

Item 8, Attachment 1: Text of Board of Governors of the California Community Colleges—Proposed Revisions to Title 5: Conflict of Interest Code (5 C.C.R. § 50500)

This document contains strikethrough and underline text, which may require adjustments to screen reader settings.

Additions to the prior conflict of interest code are underlined and deletions are in strikethrough.

Section 50500 of Subchapter 2 of Chapter 1 of Division 6 of title 5 of the California Code of Regulations is Amended to Read:

§ 50500. General Provisions.

The Political Reform Act, Government Code sections 81000, et seq., requires state and local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted a regulation, California Code of Regulations, title 2, section 18730, which contains the terms of a standard Conflict of Interest Code, which can be incorporated by reference, and which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings. Therefore, the terms of California Code of Regulations, title 2, section 18730, and any amendments to it duly adopted by the Fair Political Practices Commission, along with the attached Appendix in which officials and employees are designated and disclosure categories are set forth, are hereby incorporated by reference and constitute the Conflict of Interest Code of the Board of Governors of the California Community Colleges.

The Board of Governors and the Chancellor must file their statements of economic interests electronically with the Fair Political Practices Commission. All other individuals holding designated positions must file their statements with the Board of Governors of the California Community Colleges. All statements must be made available for public inspection and reproduction under Government Code Section 81008.

~~Designated employees shall file their statements with the California Community Colleges Chancellor's Office, which will make the statements available for public inspection and reproduction. (Gov. Code, § 81008). Upon receipt of the statements for the Board of Governors and the Chancellor, the agency shall make and retain a copy and forward the original to the Fair Political Practices Commission. Statements for all other designated employees will be retained by the agency.~~

Appendix

<i>Designated Employees</i>	<i>Disclosure Category</i>
Board of Governors	
Members.....	1,4
Executive Office	
Chancellor	1,4
<u>Deputy Chancellor</u>	1,4
<u>Executive Vice Chancellor</u>	1,4
<u>Director</u>	1,4
<u>Specialist/Employment and Certification</u>	2,4
<u>Consultants/New Positions</u>	*
Communications and Marketing Division	
Vice Chancellor.....	1,4
Director	<u>2,4</u> ,4
<u>Information Technology Specialist I</u>	2
<u>Consultants/New Positions</u>	*
Office of the General Counsel Legal Affairs Division	
<u>Vice Chancellor and General Counsel</u>	1,4
<u>Attorney (All levels) Staff Counsel, all levels</u>	1,4
<u>Consultants*/New Positions</u>	<u>2</u>
Governmental Relations Division	
Vice Chancellor.....	1,4
Assistant Vice Chancellor	1,4
Director	1,4
<u>Administrator/Academic Planning and Development</u>	1
<u>Specialist in/Academic Planning and Development</u>	2
<u>Specialist/Employment and Certification</u>	2,4
<u>Consultants*/New Positions</u>	<u>2</u>
Digital Innovation and Infrastructure Division Technology, Research, and Information Services Division	
Vice Chancellor.....	1,4
<u>Administrator/Academic Planning and Development</u>	1
<u>Data Processing Manager II</u>	1
<u>Information Technology Manager (All levels)</u>	2
<u>Specialist in/Information Systems and Analysis</u>	2
<u>Senior Information Systems Analyst (Specialist)</u>	3
<u>Staff Information Systems Analyst (Supervisor)</u>	3
<u>Staff Information systems Analyst (Specialist)</u>	3
<u>Senior Programmer Analyst (Specialist)</u>	3
<u>Staff Programmer Analyst (Specialist)</u>	3
<u>Systems Software Specialist II (Technical)</u>	3
<u>Information Technology Specialist (All levels)</u>	3
<u>Research Data Specialist (All Levels)</u>	3

Systems Software Specialist III (Technical).....	3
Systems Software Specialist III (Supervisor).....	3
Consultants*/New Positions	*2

College Finance and Facilities Planning Division

Vice Chancellor.....	1,4
Assistant Vice Chancellor	1,4
Director	1,4
Administrator/Fiscal Planning and Administration.....	1
<u>Education Administrator (All levels)</u>	1,4
Administrator/Facilities Planning and Utilization.....	1
Specialist <u>in</u> /Fiscal Planning and Administration.....	2
Specialist <u>in</u> /Facilities Planning and Utilization.....	2
Consultants*/New Positions	*1

