

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



**ITEM
2.14
(ID # 3768)**

MEETING DATE:
Tuesday, April 11, 2017

FROM : COUNTY COUNSEL:

SUBJECT: COUNTY COUNSEL: Approval of the Conflict of Interest Code of the San Jacinto Unified School District [District 3] [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

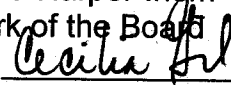
1. Approve the Conflict of Interest Code submitted by the San Jacinto Unified School District; and
2. Direct the Clerk of the Board to notify San Jacinto Unified School District of the action taken.

ACTION: Consent

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Tavaglione, seconded by Supervisor Jeffries and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Tavaglione, Washington and Ashley
Nays: None
Absent: None
Date: April 11, 2017
xc: County Counsel, District, COB

Kecia Harper-Ihem
Clerk of the Board
By: 
Deputy

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

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A
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

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.

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

San Jacinto Unified School District recently amended its Conflict of Interest Code and has submitted it for approval by the Board of Supervisors as the code reviewing body.

This office has reviewed the revised Conflict of Interest Code and has found that it complies with statutory requirements. A complete copy of San Jacinto School District's Conflict of Interest Code as revised is attached.

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

Impact on Residents and Businesses

N/A

SUPPLEMENTAL:

Additional Fiscal Information

N/A

Contract History and Price Reasonableness

N/A

ATTACHMENTS:

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

ATTACHMENT A. Conflict of Interest Code of the San Jacinto Unified School District

**ATTACHMENT B. Resolution of the San Jacinto Unified School District Adopting a
Conflict of Interest Code**



Tina Grande, Principal Management Analyst

3/29/2017



Gregory V. Priaplos, Director County Counsel

3/8/2017

CONFLICT OF INTEREST CODE FOR THE
SAN JACINTO UNIFIED SCHOOL DISTRICT
(Amended October 11, 2016)

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 of 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 Section 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 **San Jacinto Unified School District** (the "District").

All officials and designated positions required to submit a statement of economic interests shall file their statements with the **Executive Assistant to the Superintendent and the Board of Trustees** as the District's Filing Officer. The **Executive Assistant to the Superintendent and the Board of Trustees** shall make and retain a copy of all statements filed by Members of the Board of Trustees and the Superintendent, and forward the originals of such statements to the Clerk of the Board of Supervisors of the County of Riverside. The **Executive Assistant to the Superintendent and the Board of Trustees** 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.)

APPENDIX

CONFLICT OF INTEREST CODE

OF THE

SAN JACINTO UNIFIED SCHOOL DISTRICT

(Amended October 11, 2016)

PART "A"

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

District Officials who manage public investments, as defined by 2 Cal. Code of Regs. § 18700.3, 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 investments¹:

Members of the Board of Trustees

District Superintendent

Investment Consultants

¹ 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 Principal	5
Assistant Superintendent – Business Services	1, 2
Assistant Superintendent - Educational Services	5
Assistant Superintendent – Personnel Services	5
Coordinator I, Special Education	5
Dean of Students/IB Coordinator	5
Deputy Superintendent	1, 2
Director, Facilities & Operations	1, 2
Director, Fiscal Services	1, 2
Director, Nutrition Services	5
Director, Preschool	5
Director, Special Education	5
Director, Student, Community & Personnel Support	5
Director, Technology & Instruction	5
Director, Technology Services	5
District Coordinator, ASES	5
Energy Education Manager	5
Executive Director, Business Services	4
Executive Director, Educational Services	5

<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Facilities Assistant	5
Facilities Planner	1, 2
General Counsel	1, 2
Managing Counselor Therapist	5
Network Administrator	5
Personnel Coordinator	5
Principal (ALL)	5
Purchasing Specialist	4
Risk Management & Employee Benefits Supervisor	5, 6
Supervisor, Accounting/Purchasing	4
Supervisor, Custodial	5
Supervisor, Maintenance and Grounds	5
Supervisor, Nutrition Services	5
Technology Systems Manager	5
Consultant and New Positions ²	

² Individuals serving as a consultant as defined in FPPC Reg 18700.3 or in a new position created since this Code was last approved that makes or participates in making decisions must file under the broadest disclosure set forth in this Code subject to the following limitations:

The Superintendent may determine that, due to the range of duties or contractual obligations, it is more appropriate to designate 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 Sec. 82019; FPPC Regulations 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 Sec. 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.³ "Investment" means financial interest in any business entity (including a consulting business or other independent contracting business) and 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.

Category 6: All investments and business positions in business entities, and sources of income, including gifts, loans, and travel payments, that have filed claims against the District in the past 2 years, or have a claim pending before the District.

³

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 or duties of the position. (Reg. 18730.1)



**District Superintendent
Diane Perez**

District Administrative Office
2045 South San Jacinto Avenue
San Jacinto, California 92583
(951) 929-7700
www.sanjacinto.k12.ca.us

Board of Trustees
John I. Norman, President
Willie Hamilton, Clerk
Trica Ojeda, Board Member
Deborah Rex, Board Member
Jasmin Rubio, Board Member

**Assistant Superintendent
Business Services**
Seth Heeron

**Assistant Superintendent
Personnel Services**
Matthew Hixson

**Assistant Superintendent
Educational Services**
Sherry Smith

Head Start/State Preschool

Megan Cope Elementary

De Anza Elementary

Jose Antonio Estudillo Elementary

Edward Hyatt Elementary

Park Hill Elementary

Chayton A. Record Jr. Elementary

San Jacinto Elementary

North Mountain Middle School

Monte Vista Middle School

San Jacinto Leadership Academy

**Mountain View High School/
Mountain Heights Academy**

San Jacinto High School

**RESOLUTION NO. 16-17-17
RESOLUTION OF THE BOARD OF TRUSTEES OF THE SAN JACINTO
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 San Jacinto Unified School District (the "District) and requires all public agencies to adopt and promulgate a conflict of interest code; and

WHEREAS, the Board of Trustees adopted a Conflict of Interest Code (the "Code") which was amended on October 21, 2014, 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 Trustees 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 Code at a regular meeting of the Board of Trustees on October 11, 2016, 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 Trustees of the San Jacinto Unified School District that the Board of Trustees does hereby adopt the proposed amended Conflict of Interest Code, a copy of which is attached hereto and shall be on file with the Secretary to the Superintendent and available to the public for inspection and copying during regular business hours;


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 upon approval by the Board of Supervisors.

APPROVED AND ADOPTED this 11th day of October, 2016.



President, Board of Trustees
San Jacinto Unified School District

ATTEST:



Clerk, Board of Trustees
San Jacinto Unified School District