

BOARD POLICY 3400

Statement of Economic Interest

I. Purpose

All state and local government agencies are required to adopt conflict of interest codes designating certain positions which entail the making or participation in the making of decisions which may affect financial interests. As required by Government Code Section 87302, District employees and appointed officials must file a Statement of Economic Interests (Form 730) if their positions are designated in the District's Conflict of Interest Code. These statements are public documents which are open for inspection and reproduction by any person.

II. Designated Positions

Officials and employees in the following positions are required to file Statements of Economic Interests: Board of Trustees Members and Candidates; Superintendent/President; Vice Presidents; Business Manager; Director of Personnel Services; Director of Purchasing; Deans; Associate Deans; Director of Food Services; Director and Assistant Director of Facilities Planning and Services; Director of the Bookstore; Director of Information Systems; and Consultants who perform under contract the duties of any of the aforementioned.

III. Filing Officer

The Vice President of Administrative Services, as the District's filing officer is required to file and maintain original Statements of Economic Interests for all personnel designated in Exhibit "B" of the District's Conflict of Interest and Disclosure Code, except the Superintendent and the Board of Trustees. The original statements for the personnel in these positions are to be filed with and maintained by the Executive Officer of the Board of Supervisors, who is their filing officer.

Duties of the District's filing officer include the following:

- Supplying the necessary forms and manuals to designated employees;
- Determining whether the proper statements have been filed;
- Promptly notifying the filer if a statement is not completed properly;
- Compiling and maintaining a master list of employees holding designated positions;
- Maintaining originals of the statements filed with the District;
- Acting as liaison with the Executive Officer of the Board of Supervisors;

- Carrying out enforcement responsibilities established under the Political Reform Act of 1974 as delegated by the Executive Officer;
- Upon receipt, forwarding those statements received that should be filed with the Executive Officer of the Board of Supervisors.

IV. Procedure for Filing Annual Statements

- A. In February of each year, the Executive Officer of the Board of Supervisors will, in writing, notify the District of the deadline for filing annual Statements of Economic Interests.
- B. The District's filing officer will send to each designated employee a copy of the District's Conflict of Interest and Disclosure Code, Form 730 for the prior calendar year, the accompanying instruction manual, and a cover memo requesting completion of Form 730 on or before April 1.
- C. The designated employee will refer to Exhibit "B" of the Conflict of Interest Code to determine which disclosure categories are applicable to his/her position. Exhibit "A" of the Code details which types of interests must be disclosed for each category.
- D. The designated employee will complete Form 730 as follows:
 1. Disclose economic interests held, and income received, on the appropriate Schedule pages, during the previous calendar year beginning either January 1, or the date the employee assumed the designated position, whichever is later.
 2. Check the applicable boxes and sign the summary page.
 3. Return the original completed form to the office of the Vice President – Administrative Services.
- E. Upon receipt of the completed statements, the filing officer will date stamp them, reviewing them for proper completion. The filing officer will then forward statements completed by the Superintendent and the Board of Trustees to the Executive Officer of the Board of Supervisors and maintain all other statements in a District yearly file. Statements are retained for at least seven years.

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F. Approximately two weeks before the April 1 deadline, the filing officer will send reminder memos to all designated employees who have not submitted their completed statements.

V. Procedure for Filing Assuming Office Statements

A. Filing officer will send an appropriate memo, Form 730, and necessary attachments to any employee who assumes a designated position. Within thirty days, that employee must file an assuming office statement with the District's filing officer. The statement must disclose economic interests held on the date the employee assumed office. Above procedure from IV-C through IV-E is followed.

B. If the statement has not been filed within the thirty-day time limit, the filing officer will send a reminder memo.

VI. Procedure for Filing Leaving Office Statements

A. Filing officer will send an appropriate memo, Form 730, and necessary attachments to any employee who leaves a designated position. Within thirty days of leaving a designated position, the employee must file a leaving office statement with the District's filing officer. The statement must cover the period between the last statement filed and the date the employee leaves the position. Above procedure from IV-C through IV-E is followed.

B. If the statement has not been filed with the filing officer within the thirty-day time limit, the filing officer will send a reminder memo.

VII. Failure to File Statements

A. If an employee fails to file an annual, assuming, or leaving office statement after a reminder is sent, the filing officer will send a specific written notice of the penalties for failure to file. Such employees could be subject to financial penalties at the rate of \$10.00 per day after the deadline until the statement is filed, up to a maximum of \$100.00. There is no provision in the law for an extension of the filing deadline.

B. If an employee still fails to file a statement after the deadline imposed, the filing officer must refer the employee to the Executive Officer of

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the Board of Supervisors for imposition of applicable fines and/or civil penalties.

- C. Employees should be cautioned that failure to comply with the provisions of the Political Reform Act could result in disciplinary actions, including dismissal, consistent with applicable civil service rules or other laws, regulations and procedures, in addition to any financial penalties.

Previous Board Policy Number: 4317