

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



ITEM: 2.8
(ID # 19474)

MEETING DATE:
Tuesday, July 26, 2022

FROM : COUNTY COUNSEL:

SUBJECT: 2022 Alvord Unified School District Conflict of Interest Code

RECOMMENDED MOTION: That the Board of Supervisors:

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

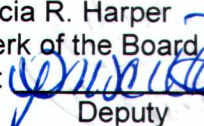
ACTION:Consent

Ronak Patel
Ronak Patel, Deputy County Counsel 7/7/2022

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Spiegel, seconded by Supervisor Perez 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: July 26, 2022
xc: Co.Co., BB&K 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: 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 Alvord 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 Alvord Unified School District recently amended its Conflict of Interest Code on April 21, 2022 to add titles and revise titles of existing positions that participate in making governmental decisions. The Board of Education for Alvord Unified School District has adopted Resolution No. 40, amending its Conflict of Interest Code. The Alvord 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 Alvord Unified School District and has found that it complies with statutory requirements. A complete copy of the Conflict of Interest Code of the Alvord Unified School District is attached.

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

Impact on Residents and Businesses

N/A

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

Additional Fiscal Information

N/A

Contract History and Price Reasonableness

N/A

ATTACHMENTS:

Attachment A: Resolution No. 40

Attachment B: Alvord Unified School District Conflict of Interest Code

BOARD OF EDUCATION

Joanna Dorado, Ed.D.
Julie A. Moreno
Robert Schwandt
Lizeth Vega
Carolyn M. Wilson



ALVORD UNIFIED SCHOOL DISTRICT
All students will realize their unlimited potential

SUPERINTENDENT

Allan J. Mucerino, Ed.D.
9 KPC Parkway
Corona, CA 92879
P: (951) 509-5070
F: (951) 509-6070

RESOLUTION NO. 40

**RESOLUTION OF THE BOARD OF EDUCATION OF THE ALVORD
UNIFIED SCHOOL DISTRICT AMENDING THE 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 Alvord 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 November 5, 2020, 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 April 21, 2022, 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 Alvord 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



@AlvordUnified | alvordschools.org

of 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 upon approval by the Board of Supervisors.

BE IT FURTHER RESOLVED that all previous Conflict of Interest Codes of the Alvord Unified School District and amendments thereto shall be rescinded as of the effective date of the said proposed Code as approved by the Board of Supervisors.

APPROVED, SIGNED AND ADOPTED this 21st day of April, 2022, by the following vote:


AYES: 4

NOES: 0


ABSTAIN: 0

ABSENT: 1

ALVORD UNIFIED SCHOOL DISTRICT


Julie A. Moreno, President, Board of Education
Alvord Unified School District

ATTEST:


Allan J. Mucerino, Secretary, Board of Education
Alvord Unified School District



@AlvordUnified | alvordschools.org

**CONFLICT OF INTEREST CODE
OF
ALVORD UNIFIED SCHOOL DISTRICT**

**CONFLICT OF INTEREST CODE
OF
ALVORD UNIFIED SCHOOL DISTRICT**

(Amended April 21, 2022)

The Political Reform Act of 1974 (Gov. Code § 81000, et seq.) requires each state and local government agency to adopt and promulgate a conflict of interest code. 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 **Alvord 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, Superintendent** as the District's Filing Officer. The **Executive Assistant, Superintendent** shall make and retain a copy of all statements filed by members of the Board of Education and the Superintendent of Schools, and forward the originals of such statements to the Clerk of the Board of Supervisors of the County of Riverside. The **Executive Assistant, Superintendent** shall retain the original 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.)

CONFLICT OF INTEREST CODE
OF THE
ALVORD UNIFIED SCHOOL DISTRICT
(Amended April 21, 2022)

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 of Schools

Chief Business Officer

Financial 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 EMPLOYEES'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Assistant Director, Educational Technology	5
Assistant Director, Special Education	5
Assistant Director, Student Services	5
Assistant Superintendent, Educational Services	5
Assistant Superintendent, Human Resources Development	5
Benefits Manager	5
Coordinator, Family Engagement	5
Coordinator, Mental Health	5
Director, Alt Ed & CTE	5
Director, Child Nutrition Services	5
Director, Elementary (ALL)	5
Director, English Learner Teaching and Learning	5
Director, Expanded Learning	5
Director, Fiscal Services	5
Director, Human Resources	5
Director, Integrated Technology Support Services	5
Director, Research and Evaluation (ALL)	5
Director, Secondary (ALL)	5
Director, Special Education Services	5
Director, Student Services	5

LAW OFFICES OF
BEST REST & KRIEGER LLP

DESIGNATED EMPLOYEES'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
ASSIGNED

Executive Director, Administrative Services	2, 3, 4
Executive Director, Pupil Services	5
General Counsel	1, 2
Maintenance Manager	5
Network Manager	5
Nutrition Specialist	5
Operations Manager	5
Payroll Manager	5
Principals (ALL)	5
Purchasing & Contracts Manager	5
Supervisor, (Child Nutrition Services)	5

Consultant and New Positions²

² Individuals providing services as a Consultant defined in Regulation 18700.3 or in a new position created since this Code was last approved that makes or participates in making decisions shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitation:

The District 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 District 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, doing business in, planning to do business in, 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 that are located in, that 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, and sources of income from, business entities 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, and sources of income from, business entities 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, and sources of income from, business entities 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 or the duties of the position. (Reg. 18730.1)