

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



ITEM
2.10
(ID # 8713)

MEETING DATE:

Tuesday, January 15, 2019

FROM : COUNTY COUNSEL:

SUBJECT: COUNTY COUNSEL: Approval of the Conflict of Interest Code of the Riverside Unified School District, Districts 1 and 2 [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:


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

ACTION: Consent

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None
Date: January 15, 2019
xc: Co.Co., District, COBcm

Kecia Harper
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 Unified School District.

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 Board of Education of the Riverside Unified School District recently adopted Resolution No. 2018/19-32 amending its Conflict of Interest Code on December 4, 2018 to include new positions, revise the titles of existing positions, and delete titles of positions that have been abolished. The Riverside Unified School District 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 Unified School District and has found that it complies with statutory requirements. A complete copy of the Conflict of Interest Code of the Riverside Unified School District is attached.

It is recommended that the Board of Supervisors approve the Conflict of Interest Code of the Riverside Unified School District, and direct the Clerk of the Board to notify the Riverside Unified School District of the action taken.

ATTACHMENTS:

Attachment A: **RESOLUTION NO. 2018/19-32**

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

Attachment B: **CONFLICT OF INTEREST CODE FOR THE RIVERSIDE UNIFIED
SCHOOL DISTRICT**



Gregory V. Priamos, Director County Counsel 12/20/2018

RESOLUTION NO. 2018/19-32

**RESOLUTION OF THE BOARD OF EDUCATION OF THE
RIVERSIDE 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 Riverside 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 February 6, 2017, 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

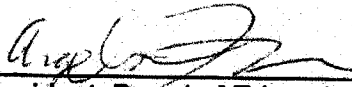
WHEREAS, notice of the time and place of a public meeting on, and of consideration by the Board of Education of, the proposed amended Code was provided to each affected designated employee and publicly posted for review at the offices of the District; and

WHEREAS, a public meeting was held upon the proposed amended Code at a regular meeting of the Board of Education on December 4, 2018, 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 Riverside 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 Executive Assistant to the Superintendent and available to the public for inspection and copying during regular business hours;

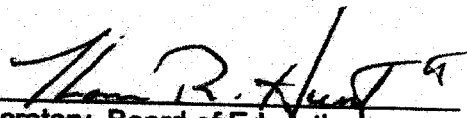
BE IT FURTHER RESOLVED that the said amended Code shall be submitted to the Board of Supervisors of the County of Riverside for approval and said Code shall become effective immediately after the Board of Supervisors approves the proposed amended Code as submitted.

APPROVED AND ADOPTED this 4th day of December, 2018.



**President, Board of Education
Riverside Unified School District**

ATTEST:



**Secretary, Board of Education
Riverside Unified School District**

CONFLICT OF INTEREST CODE FOR THE
RIVERSIDE UNIFIED SCHOOL DISTRICT

(Amended December 4, 2018)

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 **Riverside 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 as the District's Filing Officer. The **Executive Assistant** 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 **Executive Assistant** 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: 
DANIELLE D. MALAND

12/20/18
DATE

APPENDIX

CONFLICT OF INTEREST CODE OF THE RIVERSIDE UNIFIED SCHOOL DISTRICT (Amended December 4, 2018)

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 Education
- Superintendent
- Director, Business Services
- Chief Business Officer & Government Relations
- 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

**DESIGNATED POSITIONS'
TITLE OR FUNCTION**

**DISCLOSURE CATEGORIES
ASSIGNED**

Assistant Director, Building Trades	3, 5
Assistant Director, Business Services	4
Assistant Director, Certified Personnel	5
Assistant Director, Classified Personnel	5
Assistant Director, Facilities Planning	2, 3, 5
Assistant Director, Facilities Projects	2, 3, 5
Assistant Director, Grounds/Custodial	5
Assistant Director, Mechanical/Communications Trades	5
Assistant Director, Network Systems	5
Assistant Director, Nutrition Services	5
Assistant Director, Research Assessment & Evaluation	5
Assistant Principal (ALL)	5
Assistant Superintendent, Common Core, K-12	5, 6
Assistant Superintendent, Curriculum and Instruction, K-12	5
Assistant Superintendent, Instructional Support	5
Assistant Superintendent, Operations	2, 4
Assistant Superintendent, Personnel - Leadership and Development	4
Assistant Superintendent, Pupil Services/SELPA	5
Business Services Specialist	5

DESIGNATED POSITIONS'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
ASSIGNED

Campus Manager	5
Chief Academic Officer	5
Child Welfare & Attendance Manager	5
Contract Analyst	1
Coordinator, After School Programs	5, 6
Coordinator, Career and Technical Education	1
Coordinator, Digital Learning Initiatives	5
Coordinator, Early Childhood and Family Education	5
Coordinator, Pupil Services, SELPA	5
Coordinator, School, Family and Community Partnerships	5
Director, Adult & Alternative Educational Services	5
Director, Certificated Personnel	5
Director, Classified Personnel	5
Director, Community Engagement & Extended Learning	5
Director, Computing Services	5
Director, Education (ALL)	5
Director, Innovation and Learner Engagement	5
Director, Instructional Services	5
Director, Maintenance & Operations	2, 3, 5
Director, Network Systems	5
Director, Nutrition Services	5

DESIGNATED POSITIONS'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
ASSIGNED

Director, Planning and Development	2, 3, 5
Director, Program Quality/English Learner Services	5
Director, Public Information & Communications	5
Director, Pupil Services	5
Director, Purchasing	4
Director, Research, Assessment and Evaluation	4
Director, Risk Management	4
Director, Special Education	5
Director, Strategic Initiatives & Program Development	1
Director, Technology Services	5
Director, Virtual & Continuation Programs	5
Energy Manager	5
Executive Assistant to the Superintendent	5
Facilities Analyst	2, 5
General Counsel	1, 2
Instructional Services Specialist (ALL)	5
Manager of Systems	5
Manager, Central Kitchen	5
Manager, Computer Applications	5
Manager, Fiscal Services (ALL)	4
Manager, Grants and Project Development	5, 6

