



Procedure 430-02 Conflict of Interest

Sponsor: Human Resources

Purpose

The purpose of a conflict of interest procedure is to ensure transparency and impartiality by requiring employees to disclose any conflict of interest as defined herein and remove or limit personal influence from the College employee's decision-making processes in his/her capacity as a public employee as defined by A.R.S. § 38-503.

Definitions

Relatives: Spouse, children, grandchildren, parents, grandparents, brothers, sisters (including half-brothers and half-sisters), brothers-in-law, sisters-in-law, parents-in-law, and children-in-law of the employee.

Substantial Interest: Any nonspeculative pecuniary or proprietary interest, either direct or indirect, other than a remote interest as statutorily defined in A.R.S. § 38-502(10).

Procedure

Pursuant to A.R.S. § 38-503, Governing Board members and all employees (full-time, part-time, or temporary) of the College or whose relatives have a substantial interest in any contract, sale, purchase, service (including consulting) or other decision, shall make known that interest to the College by completing a Disclosure of Conflict-of-Interest form. A Governing Board member or employee disclosing such a conflict of interest shall refrain from voting upon or participating in any manner in the decision, contract, sale, purchase, or service.

"Refrain from participating in any manner" means more than just refraining from making a final decision. It means participating in any way in the process leading up to a decision. An employee with a conflict of interest must not make recommendations, give advice, or otherwise communicate in any manner with anyone involved in the decision-making process.

At the start of each academic year, all employees shall annually complete and submit a Disclosure of Conflict of Interest Form to HR. Employees shall complete and submit a Disclosure of Conflict of Interest form even if no conflict exists. The employee shall make updated disclosures during the year as needed if circumstances change.

Neither state law nor Governing Board policy prohibits, however, an employee or employee's relative from doing business with the district. In fact, the employee or relative may supply equipment, material, supplies, or service to the district and not violate its conflict-of-interest policy, provided:

- the interest is disclosed annually on the Disclosure of Conflict of Interest Form or in the minutes of the Board;

- the contract is awarded after competitive bidding and/or market research performed by Purchasing Services; and
- The District Governing Board member or employee refrains from voting or participating in any manner in the contract, sale, purchase, or decision.

The College may void any contract made in violation of this policy pursuant to A.R.S § 38-511.

References

A.R.S. § 38-503

A.R.S. § 38-511

Procedure History

09/09/2009 Reformatted

06/03/2025 Updated by Human Resources

06/06/2025 Approved by the President's Cabinet

Legal Review

06/03/2025