

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

246



FROM: Clerk of the Board

SUBMITTAL DATE:
April 4, 2006

SUBJECT: Position on AB 2627 by Karnette and Koretz regarding Conflict of Interest Codes

RECOMMENDED MOTION: That the Board of Supervisors support AB 2627 and direct the Executive Office and the Board's Sacramento representatives to further the Board's position.

BACKGROUND:

Current law (the Political Reform Act) assigns to the county board of supervisors the function of conflict of interest code reviewing body for the conflict of interest codes of school districts and school-related agencies located wholly within a single county. This proposal would reassign this responsibility to the county board of education for codes of school districts and school-related joint powers authorities that are located wholly within a single county. It would reassign this responsibility to the State Superintendent of Public Instruction for codes of county boards of education and for the county office of education and for a school district of a single-district county. And it would reassign this responsibility to the Board of Governors for the codes of community college districts and for a joint powers authority composed of community college districts.

Departmental Concurrence

(Continued).

Nancy Romero, Clerk of the Board

FINANCIAL DATA	Current F.Y. Total Cost:	\$ n/a	In Current Year Budget: Budget Adjustment: For Fiscal Year:
	Current F.Y. Net County Cost:	\$ n/a	
	Annual Net County Cost:	\$ n/a	

SOURCE OF FUNDS:	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION: **APPROVE**

County Executive Office Signature

Dept't Recomm.: Consent Policy
Per Exec. Ofc.: Consent Policy

Prev. Agn. Ref.: _____ **District:** _____ **Agenda Number:** _____

The board of supervisors and its support staff – the clerk of the board or the county clerk – have little or no expertise with respect to the internal workings and organization of school districts, community college districts and other school-related agencies, which is essential to effective review of conflict of interest codes. In the normal course of events, a board of supervisors does not have the frequent and extensive contact with school districts, community college districts and school-related organizations that is so vital in gaining knowledge of the decision-making duties of positions within these organizations. Nor is there an opportunity for a board of supervisors and its staff to become aware of the assuming and leaving office of school officials who, typically, must make economic disclosure under the Political Reform Act. Thus, school officials often either make no disclosure upon leaving office, or, in the case of assuming office statements, school officials oftentimes file their statements many months after assuming their duties and *after* participating in school agency decisions that impact on private financial interests. Consequently, the statewide level of compliance with the economic disclosure and conflict of interest provisions of the Act is highly questionable, and the potential for conflicts of interest arising in the day-to-day management of school entities throughout the state is greater than it should be.

Assigning responsibility for the review of the conflict of interest codes of school districts, community college districts and other school-related agencies to the county office of education, the Board of Governors of the Community Colleges and to the State Superintendent of Public Instruction will help ensure that school officials make prompt economic disclosure in accordance with law. These measures will, therefore, further the purposes of the Political Reform Act and will bolster its effectiveness.

The responsibility and workload related to the code review and filing officer functions would shift from the county board of supervisors to the county board of education, the Board of Governors of the Community Colleges and the State Superintendent of Public Instruction. This workload comprises an as-yet undetermined number of school districts and school-related agencies. However, even in the largest counties, the number of affected districts and filers of statements of economic interest will not be large. In fact, the code reviewing body (the board of education, Board of Governors and State Superintendent of Public Instruction, in this case) would be empowered to delegate a portion of the filing officer function to school districts.

The other agencies that would be affected by this proposal are the county board of education, the county office of education, the Board of Governors of the Community Colleges, the Office of the Chancellor of the Community Colleges and the State Superintendent of Public Instruction.

Who will support this proposal?

Support: California Association of Clerks and Election Officials, California Teachers Association, the California School Employees Association, CSAC

Opposition: Possibly county office of education and county boards of education.