BP 7050 EMPLOYEE CONFLICT OF INTEREST

The following policy pertains to all employees of the Cerritos Community College District.

A. CONFLICTS OF INTEREST ARE PROHIBITED

No employee or consultant/contractor of the Cerritos Community College District shall make, participate in making, or in any way attempt to influence a decision of the Cerritos Community College District in which he or she knows or has reason to know will have a financial effect, distinguishable from its effect on the public generally, on the employee or his or her “immediate family.” Immediate family shall mean spouse and dependent children of an employee of the District (Government Code, Section 82029), which includes:

1. Any business entity in which the employee, consultant/contractor or his/her immediate family has an investment;
2. Any business entity in which the officer, employee, consultant/contractor or his/her immediate family is a director, officer, partner, trustee, employee, or holds any position of management; or,
3. Any real property in which the officer, employee, consultant/contractor or his/her immediate family has a direct or indirect interest.

B. USE OF CONTRACTORS

In accordance with Government Code, Section 1126, no designated employee filing an Annual Statement shall accept money or gifts from any current contractor providing facilities, grounds, or construction services to the District. Designated employees are required to disclose on the Annual Statement any money or gifts in any amount from any current contractor providing facilities, grounds, or construction services to the District. For purposes of this section, a ‘current contractor’ refers to any business entity or individual including contractors, suppliers, architects, attorneys, engineers, and insurers, providing services related to the construction of facilities or grounds for the District during the year covered by the Annual Statement.

C. PENALTIES

Any employee who shall make, participate in making, or in any way attempt to use his or her relationship with the Cerritos Community College District to influence a decision of the Cerritos Community College District in which he or she knows or
has reason to know he or she has a prohibited financial interest shall be subject to
discipline, including up to dismissal.

D. ACADEMIC DECISIONS
In the area of academic decisions, the Fair Political Practices Commission has
established certain specific exemptions from conflict of interest provisions which
are applicable to the Cerritos Community College District. Academic decisions
with respect to textbook utilization and other educational materials are also subject
to the District’s written guidelines for textbooks which appear in the Faculty
Handbook. The regulations for academic decisions adopted by the California Fail
Political Practices Commission, at Title 2 Code of the California Code of
Regulations (CCR), Section 18705, provide as follows:

Section 18705. Academic Decisions.
“(a) Except as provided in subsection (b), neither disclosure of financial
interests nor disqualification is required under Government Code, Sections
87100, 87302, or any Conflict of Interest Code, in connection with:
“(1) Teaching decisions, including the selection by a teacher of books or
other educational materials for use within his or her own school or
institution, and other decisions incidental to teaching;
“(2) Decisions made by a person who has teaching or research
responsibilities at an institution of higher education to pursue personally a
course of academic study or research, to apply for funds to finance such a
project, to allocate financial and material resources for such academic study
or research, and all decisions relating to the manner or methodology with
which such study or research will be conducted. Provided, however, that
the provisions of this subsection (2) shall not apply with respect to
institution- or campus-wide administrative responsibilities respecting the
approval or review of any phase of academic research or study conducted
at the institution or campus.
“(b) Disclosure shall be required under Government Code, Section 87302
or any Conflict of Interest Code in connection with a decision made by a
person or persons at an institution of higher education with principal
responsibility for a research project to undertake such research, if it is to be
funded or supported, in whole or in part, by a contract or grant (or other
funds earmarked by the donor for a specific research project or for a specific
researcher) from a nongovernmental entity, but disqualification may not be
required under Government Code, Sections 87100, 87302, or any Conflict
of Interest Code in connection with any such decision if the decision is
substantively reviewed by an independent committee established within the
institution.”

E. DISTRIBUTION OF THIS POLICY
Copies of this policy shall be distributed by the Human Resources Office to all
current and future employees.
See also BP/AP 2710 titled Conflict of Interest and BP 2712 titled Conflict of Interest Code.

Office of Primary Responsibility: Vice President, Human Resources

---

Date Adopted: December 10, 2008
(Replaces former Cerritos CCD Policy 5000.1)