

**CONFLICT OF INTEREST CODE
OF THE
GONZALES UNIFIED SCHOOL DISTRICT
OF MONTEREY COUNTY**

(a) The Political Reform Act of 1974, Government Code sections 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. Section 18730, which contains the terms of a standard model Conflict of Interest Code, which can be incorporated by reference, and which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings. Therefore, the terms of 2 Cal. Code of Regs., section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission, along with the attached Appendix in which officials and employees are designated and disclosure categories are set forth are hereby incorporated by reference and constitute the Conflict of Interest Code of the Gonzales Unified School District of Monterey County.

(b) Pursuant to Government Code section 81008 and 2 Cal. Code of Regs. Section 18730(b)(4), all designated employees shall file statements of economic interests with their agency. Upon receipt of the statement of the Gonzales Unified School District, the agency shall make and retain a copy and forward the original of the statement to the code reviewing body. Statements for all other designated employees shall be retained by the agency, which shall make the statements available for public inspection and reproduction.

(c) APPENDIX

EXHIBIT A: Designated Positions

List of Designated Positions	Assigned Disclosure Categories
Governing Board	1
Superintendent	1
Consultants ¹	1

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EXHIBIT B: Disclosure Categories

General Provisions

When a member, officer, or employee who holds a designated position is required to disclose investments and sources of income, he or she shall disclose investments in business entities and sources of income which do business in the jurisdiction, plan to do business in the jurisdiction, or have done business in the jurisdiction within the past two years. In addition to other activities, a business entity is doing business within the jurisdiction of its own real property within the jurisdiction.

When a designated member, officer, or employee who holds a designated position is required to disclose sources of income, he or she shall disclose gifts received from donors located inside as well as outside the jurisdiction.

When a designated member, officer, or employee who holds a designated position is required to disclose interests in real property, he or she shall disclose the type of real property described below, if it is located in whole or in part within, or not more than two miles outside of the boundaries of the jurisdiction, or within two miles of any land owned or used by the Gonzales Unified School District.

When a designated member, officer, or employee who holds a designated position is required to disclose business position, he or she shall disclose positions in business entities that do business in the jurisdiction, plan to do business in the jurisdiction, or have done business in the jurisdiction within the past two years.

For purposes of this Conflict of Interest Code, the jurisdiction of the Gonzales Unified School District is the city of Gonzales, County of Monterey, State of California.

Disclosure Category 1:

A member, officer, or employee holding a position assigned to Disclosure Category 1 shall, in the manner described above, report:

All investments and business positions in business entities and sources of income in the jurisdiction;

Interests in real property in the jurisdiction;

His or her status as director, officer, partner, trustee, employee, or holder of a management position in any business entity in the jurisdiction.

Adopted: **April 13, 1999**

Amended:

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¹For purposes of this Code, "consultant" has the same meaning as set forth in 2 Cal. Code of Regs. Section 18700(a)(1), as follows:

"Consultant" means an individual who, pursuant to a contract with a state or local government agency:

(A) Makes a governmental decision whether to:

1. Approve a rate, rule, or regulation;
2. Adopt or enforce a law;
3. Issue, deny, suspend, or revoke any permit, license, application, certificate approval, order, or similar authorization or entitlement;
4. Authorize the agency to enter into, modify, or renew a contract provided it is the type of contract which requires agency approval;
5. Grant agency approval to a contract which requires agency approval and in which the agency is a party or to the specifications for such a contract;
6. Grant agency approval to a plan, design, report, study or similar item;
7. Adopt, or grant agency approval of, policies, standards, or guidelines for the agency, or for any subdivision thereof; or

(B) Serves in a staff capacity with the agency and in that capacity performs the same or substantially all the same duties for the agency that would otherwise be performed by an individual holding a position specified in the agency's Conflict of Interest Code.

