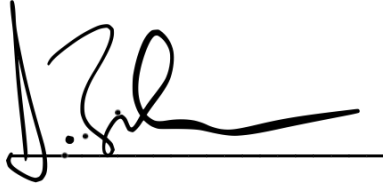
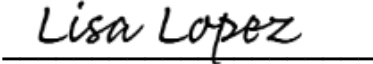


## SAN ANDREAS REGIONAL CENTER

<b>Policy: Conflict of Interest Policy for Employees and Board Members</b>		
<b>Date of issue: 4/25/25</b>		<b>Supersedes: 9/1/10</b>
<b>Department: Administration</b>		<b>Distribution: All employees and board members</b>
<p><b>Approved:</b></p> <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="width: 30%;"> <p><b>Javier Zaldivar</b> Executive Director</p> </div> <div style="width: 30%; text-align: center;">  </div> <div style="width: 30%;"> <p>Date: <u>4/25/25</u></p> </div> </div> <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="width: 30%;"> <p><b>Lisa Lopez</b> Board President</p> </div> <div style="width: 30%; text-align: center;">  </div> <div style="width: 30%;"> <p>Date: <u>4/25/2025</u></p> </div> </div>		

**POLICY:**

San Andreas Regional Center shall ensure that any and all actions taken by employees and board members will reflect the best interests of the consumers being served. Any and all conflicts of interest regarding decisions made on behalf of San Andreas will be identified and corrected or the proper waiver will be obtained. San Andreas will follow the laws regulations regarding a conflict of interest established in [Title 17 of the California Code of Regulations \(Section 54500-54529\)](#) and the [California Welfare and Institutions Code \(Section 4622, 4626-4628\)](#)

**IMPLEMENTING PROCEDURE:**

**I. Definitions:**

- A. Actual or present conflict of interest means an existing conflict of interest.
- B. Potential conflict of interest means a situation which, based on circumstances reasonably expected to occur at a point in the future, may result in a conflict of interest at that time.
- C. Financial interest of an employee is defined as an interest in
  - 1. any business entity or provider which the employee has a direct or indirect investment;

2. any real property in which the employee has a direct or indirect investment;
  3. any source of income, other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to employee status, aggregating \$250 or more in value provided to, received by or promised to the employee within 12 months prior to the time when the decision is made.
- D. Indirect investment or interest is defined as any investment or interest owned by the spouse or dependent child of an employee, by an agent or behalf of the employee, or by a business entity or provider or trust in which the employee, the employee's agent, spouse or dependent children own directly, indirectly or beneficially a 10 percent interest or greater.
- E. A financial effect is material if it will result in a benefit detriment gain loss or profit to the employee, entity or provider.

## II. CONFLICTS OF INTEREST:

- A. A conflict of interest exists when an employee or his or her family member:
1. is a member of the Board of Directors of San Andreas; or
  2. an employee, a member of the board of directors, a director, an officer, an owner, a partner, a shareholder, or a trustee of any organization either doing or actively planning to do business with San Andreas; or
  3. holds any position of management in any business entity or provider either doing or actively planning to do business with San Andreas; or
  4. has decision or policy making authority in such an entity or provider either doing or actively planning to do business with San Andreas; or
  5. makes a decision regarding regional center activities or services involving a business entity or provider either doing or actively planning to do business with San Andreas, in which he or she has a financial interest.
- B. A conflict of interest exists when a regional center employee devotes less than his or her full time attention and effort to regional center employment during the hours he or she is compensated to work.

- C. A conflict of interest exists when a regional center employee provides services for salary, honorarium, or compensation of any kind during the hours he or she is compensated to work. This does not apply to regional center employees who are officially off duty.
- D. Conflict of interest related to employment of family members.
1. No employee can participate in reviewing an application for regional center employment from a family member.
  2. No employee can directly supervise another regional center employee or serve as a reviewing officer for reports of performance for a regional center employee who is a family member.
  3. California law defines family members as the employee's spouse, domestic partner, brother, sister, parents, children, step children, father-in-law, mother-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, grandchildren, and grandparents.
  4. Senior Regional Center staff are prohibited from hiring family members or any ancillary foundation and organization.
- E. Employees cannot continue employment with San Andreas when there is a conflict of interest unless the employee eliminates the conflict of interest or obtains a waiver.
- F. Regional Center employees are prohibited from accepting gifts or a gift from a service provider, consumer, or consumer's family member valued at over \$15 per year.
- G. Each employee is required to file a conflict-of-interest statement disclosing any actual and/or potential conflict of interest and signed under penalty of perjury with the Human Resources Department at the time of employment and annually thereafter. Employee will complete the [DS 6016](#) Conflict of Interest form upon hire, upon promotion, or when a COI is identified.
- H. Each employee is required to report any actual and/or potential conflict of interest that arises after the initial filing to the Human Resources Department.

**111 CONFLICT OF INTEREST DISCLOSURE PROCESS:**

- A. All employees are required to file a conflict of interest disclosure form at the time of initial hire and annually thereafter. The conflict of interest forms will be reviewed by the Director of Human Resources.
- B. Board Members will complete the COI when joining the board and when a potential COI is identified.
- C. Any employee conflict of interest that is identified will be investigated by the director of human resources. The circumstances of the conflict of interest will be discussed with the San Andreas Executive Director or designee. The Executive Director or designee will determine the agency course of action in regard to the conflict. The agency course of action may include, but not be limited to, the following:
  - 1. Accept the conflict with a waiver and changes in the employee's duties so as to minimize undue influence.
  - 2. Require the employee to divest themselves of the conflict as a condition of employment.
  - 3. Require the employee to divest the conflict and reassign employee to duties that would limit contact with the potential conflict.
- D. Any employee with a conflict of interest will have the opportunity to file for a waiver within 30 days of the discovery of the conflict. The granting of the waiver is entirely the decision of the executive director. If the waiver is not granted the employee must divest themselves or cease employment with the regional center. If the employee does not request a waiver the employee must divest themselves of the conflict or cease employment.
- E. Any Board member with a potential COI will be resolved as outlined in [Title 17, 54533](#).

## **Supporting Laws and Regulations.**

San Andreas will follow the laws regulations regarding a conflict of interest established in [Title 17 of the California Code of Regulations \(Section 54500-54529\)](#) and the [California Welfare and Institutions Code \(Section 4622, 4626-4628\)](#)