

Exhibit 9270-E(1): Conflict Of Interest

Status: ADOPTED

Original Adopted Date: 07/01/2010 | **Last Revised Date:** 12/01/2024 | **Last Reviewed Date:** 12/01/2024

**RESOLUTION ADOPTING A
CONFLICT OF INTEREST CODE**

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

~~And~~
~~¶~~

WHEREAS, a district is permitted to create its conflict of interest code by incorporating by reference the terms of 2 CCR 18730, along with a list of District Officials to whom the code applies and disclosure categories, in accordance with Government Code 87300 and 87306;

WHEREAS, the Governing Board of the Reed Union School District ("District") has previously adopted a local conflict of interest code; and

~~¶~~

~~WHEREAS, past and future amendments to the Political Reform Act in this manner; 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 Reed Union School District has recently reviewed its positions list of District Officials, and the duties of each position, and has determined that (changes/no changes) to the current conflict of interest code are necessary; and~~

~~¶~~

~~WHEREAS.~~

NOW THEREFORE BE IT RESOLVED, the Governing Board of the District adopts the following Conflict of Interest Code, including the accompanying Appendix of District Officials and Disclosure Categories, and

BE IT FURTHER RESOLVED, any earlier resolutions, bylaws, and/or appendices containing the district's District's conflict of interest code shall be hereby rescinded and superseded by this resolution Resolution and Appendix; and

~~¶~~

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

PASSED AND ADOPTED THIS ~~19th day of April, 2016~~ at a meeting, by the following vote:

AYES: _____
NOES: _____
ABSENT: _____

Attest:

Secretary

/President

Conflict of Interest Code ("**Code**") of the Reed Union School District ("**District**")

The provisions of Political Reform Act (PRA) (Government Code 81000-87505) requires the District to adopt a conflict of interest code. 2 CCR 18730 contains the terms of a conflict of interest code, which may be amended by the Fair Political Practices Commission (FPPC) to conform to amendments in the PRA. Therefore, the terms of 2 CCR 18730 and any amendments to it duly adopted by the Fair Political Practices Commission, together with the FPPC are hereby incorporated by reference. This Code and the attached Appendix specifying designated, designating positions and establishing disclosure categories, are incorporated by reference and shall constitute the district's conflict of interest code. ¶
¶
Board of Trustees members and designated employees the district.

District Officials, defined as those positions listed herein, shall file a Form 700 (also known as a Statement of Economic Interest/~~Form 700~~) in accordance with the disclosure categories listed in the attached Appendix. The ~~Statement of Economic Interest~~ Form 700 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 District Official designated "Category 1" shall disclose: the following:

¶

- a. ~~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. ~~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~~ District Official designated "Category 2" shall disclose the following:



- a. ~~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. ~~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 a principal in this category, the principal's department is the principal's entire school.



~~For the purposes of this category, a principal's department is his/her entire school.~~



Category 3 (Applicable to positions that "manage public investments," as defined by Government Code 87200): A District Official designated "Category 3" shall disclose, in accordance with Government Code 87200-87210, the following:

- 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

District Officials	Disclosure Category
Governing Board Members	1 or 3
Superintendent	1 or 3
Assistant/Associate Superintendent	1 or 3
Purchasing Agent	1
Director	2
Principal	2



~~Designated Position Disclosure Category~~

~~Board of Trustees Members~~

~~Superintendent of Schools~~

~~Assistant/Associate Superintendent/Chief Business Official~~

~~Purchasing Agent~~

~~Director~~

~~Principal~~

~~Assistant Principal~~

~~Maintenance and Operations Director~~



~~Disclosures for Consultants~~



~~Consultants are designated employees~~

The Superintendent or designee shall annually determine, on a case-by-case basis, which district consultants, if any, shall constitute District Officials and who must shall 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)



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

- ~~1. 1. Approve a rate, rule, or regulation~~



- ~~2. 2. Adopt or enforce a law~~



3. ~~3.~~ Issue, deny, suspend, or revoke ~~a~~any permit, license, application, certificate, approval, order, or similar authorization or entitlement



4. ~~4.~~ Authorize the district to enter into, modify, or renew a contract that requires district approval



5. ~~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. ~~6.~~ Grant district approval to a plan, design, report, study, or similar item



7. ~~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~~ 18704 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~~ 18700.3)

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the Governing Board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
2 CCR 18110-18997	Regulations of the Fair Political Practices Commission
2 CCR 18438.1-18438.8	Campaign contribution-based conflicts of interest
2 CCR 18700-18760	Conflicts of Interest
2 CCR 18722-18740	Disclosure of interests
2 CCR 18753-18756	Conflict of interest codes
2 CCR 18940.2	Gift limit amount