DESIGNATED POSITIONS'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
ASSIGNED

Manager, Instructional Technology	5
Manager, Network/Computer Services	5
Manager, Nutritional Services Operations	5
Manager, Transportation	5
Network Specialist	5
Operations Manager	5
Principal (ALL)	5
Procurement Specialist	4
Program Specialist (ALL)	5
Senior Program Evaluator, Educational Accountability	5
Software Engineer	5
Visual & Performing Arts Specialist	5

MEMBERS OF BOARDS,
COMMITTEES AND COMMISSIONS

Budget Advisory Committee	1, 2
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Consultants and New Positions²

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 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 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, loan 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, loan 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, loan 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, loan 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, or income from a nonprofit or other organization, if the source is of the type to receive grants or other monies from or through the District or its subdivisions.

Category 7: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, if such entities or sources have filed claims against the District in the past two 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)

LEGISLATIVE VERSION
(SHOWS CHANGES MADE)

CONFLICT OF INTEREST CODE FOR THE
RIVERSIDE UNIFIED SCHOOL DISTRICT
(Amended February 6, 2017 December 4, 2018)

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 **Riverside Unified School District** (the "District").

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APPENDIX

CONFLICT OF INTEREST CODE

OF THE

RIVERSIDE UNIFIED SCHOOL DISTRICT

(Amended ~~February 6, 2017~~ December 4, 2018)

PART "A"

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It has been determined that the positions listed below are officials who manage public investments¹:

Members of the Board of Education

Superintendent

Director, Business Services

~~Deputy Superintendent, Business and~~ Chief Business Officer & Governmental Relations

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 Director, Building Trades	3, 5
<u>Assistant Director, Facilities Planning</u>	2, 3, 5
Assistant Director, Facilities Projects	2, 3, 5
Assistant Director, Maintenance and Operations Grounds/Custodial	5
Assistant Director, Mechanical/Communications Trades	5
Assistant Director, Network Systems	5
Assistant Director, Nutrition Services	5
Assistant Director, Targeted Support & Community <u>Engagement & Extended Learning</u>	5
Assistant <u>Director, Certified Personnel Administrator</u>	5
<u>Assistant Director, Classified Personnel</u>	5
<u>Assistant Director, Research Assessment & Evaluation</u>	5
Assistant Principal (ALL)	5
Assistant Superintendent, Common Core, K-12	5, 6
Assistant Superintendent, Curriculum and Instruction, K-12	5
Assistant Superintendent, Instructional Support	5
Assistant Superintendent, Operations	2, 4
Assistant Superintendent, Personnel - Leadership and Development	4

<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Assistant Superintendent, Pupil Services/SELPA	5
Budget Manager Assistant Director, Business Services	5 4
<u>Business Services Specialist</u>	<u>5</u>
Campus Manager	5
Chief Academic Officer	5
Child Welfare & Attendance Manager	5
Contract Analyst	1
Coordinator, After School Programs	5, 6
Coordinator, Career and Technical Education	1
<u>Coordinator, Digital Learning Initiatives</u>	<u>5</u>
Coordinator, Early Childhood and Family Education	5
Coordinator, Pupil Services, SELPA	5
Coordinator, School, Family and Community Partnerships	5
<u>Director, Adult & Alternative Educational Services</u>	<u>5</u>
Director, Certificated Personnel	5
Director, Classified Personnel	5
Director, Computing Services	5
Director, Education (ALL)	5
Director, Educational Options <u>Virtual & Continuation Programs</u>	5
Director, Innovation and Learner Engagement	5

<u>DESIGNATED POSITIONS' TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES ASSIGNED</u>
Director, Instructional Services	5
Director, Maintenance & Operations	2, 3, 5
Director, Network Services <u>Systems</u>	5
Director, Nutrition Services	5
Director, Planning and Development	2, 3, 5
Director, Program Quality/English Learner Services	5
Director, Purchasing	4
Director, Research, Assessment and Evaluation	4
Director, Risk Management	4
Director, Special Education	5
Director, Strategic Initiatives & Program Development	1
Director, Student <u>Pupil</u> Services	5
Director, Technology Services Manager	5
Energy Education Specialist <u>Manager</u>	5
Executive Assistant to the Superintendent	5
<u>Facilities Analyst</u>	<u>2, 5</u>
General Counsel	1, 2
Instructional Services Specialist (ALL)	5
Manager of Systems	5
Manager, Central Kitchen	5

<u>DESIGNATED POSITIONS' TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES ASSIGNED</u>
Manager, Computer Applications	5
Manager, Fiscal Services (ALL)	4
Manager, Grants and Project Development	5, 6
Manager, Instructional Technology	5
Manager, Network/Computer Services	5
Manager, Nutritional Services Operations	5
Manager, Publications	5
Manager, Purchasing	4
Network Specialist	5
Operations Manager	5
Principal (ALL)	5
Procurement Specialist	4
Program Specialist (ALL)	5
Director, Public Information Officer & Communications	5
Senior Program Evaluator, Educational Accountability	5
Software Engineer	5
Transportation Manager, Transportation	5
Visual & Performing Arts Specialist	5

DESIGNATED POSITIONS'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
ASSIGNED

MEMBERS OF BOARDS,
COMMITTEES AND COMMISSIONS

Budget Advisory Committee

1, 2

Consultants and New Positions²

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 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 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.)

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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.

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Category 5: All investments and business positions in business entities, and sources of income, including gifts, loan 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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