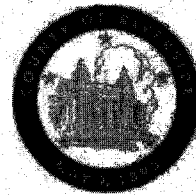


**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



ITEM
2.9
(ID # 8479)

MEETING DATE:

Tuesday, December 4, 2018

FROM: COUNTY COUNSEL:

SUBJECT: COUNTY COUNSEL: Approval of the Conflict of Interest Code of the Riverside County Office of Education, Districts All [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:


1. Approve the Conflict of Interest Code of the Riverside County Office of Education; and
2. Direct the Clerk of the Board to notify the Riverside County Office of Education of the action taken.

ACTION: Consent

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Tavaglione, Washington, Perez and Ashley
Nays: None
Absent: None
Date: December 4, 2018
xc: Co.Co., Office of Education, COB_{cm}

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

The Political Reform Act prohibits a public official from using his or her position to influence a government decision in which he or she has a financial interest. Government Code section 87300 requires local government agencies to adopt and promulgate a Conflict of Interest Code identifying officials and employees required to file statements of economic interest based on the positions they hold. A local government agency, as defined by Government Code section 82041, includes the Riverside County Office of Education.

Each even-numbered year, Government Code section 87306.5 requires local government agencies to review their Conflict of Interest Code, make appropriate revisions, if necessary, and submit an amended Conflict of Interest Code to the code reviewing body. Government Code section 82011(b) identifies the Board of Supervisors for the County of Riverside as the code reviewing body for a local government agency within its county.

The Riverside County Board of Education recently updated the Bylaws of the Board and amended its Conflict of Interest Code on September 5, 2018 to revise the titles of existing positions. The Riverside County Office of Education has submitted its amended Conflict of Interest Code for approval by the Board of Supervisors as the code reviewing body.

This office has reviewed the Conflict of Interest Code of the Riverside County Office of Education and has found that it complies with statutory requirements. A complete copy of the Conflict of Interest Code of the Riverside County Office of Education is attached.

It is recommended that the Board of Supervisors approve the Conflict of Interest Code of the Riverside County Office of Education, and direct the Clerk of the Board to notify the Riverside County Office of Education of the action taken.

ATTACHMENTS:

Attachment A: RIVERSIDE COUNTY BOARD OF EDUCATION MINUTE ORDER FOR SEPTEMBER 5, 2018

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

Attachment B: **RIVERSIDE COUNTY OFFICE OF EDUCATION BOARD BYLAW 9270**
CONFLICT OF INTEREST


Melissa Noone, Associate Management Analyst

11/20/2018


Gregory V. Prietas, Director County Counsel

11/9/2018



RIVERSIDE COUNTY BOARD OF EDUCATION
County of Riverside, State of California

MINUTE ORDER

5. ACTION ITEMS

Action Items 5.1: Waive First Reading and Conduct Second Reading of Board Bylaw 9270 – Conflict of Interest – Exhibit A

Board Bylaw 9270 Conflict of Interest – Exhibit A requires an update to the Designated Positions/Disclosure Categories due to a change in the title of the Executive Director, Office of the Riverside County Superintendent of Schools position to Chief of Staff.

Motion: It was moved by Member Tucker and seconded by Member Cousins to waive the First Reading and conduct a Second Reading of Board Bylaw 9270 – Conflict of Interest – Exhibit A as presented.

Vote: 6 Ayes: Members Cousins, Curtis, Dennis, Hale, Romero and Tucker

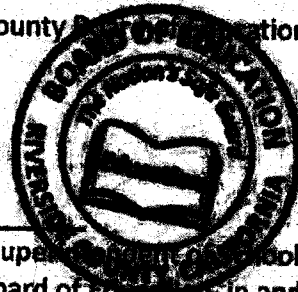
1 Absent: Member Rainey

Motion carried.

I hereby certify that the foregoing is a full, true and correct copy of an order made on September 5, 2018, and entered into the minutes of the Riverside County Board of Education.

WITNESS my hand and the seal of the County Board of Education.
Date: September 5, 2018

By: Judy D. White
Judy D. White, Ed.D., Riverside County Superintendent of Schools,
And Secretary to the Riverside County Board of Education, in and for
the County of Riverside, State of California.