Ed. Code 1006	Prohibition against school district employees serving on county board of education
Ed. Code 35107	School district employees
Ed. Code 35230-35240	Corrupt practices
Ed. Code 35233	Prohibitions applicable to members of governing boards
Ed. Code 41000-41003	Moneys received by school districts
Ed. Code 41015	Investments
Fam. Code 297.5	Rights, protections, and benefits of registered domestic partners
Gov. Code 1090-1099	Prohibitions applicable to specified officers
Gov. Code 1125-1129	Incompatible activities
Gov. Code 53234-53235.2	Ethics training
Gov. Code 81000-91014	Political Reform Act
Gov. Code 82011	Code reviewing body
Gov. Code 82019	Definition; designated employee
Gov. Code 82028	Definition; gift
Gov. Code 82030	Definition; income
Gov. Code 82033	Definition; interest in real property
Gov. Code 82034	Definition; investment
Gov. Code 84308	Campaign disclosure
Gov. Code 87100-87505	Political Reform Act; conflict of interest
Gov. Code 89501-89503	Honoraria and gifts
Gov. Code 89506	Ethics; travel
Gov. Code 91000-91014	Enforcement
Pen. Code 85-88	Bribes
Pub. Cont. Code 6102	Bribery of public official; voidable contract
Rev. & Tax Code 203	Taxable and exempt property - colleges
Management Resources	Description
Attorney General Opinion	105 Ops.Cal.Atty.Gen.69 (2022)
Attorney General Opinion	63 Ops.Cal.Atty.Gen. 868 (1980)

Attorney General Opinion	<u>65 Ops.Cal.Atty.Gen. 606 (1982)</u>
Attorney General Opinion	<u>68 Ops.Cal.Atty.Gen. 171 (1985)</u>
Attorney General Opinion	<u>69 Ops.Cal.Atty.Gen. 255 (1986)</u>
Attorney General Opinion	<u>80 Ops.Cal.Atty.Gen. 320 (1997)</u>
Attorney General Opinion	<u>81 Ops.Cal.Atty.Gen. 327 (1998)</u>
Attorney General Opinion	<u>82 Ops.Cal.Atty.Gen. 83 (1999)</u>
Attorney General Opinion	<u>85 Ops.Cal.Atty.Gen. 60 (2002)</u>
Attorney General Opinion	<u>86 Ops.Cal.Atty.Gen. 138(2003)</u>
Attorney General Opinion	<u>89 Ops.Cal.Atty.Gen. 217 (2006)</u>
Attorney General Opinion	<u>92 Ops.Cal.Atty.Gen. 19 (2009)</u>
Attorney General Opinion	<u>92 Ops.Cal.Atty.Gen. 26 (2009)</u>
Court Decision	<u>Davis v. Fresno Unified School District (2015) 237 Cal.App.4th 261</u>
Court Decision	<u>Klistoff v. Superior Court (2007) 157 Cal.App.4th 469</u>
Court Decision	<u>Kunec v. Brea Redevelopment Agency (1997) 55 Cal.App.4th 511</u>
Court Decision	<u>McGee v. Balfour Beatty Construction, LLC, et al. (2016) 247 Cal. App. 4th 235</u>
Court Decision	<u>Thorpe v. Long Beach Community College District (2000) 83 Cal.App.4th 655</u>
CSBA Publication	<u>Conflict of Interest: Overview of Key Issues for Governing Board Members, Fact Sheet, July 2010</u>
Fair Political Practices Commission Publication	<u>Advice Letter: A-96-314 (December 18, 1996)</u>
Fair Political Practices Commission Publication	<u>Can I Vote? A Basic Overview of Public Officials' Obligations Under the Conflict-of-Interest Rules, 2005</u>
Institute For Local Government Publication	<u>Understanding the Basics of Public Service Ethics: Personal Financial Gain Laws, 2009</u>
Institute for Local Government Publication	<u>Understanding the Basics of Public Service Ethics: Transparency Laws, 2009</u>
Website	<u>CSBA District and County Office of Education Legal Services</u>
Website	<u>Institute for Local Government</u>

Website [Fair Political Practices Commission](#)

Website [CSBA](#)

Cross References

Code	Description
1340	Access To District Records
1340	Access To District Records
1700	Relations Between Private Industry And The Schools
3230	Federal Grant Funds
3230	Federal Grant Funds
3300	Expenditures And Purchases
3311	Bids
3311	Bids
3400	Management Of District Assets/Accounts
3400	Management Of District Assets/Accounts
3430	Investing
3430	Investing
3470	Debt Issuance And Management
3512	Equipment
3512-E(1)	Equipment
3600	Consultants
4112.8	Employment Of Relatives
4117.2	Resignation
4136	Nonschool Employment
4212.8	Employment Of Relatives
4217.2	Resignation
4236	Nonschool Employment
4312.8	Employment Of Relatives
4317.2	Resignation
4336	Nonschool Employment

6161.1	<u>Selection And Evaluation Of Instructional Materials</u>
6161.1	<u>Selection And Evaluation Of Instructional Materials</u>
6161.1-E(1)	<u>Selection And Evaluation Of Instructional Materials</u>
7140	<u>Architectural And Engineering Services</u>
7140	<u>Architectural And Engineering Services</u>
7214	<u>General Obligation Bonds</u>
7214	<u>General Obligation Bonds</u>
9000	<u>Role Of The Board</u>
9005	<u>Governance Standards</u>
9140	<u>Board Representatives</u>
9200	<u>Limits Of Board Member Authority</u>
9220	<u>Governing Board Elections</u>
9220-E(1)	<u>Governing Board Elections</u>
9222	<u>Resignation</u>
9230	<u>Orientation</u>
9240	<u>Board Training</u>
9320	<u>Meetings And Notices</u>
9321	<u>Closed Session</u>
9321-E(1)	<u>Closed Session</u>
9321-E(2)	<u>Closed Session</u>
9323	<u>Meeting Conduct</u>