Educational Services Division Student Services and Special Programs Division

<u>Executive Vice Chancellor</u>	1,4
Vice Chancellor.....	1,4
Administrator/Student Services Planning and Development	1
<u>Administrator for Academic Planning & Development</u>	2,4
<u>Education Administrator (All levels)</u>	2,4
Specialist <u>in</u> /Student Services Planning and Development	2,4
Specialist in Academic Planning & Development.....	2,4
Specialist/General Vocational Education.....	2
<u>Community College Program Assistant II</u>	2,4
Consultants*/New Positions	*2

Workforce and Economic Development Division Economic Development and Workforce Preparation Division

Vice Chancellor.....	1,4
Administrator <u>for</u> /Vocational Education	2,4
Specialist <u>in</u> /General Vocational Education	2,4
<u>Staff Services Manager I (Supervisory)</u>	2,4
<u>Community College Program Assistant II</u>	2,4
Consultants*/New Positions	*2

Academic Affairs Division

Vice Chancellor.....	1,4
Administrator/Academic Planning and Development.....	1,4
Specialist/Academic Planning and Development	2
Specialist/General Vocational Education.....	2
Consultants*	2

Institutional Effectiveness Division

Vice Chancellor.....	1,4
Administrator for Academic Planning & Development.....	2,4
<u>Staff Services Manager I (Specialist)</u>	2,4
Consultants/New Positions.....	*

Human Resources and Internal Operations Division

<u>Vice Chancellor Director</u>	1,4
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Accounting Administrator (All levels)-II (Supervisor)	3
Associate Business Management Analyst.....	3
Business Services Officer I (Specialist).....	3
Business Services Assistant (Specialist).....	3
Staff Services Manager II (Supervisor).....	3
Staff Services Manager I	3
<u>Associate Governmental Program Analyst (Business Services) ..</u>	<u>3</u>
Consultants*/New Positions	*2

*Consultants/new positions shall be included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation:

The Chancellor may determine in writing that a particular consultant or new positions, although a “designated position,” is hired to perform a range of duties that is limited in scope and thus is not required to comply with the disclosure requirements described in this section. Such determination shall include a description of the consultant’s or new position’s duties and, based upon that description, a statement of the extent of disclosure requirements. The Chancellor’s determination is a public record and shall be retained for public inspection in the same manner and location as this conflict-of-interest code. (Gov. Code Section 81008.)

Note: With respect to consultants, the Chancellor may determine in writing that a particular consultant, although a “designated person,” is hired to perform a range of duties that is limited in scope and thus is not required to comply with the disclosure requirements described in this section. Such determination shall include a description of the consultant’s duties and, based upon that description, a statement of the extent of disclosure requirements. The Chancellor’s determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code. (Gov. Code, § 81008.) Nothing herein excuses any such consultant from any other provision of the Conflict of Interest Code.

Disclosure Categories

1. Designated employees in Category 1 must report the following:
 - (a) All interests in real property in the State of California.
 - (b) Any investment or business position in a business entity, or any source of income (including gifts, loans, and travel payments), if the business entity or source of income is engaged in publishing, manufacturing, selling, or leasing:
 - (1) Instructional materials;
 - (2) Equipment; or
 - (3) Services, including training or consulting services; when such materials, equipment or services are of the type utilized by community college districts or the Board of Governors or Chancellor's Office.
 - (c) Any investment or business position in a business entity, or any source of income (including gifts, loans and travel payments), if the business entity or source of income is engaged in selling or leasing real estate which is utilized by community college districts or the Board of Governors or Chancellor's Office.

2. Designated employees in Category 2 must report the following:

(a) Any investment or business position in a business entity, or any source of income (including gifts, loans, and travel payments), if the business entity or source of income is engaged in publishing, manufacturing, selling or leasing:

(1) Instructional materials;

(2) Equipment; or

(3) Services, including training or consulting services; when such materials, equipment or services are of the type utilized by community college districts or the Board of Governors or Chancellor's Office.

3. Designated employees in Category 3 must report the following:

(a) Any investment or business position in a business entity, or any source of income (including gifts, loans, and travel payments), if the business entity or source of income is engaged in publishing, manufacturing, selling or leasing:

(1) Instructional materials;

(2) Equipment; or,

(3) Services, including training or consulting services; when such materials, equipment or services are of the type utilized by the Board of Governors or Chancellor's Office.

4. Designated employees in Category 4 must report the following:

(a) Any investment or business position in a business entity, or any source of income (including gifts, loans, and travel payments), if the business entity or source of income provides education, training, or experience to persons toward meeting minimum qualifications for employment in a community college district.

Note: Authority cited: Sections 87300 and 87307, Government Code. Reference: Sections 89503, 89505 and 87300 et seq., Government Code.