BYLAWS OF THE BOARD

SUBJECT: Conflict of Interest Code

Incompatible Activities

County Board of Education members shall not engage in any employment or activity that is inconsistent with, incompatible with, in conflict with or inimical to the Board member's duties as an officer of the Riverside County Office of Education. (Government Code 1126) A conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

Conflict of Interest Code

The Riverside County Office of Education's conflict of interest code shall be comprised of the terms of 2CCR 18730 and any amendments to it adopted by the Fair Political Practices Commission, together with an attachment (Exhibit A) specifying designated positions and the specific types of disclosure statements required for each position.

Upon direction by the code reviewing body, the County Board of Education shall review its conflict of interest code in even-numbered years. If no change is required, the County Office of Education shall submit by October 1 a written statement to that effect to the code reviewing body. If changing circumstances necessitates a change in the code, the County Office of Education shall submit an amended code to the reviewing body. (Government Code 87306.5)

When a change in the County Office of Education's conflict of interest code is necessitated by changing circumstances, such as the creation of new designated positions, amendments or revisions, the changed code shall be submitted to the code reviewing body within 90 days. (Government Code 87306)

When reviewing and preparing conflict of interest codes, the County Office of Education shall provide officers, employees, consultants and members of the community adequate notice and a fair opportunity to present their views. (Government Code 87311)

If a County Board of Education member or designated employee determines that he/she has a financial interest in a decision, as described in Government Code 87103, this determination shall be disclosed. The member shall be disqualified from voting on that decision unless his/her participation is legally required. (2CCR 18700)

Statements of economic interests submitted to the County Superintendent of Schools by designated employees in accordance with the conflict of interest code shall be available for public inspection and reproduction. (Government Code 81008)

Adopted January 16, 1980
Revised November 8, 2017

FORM APPROVED COUNTY COUNSEL
BY: Danielle D. Maland 11/8/18
DANIELLE D. MALAND DATE

Place and Time of Filing

- A. All designated employees required to submit a statement of financial interests shall file the original with the County Superintendent of Schools.
- B. The County Superintendent shall make and retain a copy and forward the original to the Clerk of the Board of Supervisors of the County of Riverside.
- C. A designated employee required to submit a statement of financial interest shall submit an initial statement within 30 days after the effective date of this Code.
- D. All employees appointed, promoted or transferred to designated positions shall file initial statements not less than 10 days before assuming office, unless an earlier assumption of office is required by emergency circumstances, in which case the statement shall be filed within 30 days thereafter.
- E. Annual statements shall be filed by all designated employees during the month of February disclosing reportable investments in business entities, interests in real property and income held or received in the period between the closing date of the employee's previously filed statement and January 31.
- F. Each person who leaves a designated position for a position not specified in Exhibit "A" shall file a leaving office statement within 30 days after leaving.
- G. A designated employee required to file a statement of financial interest with any other agency, which has the same territorial jurisdiction, may comply with the provisions of this Code by filing a duplicate copy of the statement filed with the other agency, in lieu of an entirely separate document.

Financial Interest

3. County Board of Education members and designated employees shall not be financially interested in any contract made by the Board or in any contract they make in their capacity as Board members or designated employees. (Government Code 1090) County Board of Education members are prohibited from soliciting or accepting gratuities, favors or anything of monetary value from contractors or parties to subcontracts.

A County Board of Education member shall not be considered to be financially interested in a contract if his/her interest includes, but is not limited to, any of the following: (Government Code 1091.5)

1. That of an officer who is being reimbursed for his/her actual and necessary expenses incurred in the performance of an official duty;
2. That of a recipient of public services generally provided by the public body or board of which he/she is a member, on the same terms and conditions as if he or she were not a member of the board;

