

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



ITEM: 2.10
(ID # 13506)

MEETING DATE:
Tuesday, November 10, 2020

FROM : COUNTY COUNSEL:

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

RECOMMENDED MOTION: That the Board of Supervisors:


1. Approve the Amended 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 Spiegel, seconded by Supervisor Hewitt 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: November 10, 2020
xc: CoCo, Office of Education, COB

Kecia R. 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:	No
			For Fiscal Year:	N/A

C.E.O. RECOMMENDATION: [CEO use]

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 amended its Conflict of Interest Code on September 2, 2020 to include new positions and delete titles of positions that have been abolished that no longer make or participate in making governmental decisions. 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 amended 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

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

**ATTACHMENT A: RIVERSIDE COUNTY BOARD OF EDUCATION MINUTE ORDER FOR
SEPTEMBER 2, 2020**

**ATTACHMENT B: RIVERSIDE COUNTY OFFICE OF EDUCATION BOARD BYLAW 9270
CONFLICT OF INTEREST EXHIBIT A**



Gregory L. Priamos, Director County Counsel 10/29/2020



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

MINUTE ORDER

5. ACTION ITEMS

ACTION ITEM 5.3: BOARD BYLAW 9270 CONFLICT OF INTEREST EXHIBIT A

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.

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.

Due to the changes in designated positions in the organization, the revisions to the Exhibit A are necessary.

The Board Bylaw Exhibit A requires updates to the designated positions listed to maintain an accurate list of positions.

Motion: It was moved by Member Curtis and seconded by Member Hale to approve Board Bylaw 9270 Conflict of Interest Exhibit A as presented.

Vote: 7 Ayes: Members Cousins, Curtis, Dennis, Hale, Jackson, Romero and Tucker
Motion carried.

I hereby certify that the foregoing is a full, true and correct copy of an order made on September 2, 2020, 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 2, 2020

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.



EXHIBIT A
Designated Positions/Disclosure Categories

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:

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.

- a. 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.

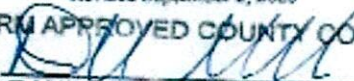
II. Persons occupying the following positions are designated employees in Category II.

- Chief Information Security Officer
- Administrator, Contracts & Acquisition
- Senior Contracts/Purchasing Specialist
- Senior Contracts/Purchasing Clerk
- Contracts/Purchasing Technician
- Director, (All Classes)
- Supply Chain Manager
- Visiting Educator

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

Are contractors or subcontractors engaged in work or services of the type used by the department which the designated person manages or directs, or

Adopted August, 1987
Revised September 2, 2020

FORM APPROVED COUNTY COUNSEL
BY: 
DANIELLE D. MALAND

- a. Manufacture or sell supplies, books, machinery or equipment or the type used by the department that the designated person manages or directs.

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).

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

EXHIBIT A
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- 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:

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.

- a. 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~~ Chief Information Security Officer
- ~~Contracts and Acquisition Manager~~ Administrator, Contracts & Acquisition
- ~~Contracts and Purchasing Manager~~
- ~~Contracts and Purchasing Supervisor~~ Senior Contracts/Purchasing Specialist
- Senior Contracts/Purchasing Clerk
- Contracts/Purchasing Technician
- ~~Coordinator, Maintenance and Operations~~
- Director, (All Classes)
- 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:

Are contractors or subcontractors engaged in work or services of the type used by the department which the designated person manages or directs, or

- a. Manufacture or sell supplies, books, machinery or equipment or the type used by the department that the designated person manages or directs.

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.

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- 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).