

SANTA ANA UNIFIED SCHOOL DISTRICT

AR 4112.8/4212.8/4312.8(a)

All Personnel

Employment of Relatives and Immediate Family

The following regulations shall govern conflict of interest in the employment of staff:

1. A Board member shall not be deemed to be financially interested in a contract between the Board and the Board member's minor child as long as the Board member's remote interest in the contract is disclosed to the Board, noted in the minutes of the Board, and thereafter, the Board authorizes, approves, or ratifies the contract by a vote sufficient for the purpose. The Board member shall abstain from voting on the contract and shall not attempt to influence other members of the Board to approve the contract. (Government Code 1091)
2. A Board member shall not be deemed to be interested in a contract between the Board member's spouse and the District, provided the Board member's spouse has been employed by the District for at least one year in the same employment prior to the Board member's selection or appointment. (Government Code 1091.5)
3. Persons related by blood or marriage to a District employee shall not be appointed to positions where the District employee maintains immediate supervisory or evaluation responsibilities for the position.
4. Members of the same family may be employed at the same department or work location upon written approval by the Superintendent or his/her designee.

It is the intent of these rules to avoid any situation where there can arise a conflict of interest either on the part of a Board member or a member of the administrative staff.

(Legal Reference next page)

Legal Reference:

EDUCATION CODE

35107 Eligibility; school district employees; term
limitations; voting restrictions
35233 Prohibitions applicable to members of governing boards
of school districts and citizens' oversight committees

GOVERNMENT CODE

1090-1098 Prohibitions applicable to specified officers
82030 Income
87100 Public officials; state and local; financial interest
87102 Additional requirements; remedies
87103 Financial interest in decision by official
87200 et seq. Disclosure
87300 et seq. Conflict of Interest Code

ATTORNEY GENERAL OPINIONS

65 Ops.Cal.Atty.Gen. 305
73 Ops.Cal.Atty.Gen. 191
69 Ops.Cal.Atty.Gen. 102
84 Ops.Cal.Atty.Gen. 175

Approved: 9-03

Santa Ana, CA