4. That of a landlord or tenant of the contracting party if such contracting party is the federal government or any federal department or agency, this state or an adjoining state, any public corporation or special judicial or other public district of this state or an adjoining state unless the subject matter of such contract is the property in which such officer or employee has such interest as landlord or tenant in which even his/her interest shall be deemed a remote interest within the meaning of, and subject to, the provisions of Government Code 1091;
5. That of a spouse of an officer or employee of the County Office of Education if his/her spouse's employment or office holding has existed for at least one year prior to his/her election or appointment;
6. That of a non-salaried member of a nonprofit corporation, provided that such interest is disclosed to the Board at the time of the first consideration of the contract, and provided further that such interest is noted in its official records;
7. That of a non-compensated officer of a nonprofit tax-exempt corporation which, as one of its primary purposes, supports the functions of the nonprofit board or to which the County Board of Education has a legal obligation to give particular consideration, and provided further that such interest is noted in its official records;
8. That of a person receiving salary, per diem, or reimbursement for expenses from a governmental entity, unless the contract directly involves the department of the government entity that employs the officer or employee, provided that such interest is disclosed to the County Board of Education at the time of consideration of the contract, and provided further that such interest is noted in its official records;
9. That of an attorney of the contracting party or that of an owner, officer, employee or agent of a firm which renders, or has rendered, service to the contracting party in the capacity of stockbroker, insurance agent, insurance broker, real estate agent, or real estate broker, if these individuals have not received and will not receive remuneration, consideration, or a commission as a result of the contract and if these individuals have an ownership interest of less than 10 percent in the law practice or firm, stock brokerage firm, insurance firm or real estate firm;
10. That of an officer participating in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest;
11. That of an officer participating in governance of any Head Start or Early Head Start delegate agencies;

In addition, a County Board of Education member or employee shall not be deemed to be interested in a contract made pursuant to competitive bidding under a procedure established by law if his/her sole interest is that of an officer, director, or employee of a bank or savings and

loan association with which a party to the contract has the relationship of borrower or depositor, debtor or creditor. (Government Code 1091.5)

A County Board of Education member shall not be deemed to be financially interested in a contract if he/she has only a remote interest in the contract and if the remote interest is disclosed during a Board meeting and noted in the official Board minutes. The affected County Board of Education member shall not vote or debate on the matter or attempt to influence any other County Board of Education member to enter into the contract. Remote interests are specified in Government Code 1091(b); they include, but are not limited to, the interest of a parent in the earnings of his/her minor child. (Government Code 1091)

A County Board of Education member may enter into a contract if the rule of necessity or legally required participation applies as defined in Government Code 87101.

A designated employee must disqualify himself or herself from making or participating in the making of any decisions which will foreseeably have a material financial effect, distinguishable from its effect of the public generally, or any reportable economic interest or upon any business entity in which the designated employee holds a position of management or is a director, officer, partner, trustee, or employee. No designated employee shall be prevented from making or participating in the making of a decision to the extent his or her participation is legally required for the decision to be made.

Exception: If an individual holds a position as a result of public election or political appointment, and such position carries with it a concurrent appointment to serve as a member of a Head Start agency governing body, and such individual has any conflict of interest as described in 2007 Head Start Act, Sec. 642(c)(1)(C)-(D), such individual shall not be prohibited from serving on such body and the Head Start agency shall report such conflict to the Division of Personnel Services; and if the position held as a result of public election or political appointment provides compensation, such individual shall not be prohibited from receiving such compensation.

Gifts

County Board of Education members and designated employees may accept gifts only under the conditions and limitations specified in Government Code 89503 and 2 CCR 18730.

The limitations on gifts do not apply to wedding gifts and gifts exchanged between individuals on birthdays, holidays and other similar occasions, provided that the gifts exchanged are not substantially disproportionate in value. (Government Code 89503)

Gifts of travel and related lodging and subsistence shall be subject to the prevailing gift limitation except as described in Government Code 89506.

A gift of travel does not include travel provided by the County Office of Education for County Board of Education members and designated employees. (Government Code 89506)

Honoraria

County Board of Education members and designated employees shall not accept any honorarium, which is defined as any payment made in consideration for any speech given, article published, or attendance at any public or private gathering, in accordance with law. (Government Code 89501, 89502)

The term honorarium does not include: (Government Code 89501)

1. Earned income for personal services customarily provided in connection with a bona fide business, trade or profession unless the sole or predominant activity of the business, trade, or profession is making speeches.
2. Any honorarium which is not used and, within 30 days after receipt, is either returned to the donor or delivered to the office for donation into the general fund without being claimed as a deduction from income for tax purposes.

