

Rancho Santiago Community College District
ADMINISTRATIVE REGULATION
Chapter 3
General Institution

AR 3821 Gift Ban Policy

Reference(s):

California Code of Regulations, Title 2, Sections 18730 et seq.
California Government Code, 87200 and 54950

Introduction

Board Policy 3821 prohibits designated employees and officers of the Rancho Santiago Community College District from soliciting or accepting gifts from entities or individuals who do business with the District. It is the intent of the policy to prevent undue influence on decisions and recommendations made by designated employees and officers as well as eliminating the appearance of any undue influence. The list of designated employees and officers is contained in Exhibit A of Administrative Regulation (AR) 2712.

Purchasing

The negotiation of either quantity or trade discounts with suppliers for all purchases shall be by the Vice Chancellor of Business Operations/Fiscal Services or his designee only. The District prohibits the use of gifts, incentives, inducements, favors, monetary returns, either promised or given, and/or rebates of any kind (hereinafter referred to as incentives) that do not accrue directly to the District. Any supplier of goods or services attempting to or providing such incentives shall be subject to the immediate termination of any existing and future purchase order to the supplier. The District will take any and all appropriate actions deemed necessary, including but not limited to referral to local law enforcement authorities.

Exempted Activities

1. Volunteer Service on Non-Profit/Not-for-Profit Boards

It is recognized that the District benefits from community involvement by designated employees and officers. Service on professional and community organizations provide value to the District, its programs and students. In that regard, meals, beverages, and expenses related to attendance at conferences, meetings, planning sessions, etc., which are incidental to service on the board or committee of a non-profit or not-for profit organization, are not considered gifts for the purposes of this Board Policy. Examples of non-profit/not-for-profit organizations include but are not limited to:

- Community Organizations (e.g. chambers of commerce, service clubs, Orange County Human Relations Commission)

- Foundations (e.g. college/district foundations, Community Foundation of Orange, Education Foundation for Orange County Schools, Orange County Hispanic Education Endowment Fund)
- Professional Associations (e.g. Community College League of California, California Community College Trustees, Chief Executive Officers of the California Community Colleges, Association of California Community College Administrators)
- Credit Unions (e.g. SchoolsFirst Federal Credit Union, Comunidad Latina Federal Credit Union)

2. Joint Powers Authorities

The District is a member of joint powers authorities which provide coverage for a wide range of insurance risks including property/liability, workers compensation, and health benefits. These agencies are governed by elected boards and appointed committees which oversee the programs and benefits provided to the member districts. Designated employees and officers who serve on boards and committees of joint powers authorities are authorized to attend meetings, planning sessions, workshops and conferences sponsored by these agencies, which may or may not include sponsored meals, beverages or related activities.

3. Participation in Fundraising Events

The district and college foundations, as well as other community organizations, periodically hold fundraising events (e.g. golf tournaments, recognition dinners, etc.) which designated employees and officers may attend by paying a registration fee with personal funds. Events of this nature may include sponsored meals, beverages or commemorative gifts, which are provided to all persons attending the event are not considered gifts under the provisions of BP 3821.

4. Professional Conferences/Workshops

The District provides funding for designated employees and officers to attend conferences and workshops which focus on professional development. Portions of these conferences, such as meals, refreshment breaks, or commemorative gifts, may be sponsored. The participation of designated employees and officers in these conferences and workshops does not constitute the receipt of a gift under the provisions of BP 3821.

5. District/College Events and Recognition Ceremonies

The District and its colleges periodically hold events and recognition ceremonies (e.g. convocations, service recognitions, employee orientations etc.) which may include food, beverages and/or commemorative gifts that may be sponsored or underwritten by outside organizations. Meals, beverages or commemorative gifts, which are provided to all persons attending the event are not considered gifts under the provisions of BP 3821.

Applicability of California Fair Political Practices Regulations

Some items of value and activities exempted from the definition of gifts for the purposes of BP 3821 may still be subject to disclosure by the designated employee or officer pursuant to the regulations of the California Fair Political Practices Commission. Each designated employee and officer is responsible for maintaining a record of items received during the course of a year that are subject to disclosure on the Annual Statement of Economic Interests (Form 700).

Adopted: June 15, 2016