

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

201A



**FROM:** County Counsel

**SUBMITTAL DATE:**  
February 3, 2015

**SUBJECT:** Approval of the Conflict of Interest Code of the Moreno Valley Unified School District District 5; [\$0]

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Approve the Conflict of Interest Code submitted by Moreno Valley Unified School District; and
2. Direct the Clerk of the Board to notify Moreno Valley Unified School District of the action taken.

**BACKGROUND:**

**Summary**

Government Code section 87306.5 requires that all local agencies review their Conflict of Interest Code, and the listings of designated positions for employees who must disclose along with the types of disclosure required, and make appropriate amendments to each as required.

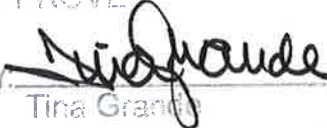
Departmental Concurrence

  
\_\_\_\_\_  
GREGORY P. PRIAMOS  
County Counsel

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A	Consent <input checked="" type="checkbox"/> Policy <input type="checkbox"/>
NET COUNTY COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A	
SOURCE OF FUNDS: N/A				Budget Adjustment: N/A	
				For Fiscal Year: N/A	

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

APPROVE

BY:   
Tina Grand

County Executive Office Signature

**MINUTES OF THE BOARD OF SUPERVISORS**

- A-30
- 4/5 Vote
- Positions Added
- Change Order

Prev. Agn. Ref.: 02/01/11; 2.10

District: 5

Agenda Number:

**2-10**

**BACKGROUND:**  
**Summary (continued)**

Government Code Section 82011 identifies the Board of Supervisors for the County of Riverside as the code reviewing body for a local government agency within its county. A local government agency, as defined by Government Code Section 82041, includes Moreno Valley Unified School District.

Moreno Valley Unified School District recently revised its Conflict of Interest Code (appendix) and has submitted it to the Board of Supervisors as the code reviewing body.

This office has reviewed the revised Conflict of Interest Code (appendix) and has found that it complies with statutory requirements. A copy of Moreno Valley Unified School District's revised Conflict of Interest Code (appendix) is attached.

It is recommended that the Board of Supervisors approve Moreno Valley Unified School District's Code as revised and that the Clerk of the Board notify the Agency of the action taken.

**Impact on Citizens and Businesses**

N/A.

**CONFLICT OF INTEREST CODE FOR THE**  
**MORENO VALLEY UNIFIED SCHOOL DISTRICT**  
**(Amended November 18, 2014)**

The Political Reform Act (Gov. Code § 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code Regs. § 18730) that contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing Regulation 18730 may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This incorporation page, Regulation 18730 and the attached Appendix designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the **Moreno Valley Unified School District** (the "**District**").

All officials and designated positions shall file their statements of economic interests with the **Administrative Assistant to the Superintendent** as the District's Filing Officer. The **Administrative Assistant to the Superintendent** shall make and retain a copy of all statements filed by Members of the Board of Education and the Superintendent, and forward the originals of such statements to the Clerk of the Board of Supervisors of the County of Riverside. The **Administrative Assistant to the Superintendent** shall retain the originals of the statements filed by all other officials and designated positions and make all statements available for public inspection and reproduction during regular business hours. (Gov. Code § 81008.)

FORM APPROVED COUNTY COUNSEL  
BY: Alexandra Fong 2/3/15  
ALEXANDRA FONG DATE

October 2014

**APPENDIX**  
**CONFLICT OF INTEREST CODE**  
**OF THE**  
**MORENO VALLEY UNIFIED SCHOOL DISTRICT**  
**(Amended November 18, 2014)**

**PART "A"**

**OFFICIALS WHO MANAGE PUBLIC INVESTMENTS**

District Officials who manage public investments, as defined by 2 Cal. Code of Regs. § 18701(b), are NOT subject to the District's Code, but must file disclosure statements under Government Code Section 87200 et seq. [Regs. § 18730(b)(3)] These positions are listed here for informational purposes only.

It has been determined that the positions listed below are officials who manage public investments<sup>1</sup>:

Members of the Board of Education

Superintendent

Chief Business Official

Business Manager

Financial Consultants

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<sup>1</sup> Individuals holding one of the above-listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by § 87200.

## DESIGNATED POSITIONS

### GOVERNED BY THE CONFLICT OF INTEREST CODE

<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Assistant Custodial Supervisor	5
Assistant Director, Nutrition Services	5
Assistant Director, Special Education	5
Assistant Principals (ALL)	5
Assistant Superintendent (all not filing under Gov. Code Sec. 87200)	5
Associate Superintendent	5
Coordinator, Academic Interventions and Linguistic Support	5
Coordinator, Accountability and Assessment	5
Coordinator, Career Technical Education	5
Coordinator, Categorical Programs	5
Coordinator, Child Welfare and Attendance	5
Coordinator – Disabilities - Head Start	5
Coordinator, Multilingual Programs	5
Coordinator, Professional Development	5
Coordinator, Special Education Mental Health	5
Coordinator, Student Services (Guidance)	5
Dean of Students	5