APPENDIX

Exhibit A: Designated Positions/Disclosure Categories

Legal Reference:

- 2 CCR 18700 - General Prohibition Basic Rule: Guide to Conflict of Interest
- 2 CCR 18730 - Chapter 7, Conflicts of Interest Disclosures

Government Code

- 1091 - Prohibitions Applicable to Specified Officers: Conflict of Interest
- 1091.5 - Prohibitions Applicable to Specified Officers: Conflict of Interest
- 1126 - Incompatible Activities; Public Officers and Employees
- 81000 et seq. - Political Reform Act of 1974
- 82041 - Definition: Local Government Agency
- 82048 - Definition: Public Official
- 87101 - Political Reform; Lobbyists; Conflict of Interest, General Prohibition
- 87103 - Political Reform; Lobbyists; Conflict of Interest, General Prohibition
- 87300 - Agency; Adoption & Promulgation; Effect of Violation
- 87302 - Required Provisions
- 87306 - Political Reform; Lobbyists; Conflict of Interest, Conflict of Interest Code
- 87306.5 - Political Reform; Lobbyists; Conflict of Interest, Conflict of Interest Code
- 87311 - Political Reform; Lobbyists; Conflict of Interest, Conflict of Interest Code
- 89501 - Political Reform; Ethics; Honorarium
- 89502 - Political Reform; Ethics; Honorarium
- 89503 - Political Reform; Ethics; Honorarium
- 89506 - Political Reform; Ethics; Travel

**Riverside County Board of Education
Board Bylaw 9270 Conflict of Interest – Exhibit A**

**EXHIBIT A
Designated Positions/Disclosure Categories**

I. Persons occupying the following positions are designated employees in Category I.

- Members of the Riverside County Board of Education
- County Superintendent of Schools
- Deputy Superintendent
- Associate Superintendent
- Assistant Superintendent
- Chief Personnel Officer
- Chief Academic Officer
- Chief Technology Officer
- Chief Business Official
- Chief of Staff

Designated persons in this category must report:

- a. Interests in real property located entirely or partly within Riverside or Imperial County, or within two miles of county boundaries or of any land owned by or used by the office. Such interests include any leasehold, beneficial or ownership interest or option to acquire such interest in real property.
- b. Investments or business positions in or income from sources which:
 - (1) Are engaged in the acquisition or disposal of real property within the two counties
 - (2) Are contractors or subcontractors which are or have been within the past two years engaged in work or services of the type used by the office or
 - (3) Manufacture or sell supplies, books, machinery or equipment of the type used by the office.

II. Persons occupying the following positions are designated employees in Category II.

- Data Processing and Network Services Director
- Contracts and Acquisition Manager
- Contracts and Purchasing Manager
- Contracts and Purchasing Supervisor
- Contracts/Purchasing Technician
- Coordinator, Maintenance and Operations
- Director, (All Classes)
- Principal in Residence
- Senior Leadership Associate
- Supply Chain Manager
- Visiting Educator

Riverside County Board of Education
Board Bylaw 9270 Conflict of Interest – Exhibit A

Designated persons in this category must report investments or business positions in or income from sources which:

- a. Are contractors or subcontractors engaged in work or services of the type used by the department which the designated person manages or directs, or
- b. Manufacture or sell supplies, books, machinery or equipment or the type used by the department that the designated person manages or directs.

III. Consultants are designated employees who must disclose financial interests as determined on a case-by-case basis by the County Superintendent of Schools or designee. The County Superintendent or designee's written determination shall include a description of the consultant's duties and a statement of the extent of disclosure requirements based upon that description. All such determinations are public records and shall be retained for public inspection along with this conflict of interest code.

