

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



ITEM: 2.8
(ID # 17349)

MEETING DATE:

Tuesday, December 14, 2021

FROM : COUNTY COUNSEL:

SUBJECT: COUNTY COUNSEL: Approval of the Amended Conflict of Interest Code of the Moreno Valley Unified School District, District 5 [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

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

ACTION:Consent

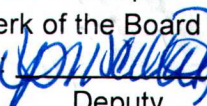


Gregory V. Priamos, Director County Counsel 11/22/2021

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Washington, 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: December 14, 2021
xc: Co.Co., District, COBAB

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: 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 Moreno Valley 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 Moreno Valley Unified School District recently adopted Resolution No. 2020-21-35 amending its Conflict of Interest Code on October 27, 2020 to include new positions, revise titles of existing positions and delete positions that no longer participate in making governmental decisions. The Moreno Valley 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 Moreno Valley Unified School District and has found that it complies with statutory requirements. A complete copy of the Conflict of Interest Code of the Moreno Valley Unified School District is attached.

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

ATTACHMENTS

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

ATTACHMENT A: RESOLUTION NO. 2020-21-35

**ATTACHMENT B: CONFLICT OF INTEREST CODE OF THE MORENO VALLEY UNIFIED
SCHOOL DISTRICT**



Gregory V. Priamos, Director County Counsel 11/22/2021

MORENO VALLEY UNIFIED SCHOOL DISTRICT

**RESOLUTION NO. 2020-21-35 - 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 September 25, 2018, 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 Code at a regular meeting of the Board of Education on October 27, 2020, 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 27th day of October, 2020.



President, Board of Education
Moreno Valley Unified School District

ATTEST:



Secretary, Board of Education
Moreno Valley Unified School District

**CONFLICT OF INTEREST CODE
FOR THE
MORENO VALLEY
UNIFIED SCHOOL DISTRICT**

CONFLICT OF INTEREST CODE FOR THE
MORENO VALLEY UNIFIED SCHOOL DISTRICT
(Amended October 27, 2020)

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 **Executive Assistant to the Superintendent** as the District's Filing Officer. The **Executive 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 **Executive 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.)

APPENDIX

CONFLICT OF INTEREST CODE

OF THE

MORENO VALLEY UNIFIED SCHOOL DISTRICT

(Amended October 27, 2020)

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

Chief Business Official

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>
Administrative Assistant	5
Assistant Custodial Supervisor	5
Assistant Director, Nutrition Services	5
Assistant Director, Special Education	5
Assistant Principals (ALL)	5
Chief Academic Officer	5
Chief Human Resources Officer	5
Coordinator, Academic Interventions & Linguistic Support	5
Coordinator, Accountability and Assessment	5
Coordinator, Career Technical Education	5
Coordinator, Child Welfare and Attendance	5
Coordinator, Disabilities – Head Start	5
Coordinator, Professional Development	5
Coordinator, Special Education Mental Health	5
Coordinator, Special Education: Mild/Moderate Disabilities	5
Coordinator, Student Services (Guidance)	5
Coordinator, Visual and Performing Arts	5
Custodial Supervisor	5

**LAW OFFICES OF
BEST BEST & KRIEGER**

<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Director, Budget & Finance	4
Director, Categorical Programs	5
Director, College & Career Readiness	5
Director, Elementary Education	5
Director, English Language Learner Programs	5
Director, Facilities	1, 2
Director, Maintenance and Operations	5
Director, Nutrition Services	5
Director, Purchasing	4
Director, Risk Management	5
Director, Safety & Security	5
Director, Secondary Education	5
Director, Student Services	5
Director, Transportation	5
Energy Specialist	5
Executive Assistant, Superintendent	5
Executive Director – SELPA	5
Executive Director Technology, Innovation & Assessment	5
Facilities Planner	1, 2
General Counsel	1, 2

**LAW OFFICES OF
BEST BEST & KRIEGER**

**DESIGNATED POSITIONS'
TITLE OR FUNCTION**

**DISCLOSURE CATEGORIES
ASSIGNED**

Human Resources Analyst	5
Human Resources Director	5
Human Resources Specialist	5
Maintenance and Operations Supervisor (ALL)	5
Network Manager	5
Nutrition Services Supervisor (ALL)	5
Principals (ALL)	5
Public Information Officer	5
Purchasing Specialist	4
Risk Management Specialist	5
School Information Systems Administrator	5
Systems Administrator	5
Transportation Manager	5
Transportation Supervisor	5

BOARDS, COMMITTEES AND COMMISSIONS

Citizen's Oversight 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 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.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, including any leasehold, beneficial or ownership interest or option to acquire property.

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.

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 of the position. (Reg. 18730.1)