

ATTACHMENT C

LOCAL AGENCIES — REVISED/INITIAL CONFLICT OF INTEREST CODES

LOCAL AGENCY	SUMMARY OF ADOPTED/ PROPOSED REVISIONS
Benicia Unified School District	• Added Positions: ▪ Assistant/Associate Superintendent ▪ Purchasing Agent ▪ Director ▪ Assistant Principal ▪ Project Specialist ▪ Dean of Students ▪ Maintenance and Operations Director ▪ Supervisor • Deleted Positions: ▪ Director of Human Resources ▪ Director of Special Services ▪ Director of Curriculum & Instruction ▪ Director of Business Services ▪ Director of Facilities Services ▪ Accounting Supervisor ▪ Supervisor of Maintenance and Operations ▪ Coordinator of Child Care Programs

CONFLICT OF INTEREST CODE
FOR THE

BENICIA UNIFIED SCHOOL DISTRICT

The Political Reform Act, Government Code Section 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 California Code of Regulations, Section 18730, which contains the terms of a standard conflict of interest code. It can be incorporated by reference and may be amended by the Fair Political Practices Commission after public notice and hearings 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 and, along with the attached Exhibits in which members and employees are designated and disclosure categories are set forth, constitute the conflict of interest code of the agency named above.

Designated positions required to submit a statement of financial interests shall file the disclosure statement with the agency who will make the statements available for public inspection and reproduction. (Government Code Section 81008). Upon receipt of the statement of the Superintendent, the agency shall make and retain a copy thereof and shall forward the original to the Solano County Elections Department, Attention: Statement of Economic Interests filing officer. Statements for all other designated positions will be retained by the agency.

CURRENT

ATTACHMENT A

Designated Positions

I. Persons occupying the following positions are designated employees and must disclose financial interests in Category 1 defined in Attachment B.

Governing Board Members

Superintendent

~~Director of Employee Services~~ TITLE CHANGE: Director of Human Resources

~~Coordinator of Special Services~~ Director of Special Services

~~Director of Instructional Services~~ TITLE CHANGE: Director of Curriculum & Instruction

Director of Business Services

Director of Facilities Services

Accounting Supervisor

Principals

Supervisor of Maintenance and Operations

II. Persons occupying the following positions are designated employees and must disclose financial interests defined in Category 2 of Attachment

B.

Coordinator of Child Care Programs

CURRENT

Approved 1-23-07 BOS

ATTACHMENT B

Disclosure Categories

CATEGORY 1

Designated persons in this category must report:

(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. Such interests include any leasehold, beneficial or ownership interest or option to acquire such interest in real property.

(b) Investments or business positions in or income from sources which:

(1) are engaged in the acquisition or disposal of real property within the district.

(2) 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

(3) manufacture or sell supplies, books, machinery or equipment of the type used by the district.

CATEGORY 2

Designated persons in this category must report investments or business positions in or income from sources which:

(a) are contractors or subcontractors engaged in work or services of the type used by the department which the designated person manages or directs, or

(b) 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.

NOTICE: Investments include any financial interest in or security issued by a business entity, including but not limited to common stock, preferred stock, rights, warrants, options, debt instruments, and any partnership interest or other ownership interest. (Government Code 82034)

ATTACHMENT B

Disclosure Categories

(continued)

Investments do not include 1) a time or demand deposit in a financial institution, shares in a credit union, any insurance policy, or any bond or other debt instrument issued by any government or

government agency; 2) assets with a fair market value of less than one thousand dollars.
(Government Code 82034)

Exhibit BENICIA UNIFIED SCHOOL DISTRICT

approved: January 17, 1991 Benicia, California

Revised: February 19, 1991

Revised: March 4, 1993

Revised: August 18, 1994

Conflict of Interest Code of the Benicia Unified 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.

<u>Designated Position</u>	<u>Disclosure Category</u>
Governing Board Members	1
Superintendent of Schools	1
Assistant/Associate Superintendent	1
Purchasing Agent	1
Director	2
Principal	2
Assistant Principal	2
Maintenance and Operations Director	2
Program Coordinator	2
Project Specialist	2
Supervisor	2
Dean of Students	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 18700.3)

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 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 18704, subsections (a) and (b), 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 18700.3)

PROPOSED