A consultant is an individual who, pursuant to a contract with the office, makes a governmental decision whether to: (2 CCR 18701)

- a. Approve a rate, rule or regulation
- b. Adopt or enforce a law
- c. Issue, deny, suspend or revoke a permit, license, application, certificate, approval, order or similar authorization or entitlement
- d. Authorize the office to enter into, modify or renew a contract that requires office approval
- e. Grant office approval to a contact or contract specification that requires office approval and in which the office is a party
- f. Grant office approval to a plan, design, report, study or similar item
- g. Adopt or grant office approval of office policies, standards or guidelines.

A consultant is also an individual who, pursuant to a contact with the office, serves in a staff capacity with the office and in that capacity participates in making a governmental decision as defined in 2 CCR 18702.2 or performs the same or substantially all the same duties for the office that would otherwise be performed by an individual holding a position specified in the office' Conflict of Interest Code (2 CCR 187801).

BYLAWS OF THE BOARD

SUBJECT: Conflict of Interest Code

Incompatible Activities

County Board of Education members shall not engage in any employment or activity that is inconsistent with, incompatible with, in conflict with or inimical to the Board member's duties as an officer of the Riverside County Office of Education. (Government Code 1126) A conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

Conflict of Interest Code

The Riverside County Office of Education's conflict of interest code shall be comprised of the terms of 2CCR 18730 and any amendments to it adopted by the Fair Political Practices Commission, together with an attachment (Exhibit A) specifying designated positions and the specific types of disclosure statements required for each position.

Upon direction by the code reviewing body, the County Board of Education shall review its conflict of interest code in even-numbered years. If no change is required, the County Office of Education shall submit by October 1 a written statement to that effect to the code reviewing body. If changing circumstances necessitates a change in the code, the County Office of Education shall submit an amended code to the reviewing body. (Government Code 87306.5)

When a change in the County Office of Education's conflict of interest code is necessitated by changing circumstances, such as the creation of new designated positions, amendments or revisions, the changed code shall be submitted to the code reviewing body within 90 days. (Government Code 87306)

When reviewing and preparing conflict of interest codes, the County Office of Education shall provide officers, employees, consultants and members of the community adequate notice and a fair opportunity to present their views. (Government Code 87311)

If a County Board of Education member or designated employee determines that he/she has a financial interest in a decision, as described in Government Code 87103, this determination shall be disclosed. The member shall be disqualified from voting on that decision unless his/her participation is legally required. (2CCR 18700)

Statements of economic interests submitted to the County Superintendent of Schools by designated employees in accordance with the conflict of interest code shall be available for public inspection and reproduction. (Government Code 81008)

Place and Time of Filing

- A. All designated employees required to submit a statement of financial interests shall file the original with the County Superintendent of Schools.
- B. The County Superintendent shall make and retain a copy and forward the original to the Clerk of the Board of Supervisors of the County of Riverside.
- C. A designated employee required to submit a statement of financial interest shall submit an initial statement within 30 days after the effective date of this Code.
- D. All employees appointed, promoted or transferred to designated positions shall file initial statements not less than 10 days before assuming office, unless an earlier assumption of office is required by emergency circumstances, in which case the statement shall be filed within 30 days thereafter.
- E. Annual statements shall be filed by all designated employees during the month of February disclosing reportable investments in business entities, interests in real property and income held or received in the period between the closing date of the employee's previously filed statement and January 31.
- F. Each person who leaves a designated position for a position not specified in Exhibit "A" shall file a leaving office statement within 30 days after leaving.
- G. A designated employee required to file a statement of financial interest with any other agency, which has the same territorial jurisdiction, may comply with the provisions of this Code by filing a duplicate copy of the statement filed with the other agency, in lieu of an entirely separate document.

Financial Interest

3. County Board of Education members and designated employees shall not be financially interested in any contract made by the Board or in any contract they make in their capacity as Board members or designated employees. (Government Code 1090) County Board of Education members are prohibited from soliciting or accepting gratuities, favors or anything of monetary value from contractors or parties to subcontracts.

