
Governing Board Member Incompatible Office and Activities Policy 2-102

Scope:

This policy establishes required standards to prevent conflicts of interest, avoid incompatible offices and activities, and maintain public trust in Governing Board operations.

Incompatible Offices:

Board members shall not hold any office, position, or employment—public or private—that is incompatible with their duties as a member of the Governing Board.

An office or position is incompatible if it:

- Conflicts with or interferes with the proper performance of Board duties;
- Creates divided loyalties or compromises the Board member's ability to act solely in the best interests of the District; or
- Involves supervision, regulation, contracting with, or oversight of the District.

Examples of incompatible offices include, but are not limited to:

- Employment with the District or with an entity that does business with the District;
- Service on another board or commission that governs, regulates, or exercises authority over the District; or
- Holding a public office with decision making authority affecting District operations, finances, or policies.

Purpose

The Governing Board is committed to upholding the highest standards of ethical conduct and ensuring that Board members act in the best interest of the District.

Incompatible Activities:

Board members shall avoid activities that conflict with their official responsibilities or undermine public confidence in the Board.

Incompatible activities include, but are not limited to:

1. Financial Interests

Accepting compensation, gifts, or other benefits in excess of legal limits or in violation of Fair Political Practices Commission (FPPC) rules from individuals or entities that do business with or seek to influence the District.

2. Use of Position for Personal or Outside Interests

Using Board position, title, or authority to advance personal, political, or financial interests unrelated to the District's mission.

3. Confidential Information

Disclosing, misusing, or allowing improper access to confidential information obtained through Board service.

4. Nepotism and Favoritism

Participating in decisions or discussions involving immediate family members, close associates, or organizations in which the Board member has a personal or financial interest.

5. Interference with District Operations

Attempting to direct or supervise District staff, or interfering in day-to-day operations outside of official Board action.

6. Outside Employment or Contracts

Engaging in employment, consulting, or contractual relationships that conflict with District interests or overlap with District business.

7. Unauthorized Representation

Representing or speaking on behalf of the District without authorization by the Governing Board.

Disclosure and Recusal:

Board members shall promptly disclose any actual or potential conflict of interest and shall abstain from participation, discussion, and voting when required by law.

Board members shall comply with all applicable financial disclosure requirements, including the timely filing of Form 700 statements.

Appearance of Impropriety:

Board members shall avoid conduct that creates the appearance of impropriety or undermines public confidence in the integrity of the Governing Board.

Enforcement:

The Governing Board shall determine violations of this policy in accordance with applicable law.

Violations may result in censure, removal from Board committees, or other appropriate action permitted by law.

Implementation and Acknowledgment:

The Superintendent or designee shall ensure Board members receive this policy during orientation and periodically thereafter.

Board members shall annually acknowledge in writing their understanding of and compliance with this policy.

Legal Compliance:

This policy shall be interpreted and applied in a manner consistent with applicable state and federal law.

Legal References:

- Government Code §§ 1090, 1126
- Education Code §§ 35107, 35230
- California Constitution Article IV, Section 20