

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



ITEM: 2.4  
(ID # 23871)

MEETING DATE:  
Tuesday, January 30, 2024

FROM : COUNTY COUNSEL:

SUBJECT: COUNTY COUNSEL: Approval of an Amendment to the Conflict of Interest Code for Moreno Valley Unified School District; (District 5); [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the Amendment to the 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:

Min C. Carr, County Counsel


1/22/2024

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MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Perez, seconded by Supervisor Jeffries 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: January 30, 2024  
xc: COCO, MVUSD, COBAB

Kimberly A. Rector  
Clerk of the Board  
By:   
Deputy

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

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$ N/A	\$ N/A	\$ N/A	\$ N/A
<b>NET COUNTY COST</b>	\$ N/A	\$ N/A	\$ N/A	\$N/A
<b>SOURCE OF FUNDS: N/A</b>			<b>Budget Adjustment:</b>	<b>N/A</b>
			<b>For Fiscal Year:</b>	<b>N/A</b>

**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 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 Moreno Valley Unified School District recently amended its Conflict of Interest Code on November 14, 2023, to add titles or revise titles of existing positions that participate in making governmental decisions. The Board of Education for Moreno Valley Unified School District has adopted Resolution No. 2023-24-51, amending its Conflict of Interest Code. 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 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.

**Impact on Residents and Businesses**

N/A

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STATE OF CALIFORNIA

Additional Fiscal Information

N/A

Contract History and Price Reasonableness

N/A

Impact on Residents and Businesses

ATTACHMENTS:

ATTACHMENT A. Resolution No. 2023-24-51

ATTACHMENT B. Moreno Valley Unified School District Conflict of Interest Code

  
Stacy Orton \_\_\_\_\_ 1/22/2024

**MORENO VALLEY UNIFIED SCHOOL DISTRICT**

**RESOLUTION NO. 2023-24-51 -**

**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 October 27, 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 November 14, 2023, at which all present were given an opportunity to be heard on the proposed amended Code.

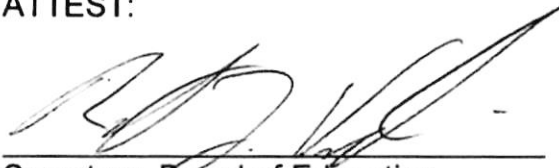
**NOW, THEREFORE, BE IT RESOLVED** by the Board of Education of the Moreno Valley Unified School District that the Board of Education does hereby adopt the proposed amended Conflict of Interest Code, a copy of which is attached hereto and shall be on file with the Executive Assistant to the Superintendent 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 14<sup>th</sup> day of November, 2023.

  
\_\_\_\_\_  
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 November 14, 2023)**

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 November 14, 2023)**

**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 investments<sup>1</sup>:

- Members of the Board of Education
- Superintendent
- Chief Business Official
- Investment Consultants

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<sup>1</sup> 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**

<b><u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u></b>	<b><u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u></b>
Accounting Supervisor	5
Administrative Assistant	5
Assistant Administrator of Instruction Improvement and Academic Coaching K-5	5
Assistant Administrator of Instruction Improvement and Academic Coaching 6-8	5
Assistant Administrator of Instruction Improvement and Academic Coaching 9-12	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
Confidential Secretary	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

LAW OFFICES OF  
BEST BEST & KRIEGER

<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Coordinator, Early Childhood Learning	5
Coordinator, Positive Behavior Intervention Services (PBIS)/Culture and Climate	5
Coordinator, Professional Development	5
Coordinator, Special Education Mental Health	5
Coordinator, Special Education: Mild/Moderate Disabilities	5
Coordinator, Special Education-Moderate/Severe Disabilities	5
Coordinator, Student Services (Guidance)	5
Coordinator, Visual and Performing Arts	5
Custodial Supervisor	5
Director, Budget & Finance	4
Director, Business Services	5
Director, Categorical Programs	5
Director, College & Career Readiness	5
Director, Communications and Community Engagement	5
Director, Elementary Education	5
Director, English Language Learner Programs	5
Director, Equity & Access	5, 6
Director, Expanded Learning Opportunities Program	5, 6
Director, Facilities Planning & Development	1, 2
Director, Maintenance and Operations	5
Director, Nutrition Services	5

LAW OFFICES OF  
BEST BEST & KRIEGER

<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Director, Purchasing	4
Director, Risk Management	5
Director, Safety & Security	5
Director, Secondary Education	5
Director, Student Services	5
Director, Transportation	5
Director, Wellness, Mental Health & Community Outreach	5, 6
Energy Specialist	5
Executive Assistant, Superintendent	5
Executive Director, Maintenance and Operations	3, 5
Executive Director – SELPA	5
Executive Director Technology, Innovation & Assessment	5
Executive Director, Transportation	5
Facilities Planner	1, 2
General Counsel	1, 2
Human Resources Analyst	5
Human Resources Director	5
Human Resources Specialist	5
Maintenance and Operations Supervisor (ALL)	5
Network Manager	5
Nutritionist	5

<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Nutrition Services Supervisor (ALL)	5
Payroll Supervisor	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 Positions<sup>2</sup>

<sup>2</sup> 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 the designated assigned.<sup>3</sup> "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, 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.

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<sup>3</sup> 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)