A County Board of Education member shall not be considered to be financially interested in a contract if his/her interest includes, but is not limited to, any of the following: (Government Code 1091.5)

1. That of an officer who is being reimbursed for his/her actual and necessary expenses incurred in the performance of an official duty;
2. That of a recipient of public services generally provided by the public body or board of which he/she is a member, on the same terms and conditions as if he or she were not a member of the board;

4. That of a landlord or tenant of the contracting party if such contracting party is the federal government or any federal department or agency, this state or an adjoining state, any public corporation or special judicial or other public district of this state or an adjoining state unless the subject matter of such contract is the property in which such officer or employee has such interest as landlord or tenant in which even his/her interest shall be deemed a remote interest within the meaning of, and subject to, the provisions of Government Code 1091;
5. That of a spouse of an officer or employee of the County Office of Education if his/her spouse's employment or office holding has existed for at least one year prior to his/her election or appointment;
6. That of a non-salaried member of a nonprofit corporation, provided that such interest is disclosed to the Board at the time of the first consideration of the contract, and provided further that such interest is noted in its official records;
7. That of a non-compensated officer of a nonprofit tax-exempt corporation which, as one of its primary purposes, supports the functions of the nonprofit board or to which the County Board of Education has a legal obligation to give particular consideration, and provided further that such interest is noted in its official records;
8. That of a person receiving salary, per diem, or reimbursement for expenses from a governmental entity, unless the contract directly involves the department of the government entity that employs the officer or employee, provided that such interest is disclosed to the County Board of Education at the time of consideration of the contract, and provided further that such interest is noted in its official records;
9. That of an attorney of the contracting party or that of an owner, officer, employee or agent of a firm which renders, or has rendered, service to the contracting party in the capacity of stockbroker, insurance agent, insurance broker, real estate agent, or real estate broker, if these individuals have not received and will not receive remuneration, consideration, or a commission as a result of the contract and if these individuals have an ownership interest of less than 10 percent in the law practice or firm, stock brokerage firm, insurance firm or real estate firm;
10. That of an officer participating in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest;
11. That of an officer participating in governance of any Head Start or Early Head Start delegate agencies;

In addition, a County Board of Education member or employee shall not be deemed to be interested in a contract made pursuant to competitive bidding under a procedure established by law if his/her sole interest is that of an officer, director, or employee of a bank or savings and

**Riverside County Office of Education
Board Bylaw 9270 Conflict of Interest**

loan association with which a party to the contract has the relationship of borrower or depositor, debtor or creditor. (Government Code 1091.5)

A County Board of Education member shall not be deemed to be financially interested in a contract if he/she has only a remote interest in the contract and if the remote interest is disclosed during a Board meeting and noted in the official Board minutes. The affected County Board of Education member shall not vote or debate on the matter or attempt to influence any other County Board of Education member to enter into the contract. Remote interests are specified in Government Code 1091(b); they include, but are not limited to, the interest of a parent in the earnings of his/her minor child. (Government Code 1091)

A County Board of Education member may enter into a contract if the rule of necessity or legally required participation applies as defined in Government Code 87101.

A designated employee must disqualify himself or herself from making or participating in the making of any decisions which will foreseeably have a material financial effect, distinguishable from its effect of the public generally, or any reportable economic interest or upon any business entity in which the designated employee holds a position of management or is a director, officer, partner, trustee, or employee. No designated employee shall be prevented from making or participating in the making of a decision to the extent his or her participation is legally required for the decision to be made.

Exception: If an individual holds a position as a result of public election or political appointment, and such position carries with it a concurrent appointment to serve as a member of a Head Start agency governing body, and such individual has any conflict of interest as described in 2007 Head Start Act, Sec. 642(c)(1)(C)-(D), such individual shall not be prohibited from serving on such body and the Head Start agency shall report such conflict to the Division of Personnel Services; and if the position held as a result of public election or political appointment provides compensation, such individual shall not be prohibited from receiving such compensation.

Gifts

County Board of Education members and designated employees may accept gifts only under the conditions and limitations specified in Government Code 89503 and 2 CCR 18730.

