



CALIFORNIA STATE UNIVERSITY
LONG BEACH
RESEARCH FOUNDATION

CONFLICT OF INTEREST POLICY

Adopted: California State University, Long Beach Foundation Board of Director's Meeting, April 24, 1981

From: Education Code, § 89906-89909, as follows:

§89906. No member of the governing board of an auxiliary organization shall be financially interested in any contract or other transaction entered into by the board of which he is a member, and any contract or transaction entered into in violation of this section is void.

§89907. No contract or other transaction entered into by the governing board of an auxiliary organization is void under the provisions of section §89906, nor shall any member of such board be disqualified or deemed guilty of misconduct in office under said provisions, if the circumstances specified in the following subdivisions exist:

- a) The fact of such financial interest is disclosed or known to the governing board and noted in the minutes, and the governing board thereafter authorizes, approves, or ratifies the contract or transaction in good faith by a vote sufficient for the purpose without counting the vote or votes of such financially interested member or members, and
- b) The contract or transaction is just and reasonable as to the auxiliary organization at the time it is authorized or approved.

§89908. The provisions of section §89907 shall not be applicable if the circumstances specified in any of the following subdivisions exist:

- a) The contract or transaction is between an auxiliary organization and a member of the governing board of that auxiliary organization.
- b) The contract or transaction is between an auxiliary organization and a partnership or unincorporated association of which any member of the governing board of that auxiliary organization is a partner or in which he is the owner or holder, directly or indirectly, of a proprietorship interest.

- c) The contract or transaction is between an auxiliary organization and a corporation in which any member of the governing board of that auxiliary organization is the owner or holder, directly or indirectly, of five percent (5%) or more of the outstanding common stock.
- d) A member of the governing board of an auxiliary organization is interested in a contract or transaction within the meaning of section §89906, and without first disclosing such interest to the governing board at a public meeting of the board, influences or attempts to influence another member or members of the board to enter into the contract or transaction.

§89909. It is unlawful for any person to utilize any information, not a matter of public record, which is received by reason of his membership on the governing board of an auxiliary organization, for personal pecuniary gain, regardless of whether he is or is not a member of the governing board at the time such gain is realized.

CERTIFICATION:

I have read and understand the Conflict of Interest Code Requirements enumerated above (Education Code, sections §§ 89906 through 89909). If, at any time, I determine that a conflict of interest or a potential conflict of interest exists, I will disclose the circumstances to the Chair of the Board of Directors of the California State University, Long Beach Research Foundation immediately.

Date _____

By _____