



# Bevill State Community College

*SACS Reaffirmation of Accreditation Compliance Certification*

## *Governance and Administration*

### *Comprehensive Standard 3.2.3*

The board has a policy addressing conflict of interest for its members. (**Board conflict of interest**)

### *Judgment of Compliance:*

**Compliance**       **Partial Compliance**       **Non-Compliance**

### *Rationale for Judgment of Compliance:*

The governing board of Bevill State Community College, the Alabama State Board of Education, is compliant with comprehensive standard 3.2.3. [Chapter 16-3](#) of the Code of Alabama (1975) outlines the Alabama State Board of Education, and [Section 16-3-3](#) addresses the qualifications of the members of the Board of Education:

No person who is an employee of the board or who is or has been engaged as a professional educator within five years next preceding the date of the election shall be eligible for membership on the board. For the purposes of this section the term “professional educator” shall include teacher, supervisor or principal of any public or private school; instructor, professor, or president of any public or private university, college or junior college or trade school; any state, county or city superintendent of education; or other person engaged in an administrative capacity in the field of education.

Members of the board are bound, as are all state elected officials, by [Chapter 36-25](#) of the Code of Alabama (1975), the Alabama Code of Ethics for Public Employees, Officials, Etc., which outlines the laws of ethics that pertain to public employees and elected officials of the state. [Section 36-25-5](#) specifically addresses conflict of interest, and states in paragraph (a) that:

No public official or public employee shall use or cause to be used his or her official position or office to obtain personal gain for himself or herself, or family member of the public employee or family member of the public official, or any business with which the person is associated unless the use and gain are otherwise specifically authorized by law. Personal gain is achieved when the public official, public employee, or a family member

thereof receives, obtains, exerts control over, or otherwise converts to personal use the object constituting such personal gain.

Paragraph (f) of Section 36-25-5 goes on to further state:

A conflict of interest shall exist when a member of a legislative body, public official, or public employee has a substantial financial interest by reason of ownership of, control of, or the exercise of power over any interest greater than five percent of the value of any corporation, company, association, or firm, partnership, proprietorship, or any other business entity of any kind or character which is uniquely affected by proposed or pending legislation; or who is an officer or director for any such corporation, company, association, or firm, partnership, proprietorship, or any other business entity of any kind or character which is uniquely affected by proposed or pending legislation.

The Alabama Code of Ethics for Public Employees, Officials, Etc. requires in [Section 36-25-14](#) that “all elected public officials at the state, county, or municipal level of government or their instrumentalities,” which would include the Alabama Board of Education, file a [Statement of Economic Interests](#) with the Alabama Ethics Commission.

To avoid conflict of interest or the appearance of bribery from the colleges under its authority, the Alabama State Board of Education has established Alabama Board of Education [Policy 111.01: Institution Gifts to Board Members, Officers and Directors](#), which addresses the limitation or prohibition of gifts to members of the board.

Employees and prospective employees of each of the colleges under the authority of the Alabama State Board of Education are required to [notify the institution](#) if they are a [relative](#) of a member of the Board.

***References and Supporting Documentation:***

<b>Keyword(s)</b>	<b>Reference</b>
Chapter 16-3	<a href="#">Code of Alabama: 16-3 State Board of Education</a>
Section 16-3-3	<a href="#">Code of Alabama: 16-3-3 Qualifications of Members</a>
Chapter 36-25	<a href="#">Code of Alabama: 36-25 Code of Ethics for Public Officials, Employees, Etc.</a>
Section 36-25-5	<a href="#">Code of Alabama: 36-25-5 Personal Gain</a>
Section 36-25-14	<a href="#">Code of Alabama: 36-25-14 Filing Statement of Economic Interests</a>
Statement of Economic Interests	<a href="#">Alabama Ethics Commission Statement of Economic Interests</a>
Policy 111.01	<a href="#">State Board Policy: 111.01 Institution Gifts to Board Members, Officers and Directors</a>

Notify the institution	<a href="#">Bevill State Community College Family Relationship Disclosure Form</a>
Relative	<a href="#">Bevill State Community College Family Relationship Disclosure Form Sample (Employee Information Redacted)</a>