The limitations on gifts do not apply to wedding gifts and gifts exchanged between individuals on birthdays, holidays and other similar occasions, provided that the gifts exchanged are not substantially disproportionate in value. (Government Code 89503)

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A gift of travel does not include travel provided by the County Office of Education for County Board of Education members and designated employees. (Government Code 89506)

Honoraria

County Board of Education members and designated employees shall not accept any honorarium, which is defined as any payment made in consideration for any speech given, article published, or attendance at any public or private gathering, in accordance with law. (Government Code 89501, 89502)

The term honorarium does not include: (Government Code 89501)

1. Earned income for personal services customarily provided in connection with a bona fide business, trade or profession unless the sole or predominant activity of the business, trade, or profession is making speeches.
2. Any honorarium which is not used and, within 30 days after receipt, is either returned to the donor or delivered to the office for donation into the general fund without being claimed as a deduction from income for tax purposes.

APPENDIX

Exhibit A: Designated Positions/Disclosure Categories

Legal Reference:

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- 89501 - Political Reform; Ethics; Honorarium
- 89502 - Political Reform; Ethics; Honorarium
- 89503 - Political Reform; Ethics; Honorarium
- 89506 - Political Reform; Ethics; Travel

**Riverside County Board of Education
Board Bylaw 9270 Conflict of Interest – Exhibit A**

**EXHIBIT A
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- Members of the Riverside County Board of Education
- County Superintendent of Schools
- Deputy Superintendent
- Associate Superintendent
- Assistant Superintendent
- Chief Personnel Officer
- Chief Academic Officer
- Chief Technology Officer
- Chief Business Official
- ~~Executive Director, ORCSS~~ [REDACTED]

Designated persons in this category must report:

- a. Interests in real property located entirely or partly within Riverside or Imperial County, or within two miles of county boundaries or of any land owned by or used by the office. Such interests include any leasehold, beneficial or ownership interest or option to acquire such interest in real property.
- b. Investments or business positions in or income from sources which:
 - (1) Are engaged in the acquisition or disposal of real property within the two counties
 - (2) Are contractors or subcontractors which are or have been within the past two years engaged in work or services of the type used by the office or
 - (3) Manufacture or sell supplies, books, machinery or equipment of the type used by the office.

II. Persons occupying the following positions are designated employees in Category II.

- Data Processing and Network Services Director
- Contracts and Acquisition Manager
- Contracts and Purchasing Manager
- Contracts and Purchasing Supervisor
- Contracts/Purchasing Technician
- Coordinator, Maintenance and Operations
- Director, (All Classes)
- Principal in Residence
- Senior Leadership Associate
- Supply Chain Manager
- Visiting Educator

**Riverside County Board of Education
Board Bylaw 9270 Conflict of Interest – Exhibit A**

Designated persons in this category must report investments or business positions in or income from sources which:

- a. Are contractors or subcontractors engaged in work or services of the type used by the department which the designated person manages or directs, or
- b. Manufacture or sell supplies, books, machinery or equipment or the type used by the department that the designated person manages or directs.

III. Consultants are designated employees who must disclose financial interests as determined on a case-by-case basis by the County Superintendent of Schools or designee. The County Superintendent or designee's written determination shall include a description of the consultant's duties and a statement of the extent of disclosure requirements based upon that description. All such determinations are public records and shall be retained for public inspection along with this conflict of interest code.

A consultant is an individual who, pursuant to a contract with the office, makes a governmental decision whether to: (2 CCR 18701)

- a. Approve a rate, rule or regulation
- b. Adopt or enforce a law
- c. Issue, deny, suspend or revoke a permit, license, application, certificate, approval, order or similar authorization or entitlement
- d. Authorize the office to enter into, modify or renew a contract that requires office approval
- e. Grant office approval to a contract or contract specification that requires office approval and in which the office is a party
- f. Grant office approval to a plan, design, report, study or similar item
- g. Adopt or grant office approval of office policies, standards or guidelines.

A consultant is also an individual who, pursuant to a contract with the office, serves in a staff capacity with the office and in that capacity participates in making a governmental decision as defined in 2 CCR 18702.2 or performs the same or substantially all the same duties for the office that would otherwise be performed by an individual holding a position specified in the office' Conflict of Interest Code (2 CCR 187801).