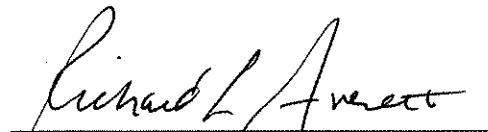
Consultants to the Gonzales Unified School District shall be subject to disclosure under Category 1, subject to the following limitation:

The Gonzales Unified School District may determine in writing that a particular consultant, although a "Designated Employee," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements of Category 1. In such cases, the Gonzales Unified School District may designate a different disclosure requirement. Such designation must be made in writing and shall include a description of the consultant's duties and, based upon that description, a statement of the extent of the consultant's disclosure requirements. The district's designation must be filed, in advance of disclosure by the consultant, with the agency's conflict of interest code and also filed with the code reviewing body and must be delivered to the consultant along with a copy of the conflict of interest code and the manual and forms for disclosure (FPPC Form 700).

CONFLICT OF INTEREST CODE
OF THE
GOVERNING BOARD OF THE
GONZALES UNIFIED SCHOOL DISTRICT
OF MONTEREY COUNTY

The agency designated above hereby submits the following Conflict of Interest Code to the code reviewing body of the jurisdiction designated above.

Date: April 30, 1999



Richard L. Averett, Ph.D.
Superintendent/Secretary to the
Governing Board

Received on behalf of the code reviewing body of the jurisdiction designated above:

Date: _____

Signature

Official Capacity

The following Conflict of Interest Code, having been submitted by the agency designated above, was approved by order of the code reviewing body on

Date

Other action, (if any):

Signature

Official Capacity

***Before the Board of Supervisors in and for the
County of Monterey, State of California***

Approve Conflict of Interest Code)
of the Gonzales Unified School District of)
Monterey County)

ORDER

Pursuant to section 87300 of the Government Code, the Gonzales Unified School District has requested the Monterey County Board of Supervisors, as code reviewing body, to approve its initial conflict of interest code which was adopted and submitted to the code reviewing body.

The conflict of interest code of the Gonzales Unified School District, a copy of which is attached hereto, is hereby approved by the Monterey County Board of Supervisors.

The Clerk to the Board of Supervisors is hereby directed to notify the Superintendent of the Gonzales Unified School District of the approval of its conflict of interest code by mailing or delivering a copy of this order thereto.

Upon motion of Supervisor Johnsen, seconded by Supervisor Armenta, the foregoing order was passed and adopted this 23rd day of April, 2002, by the following vote:

AYES: Supervisors Armenta, Pennycook, Calcagno, Johnsen, and Potter

NOES: None

ABSENT: None

I, SALLY R. REED, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 71, on April 23, 2002.

Dated: 4/23/02

SALLY R. REED, Clerk of the Board of Supervisors,
County of Monterey, State of California

By Cynthia Juarez
Cynthia Juarez Deputy

MONTEREY COUNTY BOARD OF SUPERVISORS

MEETING: April 23, 2002 - Consent	AGENDA NO.: 29.
SUBJECT: APPROVE CONFLICT OF INTEREST CODE OF THE GONZALES UNIFIED SCHOOL DISTRICT OF MONTEREY COUNTY	
DEPARTMENT: COUNTY COUNSEL	

RECOMMENDATION

It is recommended that the Board of Supervisors, as code reviewing body, approve and order the proposed conflict of interest code of the Gonzales Unified School District of Monterey County, a copy of which is attached to this report.

SUMMARY

Following unification of the Gonzales Union School District and the Gonzales Union High School District, the Gonzales Unified School District adopted its initial Conflict of Interest Code.

DISCUSSION

Local agencies are required to adopt and promulgate conflict of interest codes upon formation. The proposed code as adopted is consistent with the Political Reform Act of 1974.

OTHER AGENCY INVOLVEMENT

No other agency involvement exists.

FINANCING

There is no fiscal impact upon the County of Monterey as a result of approval of the conflict of interest code of the Gonzales Unified School District.


LEROY W. BLANKENSHIP
Assistant County Counsel

cc: Superintendent, Gonzales Unified School District