real property"
82034 Definition of "Investment"
87100-87103.6 General prohibitions
87200-87210 Disclosure
87300-87313 Conflict of Interest Code
87500 Statements of economic interests
89501-89505 Honoraria and gifts
91000-91015 Enforcement

CODE OF REGULATIONS, TITLE 2

18100 et seq. Regulations of the Fair Political Practices Commission

Adopted: April 24, 2007

Revised: March 10, 2015

Monitoring Method: Board self-assessment

Monitoring Frequency: Annually

Palm Springs Unified School District Board of Education