BOARD MEMBER CONFLICTS OF INTEREST

The Code of Ethical Conduct for public officials in Oregon prohibits the use of an official position or office to obtain financial gain for the official, a household member or a business with which the official is associated.

Potential conflict of interest is defined under Oregon law as “any transaction where a person acting in a capacity as a public official takes any action or makes any decision or recommendation, the effect of which would be to the person’s private pecuniary benefit or detriment, “…except where the action affects a whole class of people similarly situated, not just the public official as an individual.

When an item of business before a Board may represent a conflict of interest for an individual Board member, it is incumbent upon that Board member to publicly announce the nature of that potential conflict of interest before taking any official action on the item in question.

Such announcement is only required once when the matter is being discussed or debated. The person announcing a potential conflict of interest may still vote on the business but may not use his/her position for financial gain.

Abstaining from a vote does not meet the legal requirement of publicly stating a potential conflict.

A Board member may not vote lawfully if an actual conflict of interest exists as defined by Oregon law.

Taking of a seat on the College Board by an employee of the College shall automatically serve to terminate that individual’s employment with the College.

END OF POLICY

Legal References:

ORS 162.015 –162.035
ORS 162.405 –162.425
ORS 192.630
ORS 244.010 –244.130