West Hills Community College Foundation
9900 Cody Street
Coalinga, CA 93210

Conflict of Interest
WHCCF Board Procedure 2710

Incompatible Activities

West Hills Community College Foundation Board members, hereinafter Board members, shall not engage in any employment or activity that is inconsistent with, incompatible with, in conflict with or inimical to the Board member's duties as a representative of the Board.

Financial Interest in Contracts

Board members, volunteers and consultants shall not be financially interested in any contract made by the Board or in any contract they make or participate in making in their capacity as members of the Board or as volunteers or consultants.

A Board member shall not be considered to be financially interested in a contract if his or her interest meets the definitions contained in applicable law. (See, for example, Government Code Section 1091).

A Board member shall not be deemed to be financially interested in a contract if he or she has only a remote interest in the contract and if the remote interest is disclosed during a Board meeting and noted in the official Board minutes.

The affected Board member shall not vote or debate on the matter or attempt to influence any member of the Board or other public official to enter into the contract.

Remote interests are specified in Government Code Sections 1091(b). They include, but are not limited to, the interest of a parent in the earnings of his or her minor child.

In addition, a Board member shall not be deemed financially interested in a contract if he or she has no qualifying interest in the contract, as specified by law. (See Government Code Section 1091.5).

No Employment Allowed *(Education Code Section 72103(b))*

An employee of the District may not be sworn in as an elected or appointed member of the Governing Board unless and until he or she resigns as an employee. If the employee does not resign, the employment will automatically terminate upon being sworn into office.

Financial Interest in a Governmental Decision *(Government Code Section 87100 et seq.)*

If a Board member determines that he or she has a financial interest in a decision, as described in Government Code Section 87103, this determination shall be disclosed and made part of the Board's official minutes. Where practicable, this announcement shall be made in writing and submitted to the Board in advance of the Board meeting. A Board member, upon identifying a conflict of interest, or a potential conflict of interest, shall do all of the following prior to consideration of the matter:

• Publicly identify the financial interest in detail sufficient to be understood by the public;
• Recuse himself or herself from discussing and voting on the matter;
• Leave the room until after the discussion, vote, and any other disposition of the matter is concluded unless the matter is placed on the agenda reserved for uncontested matters. A Board member may, however, discuss the issue during the time the general public speaks on the issue.

Gifts *(Government Code Section 89503)*

Board members and any employees who manage public investments shall not accept from any single source in any calendar year any gifts in excess of the prevailing gift limitation specified in law. Designated employees are those officials designated in the District's conflict of interest code (AP 7212) who are required to file a statement of economic interests. Designated employees shall not accept from any single source in any calendar year any gifts in excess of the prevailing gift limitation specified in law if the employee would be required to report the receipt of income or gifts from that source on his/her statement of economic interests.

The above limitations on gifts do not apply to wedding gifts and gifts exchanged between individuals on birthdays, holidays and other similar occasions, provided that the gifts exchanged are not substantially disproportionate in value.

Gifts of travel and related lodging and subsistence shall be subject to the above limitations except as described in Government Code Section 89506.

A gift of travel does not include travel provided by the District for Board members and designated employees.

Board members and any employees who manage public investments shall not accept any honorarium, which is defined as any payment made in consideration for any speech given, article published, or attendance at any public or private gathering (Government Code Sections 89501, 89502).

Designated employees shall not accept any honorarium that is defined as any payment made in consideration for any speech given, article published, or attendance at any public or private gathering, if the employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. The term "honorarium" does not include:
• Earned income for personal services customarily provided in connection with a bona fide business, trade, or profession unless the sole or predominant activity of the business, trade or profession is making speeches.
• Any honorarium that is not used and, within 30 days after receipt, is either returned to the donor or delivered to the District for donation into the general fund without being claimed as a deduction from income tax purposes.

Approved by the WHCC Foundation Board of Directors March 17, 2010
Reviewed: November 13, 2013 with no changes
Reviewed: February 18, 2015 with no changes
Reviewed: May 11, 2016 with no changes
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