

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



**ITEM: 2.14
(ID # 21555)**

MEETING DATE:
Tuesday, May 02, 2023

FROM : COUNTY COUNSEL:

SUBJECT: COUNTY COUNSEL: Approval of an Amendment to the Conflict of Interest Code for San Jacinto Unified School District; District 3; [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

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

ACTION:



Minnie Chan, County Counsel 4/25/2023

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Spiegel, Washington, Perez and Gutierrez
Nays: None
Absent: None
Date: May 2, 2023
xc: CO.CO., District, COB&B

Kimberly A. Rector
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: [Approval]

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 San Jacinto 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 San Jacinto Unified School District recently amended its Conflict of Interest Code on October 13, 2022 to add titles and revise disclosure categories that participate in making governmental decisions. The Board of Trustees of the San Jacinto Unified School District has adopted Resolution No. 20-21-04 amending its Conflict of Interest Code. The San Jacinto 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 San Jacinto Unified School District and has found that it complies with statutory requirements. A complete copy of the Conflict of Interest Code of the San Jacinto Unified School District is attached.

It is recommended that the Board of Supervisors approve the Conflict of Interest Code of the San Jacinto Unified School District and direct the Clerk of the Board to notify the San Jacinto 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. 20-21-04

Attachment B: Conflict of Interest Code for the San Jacinto Unified School District

CONFLICT OF INTEREST CODE
FOR THE
SAN JACINTO
UNIFIED SCHOOL DISTRICT

CONFLICT OF INTEREST CODE FOR THE
SAN JACINTO UNIFIED SCHOOL DISTRICT
(Amended October 13, 2022)

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 of 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 Section 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 **San Jacinto 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 and the Board of Trustees** as the District's Filing Officer. The **Executive Assistant to the Superintendent and the Board of Trustees** shall make and retain a copy of all statements filed by Members of the Board of Trustees 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 and the Board of Trustees** 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
SAN JACINTO UNIFIED SCHOOL DISTRICT
(Amended October 13, 2022)

PART "A"

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

District Officials who manage public investments, as defined by 2 Cal. Code of Regs. § 18700.3(b), 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 Trustees

District Superintendent

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, Facilities & Operations	5
Assistant Director, Early Childhood Education	5
Assistant Principal	5
Assistant Superintendent – Business Services	1, 2
Assistant Superintendent – Educational Services	5
Assistant Superintendent – Personnel Services	5
Behavioral Specialist	5
Chef Coordinator	5
Communications & Emergency Preparedness Coordinator	5
Coordinator, Student, Community & Personnel Support	5
Coordinator I, Special Education	5
Coordinator II, English Learner	5
Coordinator II, Special Education-Behavior and Mental Health	5
Database Administrator	5
Dean of Students	5
Deputy Superintendent	1, 2
Deputy Superintendent of Personnel	5
Digital Media Design and Training Specialist	5

LAW OFFICES OF
REST REST & KRIEGER

<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Director, Assessment and Data Analysis	5
Director, College & Career Readiness	5
Director, English Learners and Categorical Programs	5
Director, Equity and Access	5
Director, Facilities & Operations	1, 2
Director, Fiscal Services	1, 2
Director, Nutrition Services	5
Director, Preschool	5
Director, Special Education	5
Director, Student, Community & Personnel Support	5
Director, Technology & Instruction	5
Director, Technology Services	5
Education Coordinator, Head Start/State Preschool	5
Executive Director, Business Services	4
Executive Director, Educational Services	5
Executive Director, Personnel Services	5
Executive Director, Special Education	4
Expanded Learning Program Specialist	5
Facilities Assistant	5
Facilities Planner	1, 2
Facilities Project Manager	2, 3, 5

LAW OFFICES OF
BEST BEST & KRIEGER

<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
General Counsel	1, 2
Network Administrator	5
Principal (ALL)	5
Public Information Officer	5
Purchasing Agent	4
Purchasing Specialist	4
Risk Management & Employee Benefits Supervisor	5, 6
Safety Officer	5
Supervisor, Accounting/Purchasing	4
Supervisor, Custodial	5
Supervisor, Maintenance and Grounds	5
Supervisor, Nutrition Services	5
Technology Systems Manager	5
Consultant and New Positions ²	

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 limitations:

The Superintendent may determine that, due to the range of duties or contractual obligations, it is more appropriate to designate 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 the designated 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.

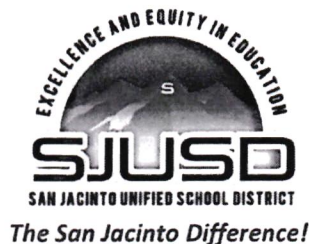
Category 3: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the District.

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.

Category 6: All investments and business positions in business entities, and sources of income, including gifts, loans, and travel payments, that have filed claims against the District in the past 2 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)



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RESOLUTION NO. 20-21-04

RESOLUTION OF THE BOARD OF TRUSTEES OF THE SAN JACINTO 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 San Jacinto Unified School District (the "District") and requires all public agencies to adopt and promulgate a conflict of interest code; and

WHEREAS, the Board of Trustees adopted a Conflict of Interest Code (the "Code") which was amended on September 8, 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 Trustees 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 Trustees on October 13, 2022, at which all present were given an opportunity to be heard on the proposed amended Code.

Dr. David Pyle, District Superintendent

Seth Heeren
Assistant Superintendent – Business Services

Dr. Karen Kirschinger
Assistant Superintendent - Personnel Services

John Roach
Assistant Superintendent - Educational Services

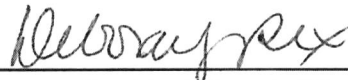
Board of Trustees

Deborah Rex, President • Trica Ojeda, Vice-President • Jasmin Rubio, Clerk • John I. Norman, Member • Sandra Peñaloza, Member

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of the San Jacinto Unified School District that the Board of Trustees 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 upon approval by the Board of Supervisors.

APPROVED AND ADOPTED this 13th day of October 2022.



President, Board of Trustees
San Jacinto Unified School District

ATTEST:



Executive Assistant to the Superintendent
and Board of Trustees
San Jacinto Unified School District