



APPROVED

8/7/2024
[Signature]

Agenda Item Details

Meeting Aug 07, 2024 - Regular Board Meeting

Category 6. Administrative Services

Subject A. ACTION ITEM: Resolution Number 2425-02 Adopting a Conflict of Interest Code (Motion_____ Second_____ [Comments/Questions] Vote_____)

Access Public

Type Action, Discussion, Information

Fiscal Impact No

Budgeted No

Recommended Action The Board of Trustees adopts Resolution number 2425-02, Adopting a Conflict of Interest Code.

Public Content

BACKGROUND:

The Alisal Union School District has recently made changes to its positions and has determined that revisions to the current conflict of interest code are necessary.

Pursuant to Government Code section 87306.5, every local government agency is required to review its conflict of interest code biennially and submit the Local Agency Biennial Notice to its code reviewing body. Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.

SUBMITTED BY:

Jim Koenig, Superintendent

[Resolution No. 2425-02 Conflict Of Interest.pdf \(127 KB\)](#)

Administrative Content

Executive Content

Mailed to M.C.
Elections Dept.
8/19/24 *[Signature]*

**BEFORE THE BOARD OF TRUSTEES OF THE
ALISAL UNION SCHOOL DISTRICT
ADOPTING A CONFLICT OF INTEREST CODE**

RESOLUTION NO. 2425-02

WHEREAS, the Political Reform Act, Government Code 87300-87313, requires each public agency in California to adopt a conflict of interest code; and

WHEREAS, the Governing Board of the Alisal Union School District has previously adopted a local conflict of interest code; and

WHEREAS, past and future amendments to the Political Reform Act and implementing regulations may require conforming amendments to be made to the district's conflict of interest code; and

WHEREAS, a regulation adopted by the Fair Political Practices Commission, 2 CCR 18730, provides that incorporation by reference of the terms of that regulation, along with an agency-specific appendix designating positions and disclosure categories shall constitute the adoption and amendment of a conflict of interest code in conformance with Government Code 87300 and 87306; and

WHEREAS, the Alisal Union School District has recently reviewed its positions, and the duties of each position, and has determined that changes to the current conflict of interest code are necessary; and


WHEREAS, any earlier resolutions, bylaws, and/or appendices containing the district's conflict of interest code shall be rescinded and superseded by this resolution and Appendix; and

NOW THEREFORE BE IT RESOLVED that the Alisal Union School District Governing Board adopts the following Conflict of Interest Code including its Appendix of Designated Employees and Disclosure Categories.

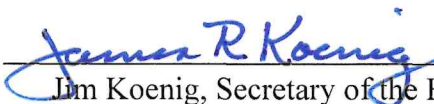
PASSED AND ADOPTED THIS 7th day of August, 2024 at a meeting, by the following vote:

AYES: 4 NOES: 0 ABSENT: 1

Attest:



Robert Ocampo, Vice President of the Board



Jim Koenig, Secretary of the Board

Conflict of Interest Code of the Alisal Union School District

The provisions of 2 CCR 18730 and any amendments to it adopted by the Fair Political Practices Commission, together with the attached Appendix specifying designated positions and disclosure categories, are incorporated by reference and shall constitute the district's conflict of interest code.

Governing Board members and designated employees shall file a Statement of Economic Interest/Form 700 in accordance with the disclosure categories listed in the attached Appendix.

The Statement of Economic Interest shall be filed with the district's filing officer and/or, if so required, with the district's code reviewing body. The district's filing officer shall make the statements available for public review and inspection.

APPENDIX

Disclosure Categories

1. Category 1: A person designated Category 1 shall disclose:

- a. Interests in real property located entirely or partly within district boundaries, or within two miles of district boundaries, or of any land owned or used by the district.
- b. Investments or business positions in or income from sources which are engaged in the acquisition or disposal of real property within the district, are contractors or subcontractors which are or have been within the past two years engaged in work or services of the type used by the district, or manufacture or sell supplies, books, machinery, or equipment of the type used by the district.

2. Category 2: A person designated Category 2 shall disclose:

- a. Investments or business positions in or income from sources which are contractors or subcontractors engaged in work or services of the type used by the department which the designated person manages or directs.
- b. Investments or business positions in or income from sources which manufacture or sell supplies, books, machinery, or equipment of the type used by the department which the designated person manages or directs. For the purposes of this category, a principal's department is his/her entire school.

3. Full Disclosure: Because it has been determined that the district's Board members and/or Superintendent "manage public investments," they and other persons designated for "full disclosure" shall disclose, in accordance with Government Code 87200:

- a. Interests in real property located entirely or partly within district boundaries, or within two miles of district boundaries, or of any land owned or used by the district.
- b. Investments, business positions, and sources of income, including gifts, loans, and travel payments.

Designated Positions

Designated Position Disclosure Category

Governing Board Members 1

Superintendent of Schools 1

Deputy Superintendent 1

Associate Superintendent 1

Assistant Superintendent 1

Purchasing Director 1

Director 2

Principal 2

Assistant Principal 2

Maintenance and Operations Director 2

Coordinator 2

Project Manager 2

Manager 2

Supervisor 2

Public Information Officer 2

Disclosures for Consultants

Consultants are designated employees who must disclose financial interests as determined on a case by-case basis by the Superintendent or designee. The Superintendent or designee's written determination shall include a description of the consultant's duties and a statement of the extent of disclosure requirements based upon that description. All such determinations are public records and shall be retained for public inspection along with this conflict of interest code.

A consultant is an individual who, pursuant to a contract with the district, makes a governmental decision whether to: (2 CCR 18701)

1. Approve a rate, rule, or regulation
2. Adopt or enforce a law
3. Issue, deny, suspend, or revoke a permit, license, application, certificate, approval, order, or similar authorization or entitlement

4. Authorize the district to enter into, modify, or renew a contract that requires district approval
5. Grant district approval to a contract that requires district approval and in which the district is a party, or to the specifications for such a contract
6. Grant district approval to a plan, design, report, study, or similar item
7. Adopt or grant district approval of district policies, standards, or guidelines

A consultant is also an individual who, pursuant to a contract with the district, serves in a staff capacity with the district and in that capacity participates in making a governmental decision as defined in 2 CCR 18702.2 or performs the same or substantially all the same duties for the district that would otherwise be performed by an individual holding a position specified in the district's conflict of interest code. (2 CCR 18701)