<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Deputy Superintendent	1, 2
Director II – Facilities	1, 2
Director, Accountability & Assessment – Secondary Support	5
Director, Budget & Finance	4
Director, Elementary Education	5
Director, English Language Learner Programs	5
Director, Nutrition Services	5
Director, Secondary Education	5
Executive Director – SELPA	5
Facilities Planner	1, 2
General Counsel	1, 2
Human Resources Director	5
Human Resources Specialist	5
Information Systems/Technology Director	5
Maintenance and Operations Director	5
Maintenance and Operations Supervisor (ALL)	5
Network Manager	5
Nutrition Services Supervisor (ALL)	5
Principals (ALL)	5
Public Information Officer	5
Purchasing Director	4

DESIGNATED POSITIONS'  
TITLE OR FUNCTION

DISCLOSURE CATEGORIES  
ASSIGNED

Risk Management Director	5
Risk Management Specialist	5
School Information Systems Administrator	5
Student Services Director	5
Systems Administrator	5
Transportation Manager	5
Transportation Supervisor	5

BOARDS, COMMITTEES AND COMMISSIONS

Citizen's Oversight Committee	1, 2
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Consultants and New Positions<sup>2</sup>

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<sup>2</sup> Individuals serving as a consultant as defined in FPPC Reg 18701 or in a new position created since this Code was later amended that makes or participates in making decisions must file under the broadest disclosure requirements set forth in this Code subject to the following limitation:

The Superintendent may determine that, due to the range of duties or contractual obligations, it is more appropriate to assign a limited disclosure requirement. A clear explanation of the duties and a statement of the extent of the disclosure requirements must be in a written document. (Gov. Code § 82019; FPPC Regs 18219 and 18734.) The Superintendent's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code. (Gov. Code § 81008.)

## PART "B"

### DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of economic interests that the designated position must disclose for each disclosure category to which he or she is assigned.<sup>3</sup> Such economic interests are reportable if they are either located in or doing business in the jurisdiction, are planning to do business in the jurisdiction, or have done business during the previous two years in the jurisdiction of the District.

Category 1: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are located in, do business in, or own real property within the jurisdiction of the District.

Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the jurisdiction of the District.

Category 3: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the District.

Category 4: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the District.

Category 5: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the designated position's department, unit or division.

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<sup>3</sup> This Conflict of Interest Code does not require the reporting of gifts from outside this agency's jurisdiction if the source does not have some connection with or bearing upon the functions of the position. (Reg. 18730.1)



MORENO VALLEY UNIFIED SCHOOL DISTRICT

**RESOLUTION NO. 2014-15-22 - RESOLUTION OF THE BOARD OF EDUCATION OF THE MORENO VALLEY UNIFIED SCHOOL DISTRICT ADOPTING AN AMENDED CONFLICT OF INTEREST CODE PURSUANT TO THE POLITICAL REFORM ACT OF 1974**

**WHEREAS**, the State of California enacted the Political Reform Act of 1974, Government Code Section 81000 et seq. (the "Act"), which contains provisions relating to conflicts of interest which potentially affect all officers, employees and consultants of the Moreno Valley Unified School District (the "District") and requires all public agencies to adopt and promulgate a conflict of interest code; and

**WHEREAS**, the Board of Education adopted a Conflict of Interest Code (the "Code") which was amended on November 16, 2010, in compliance with the Act; and

**WHEREAS**, subsequent changed circumstances within the District have made it advisable and necessary pursuant to Sections 87306 and 87307 of the Act to amend and update the District's Code; and

**WHEREAS**, the potential penalties for violation of the provisions of the Act are substantial and may include criminal and civil liability, as well as equitable relief which could result in the District being restrained or prevented from acting in cases where the provisions of the Act may have been violated; and

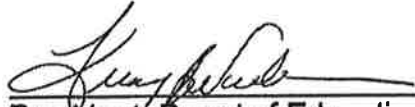
**WHEREAS**, notice of the time and place of a public meeting on, and of consideration by the Board of Education of, the proposed amended Code was provided each affected designated employee and publicly posted for review at the offices of the District; and

**WHEREAS**, a public meeting was held upon the proposed amended Appendix at a regular meeting of the Board of Education on November 18, 2014, at which all present were given an opportunity to be heard on the proposed amended Code.


**NOW, THEREFORE, BE IT RESOLVED** by the Board of Education of the Moreno Valley Unified School District that the Board of Education does hereby adopt the proposed amended Conflict of Interest Code, a copy of which is attached hereto and shall be on file with the Administrative Assistant to the Superintendent and available to the public for inspection and copying;

**BE IT FURTHER RESOLVED** that the said amended Code shall be submitted to the Board of Supervisors of the County of Riverside for approval and said Code shall become effective immediately after the Board of Supervisors approves the proposed amended Code as submitted.

**APPROVED AND ADOPTED** this 18<sup>th</sup> day of November, 2014.

  
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President, Board of Education  
Moreno Valley Unified School District

**ATTEST:**

  
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Secretary, Board of Education  
Moreno Valley Unified School District