

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



ITEM: 2.10
(ID # 22020)

MEETING DATE:
Tuesday, June 27, 2023

FROM : COUNTY COUNSEL:

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

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the Amendment to 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



Miriam C. Arii, County Counsel

6/14/2023

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 Gutierrez
Nays: None
Absent: None
Date: June 27, 2023
xc: CO.CO., District, COBAB

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: 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 Riverside Unified School District recently amended its Conflict of Interest Code to add new positions, revise titles of existing positions, and delete titles of positions that have been abolished that participate in making governmental decisions. The Board of Education for Riverside Unified School District has adopted Resolution No. 2022/23-46, amending its Conflict of Interest Code. 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.

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. 2022/23 - 46

Attachment B: Conflict of Interest Code – Riverside Unified School District

RESOLUTION NO. 2022/23-46

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 November 10, 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, 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, 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 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 27th day of October, 2022.

AYES: 5

NOES: 0

ABSTAIN: 0

ABSTAIN: 0



President, Board of Education
Riverside Unified School District

ATTEST:



Clerk, Board of Education
Riverside Unified School District

CONFLICT OF INTEREST CODE FOR THE
RIVERSIDE UNIFIED SCHOOL DISTRICT
(Amended October 27, 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 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)

APPENDIX

CONFLICT OF INTEREST CODE

OF THE

RIVERSIDE UNIFIED SCHOOL DISTRICT

(Amended October 27, 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

Assistant Superintendent, Business Services

Superintendent

Director, Business Services

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 Services	3, 5
Assistant Director, Business Services	4
Assistant Director, Certificated 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, Research Assessment & Evaluation	5
Assistant Principal (ALL)	5
Assistant Superintendent, TK-12 Instruction	5
Assistant Superintendent, Equity, Access & Community Engagement	5
Assistant Superintendent, Operations	2, 4
Assistant Superintendent, Personnel – Leadership & Development	4
Business Services Specialist	5
Campus Manager	5
Chief of Staff	5
Child Welfare & Attendance Manager	5
Community Relations Manager	5
Contract Analyst	1

LAW OFFICES OF
REST REST & KRIEGER

DESIGNATED POSITIONS'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
ASSIGNED

Coordinator, Career & Technical Education	1
Coordinator, Community Outreach	1
Coordinator, Digital Learning Initiatives	5
Coordinator, Preschool/Early Childhood	5
Coordinator, English Learners TK-2	5
Coordinator, ERMHS/Secondary Special Education	5
Coordinator, Expanded Learning Programs	5, 6
Coordinator, Pupil Services, SELPA	5
Coordinator, School, Family & Community Partnerships	5
Coordinator, State & Federal Programs	5
Coordinator, Title IX and Compliance	5
Credential Analyst	5
Deputy Superintendent	1, 2
Director, Adult & Alternative Educational Services	5
Director, Certificated Personnel	5
Director, Classified Personnel	5
Director, Curriculum, and Assessment	5
Director, Education (ALL)	5
Director, Innovation & Learner Engagement	5
Director, Instructional Services	5
Director III, LCAP & Community Engagement	5

LAW OFFICES OF
BEST BEST & KRIEGER

DESIGNATED POSITIONS'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
ASSIGNED

Director, Maintenance, Operations & Transportation	2, 3, 5
Director, Nutrition Services	5
Director, Planning & Development	2, 3, 5
Director, Public Information & Communications	5
Director, Pupil Services	5
Director, Purchasing	4
Director, Research, Assessment & Evaluation	4
Director, Risk Management	4
Director, Special Education	5
Director, LCAP & Community Engagement	1
Director IV, Wellness & Engagement	5
Early Childhood Service Specialist	5
Executive Assistant to the Board of Education	5
Executive Assistant to the Superintendent	5
Facilities Analyst	2, 5
General Counsel	1, 2
IEP Facilitator	5
Instructional Services Specialist (ALL)	5
Manager of Systems	5
Manager, Business Services	5
Manager, Central Kitchen	5
Manager, Computer Applications	5

LAW OFFICES OF
BEST BEST & KRIEGER

DESIGNATED POSITIONS'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
ASSIGNED

Manager, Fiscal Services (ALL)	4
Manager, Grants & Project Development	5, 6
Manager, Instructional Technology	5
Manager, Network/Computer Services	5
Manager, Nutritional Services Operations	5
Network Specialist	5
Operations Manager	5
Principal (ALL)	5
Program Specialist (ALL)	5
Software Engineer	5
Visual & Performing Arts Specialist	5

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)

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, 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, 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, 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)