

DEHESA SCHOOL DISTRICT
GOVERNING BOARD POLICIES

E 9270(a)

CONFLICT OF INTEREST

**RESOLUTION ADOPTING A
CONFLICT OF INTEREST CODE**

Note: The Governing Board is required to adopt a conflict of interest code in compliance with Government Code 87300-87313 of the Political Reform Act (PRA). Pursuant to 2 CCR 18730, the requirements of the Government Code are satisfied if a district adopts a conflict of interest code that incorporates 2 CCR 18730 by reference along with a list of designated positions and disclosure categories. Board members and designated employees must annually file a Statement of Economic Interest/Form 700 pursuant to the disclosure requirements of the district's conflict of interest code.

Government Code 87303 requires a district's conflict of interest code to be approved by a "code reviewing body." For school districts located entirely in one county, the code reviewing body is the board of supervisors of the county in which the district is located. The Fair Political Practices Commission (FPPC) is the code reviewing body for school districts with jurisdiction in more than one county.

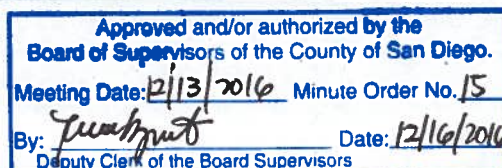
The code reviewing body needs to only review the portion of the district's conflict of interest code that specifies the district's designated positions and the disclosure categories as detailed in the following sample Resolution, including its Appendix, and not the other legal requirements related to conflict of interest reflected in the accompanying sample bylaw. The Resolution, including the Appendix, should be adopted by the Board and, as necessary, forwarded to the code reviewing body. Pursuant to Government Code 87306.5, the code reviewing body is required to notify the district in even-numbered years of the need to review the district's conflict of interest code. Upon such notification, the district should review the Appendix and make any necessary changes. In some counties, the code reviewing body requires that a resolution be adopted during each review and that the Board's resolution and amended appendix be submitted to that body. In other counties, only the appendix needs to be submitted. In both cases, districts need not submit BB 9270 - Conflict of Interest to the code reviewing body. In addition to the biannual review, districts should modify the Appendix and submit it, and the resolution if required, to the code reviewing body when any changed circumstances within the district require amendments to the Appendix, such as the creation of new designated positions or a change of duties assigned to existing positions.

The following resolution should be modified to reflect district practice as well as any specific requirements of the district's code reviewing body.

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 Dehesa 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



DEHESA SCHOOL DISTRICT
GOVERNING BOARD POLICIES

E 9270 (b)

CONFLICT OF INTEREST (continued)

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 Dehesa 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 Dehesa School District Governing Board adopts the following Conflict of Interest Code including its Appendix of D

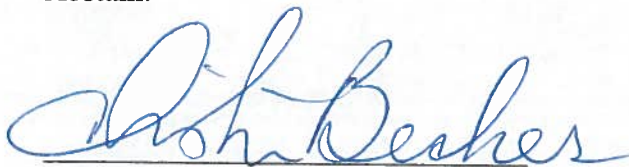
PASSED AND ADOPTED THIS 8th day of September, 2016 at a meeting, by the following vote:

Ayes:

Nays:

Absent:

Abstain:



Clerk of the Board

**Conflict of Interest Code of
the Dehesa School District
(Continued)**

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

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.

Designated Position

Disclosure Category

Governing Board Members	1
Superintendent of Schools	1
Business Manager	1
Principal	2

Board Approved on June 19, 2003

Reviewed and Amended on September 8, 2016

CONFLICT OF INTEREST APPENDIX (continued)

Disclosures for Consultants

Note: The definition of designated employees in Government Code 82019 includes consultants. To preclude amending the code whenever retaining a consultant in a decision-making capacity, the following section provides that the Superintendent or designee shall make case-by-case determinations of the disclosures necessary, depending on the range of duties to be performed by the consultant.

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)

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DEHESA SCHOOL DISTRICT
4612 DEHESA RD
EL CAJON, CA 92019

EXHIBIT "A"

Designated Positions

Reportable Economic
Interest Category
Numbers (See Exhibit "B")

Governing Board Members

Categories 2, 4, 5

Consultants

The positions of the following consultants
presently retained by the County:

- a. _____
- b. _____
- c. _____

Does Not Apply

The position by name or job title of each person classified as a "designated employee" in any contract which the County enters into for consulting services with a person or business entity (whether or not a non-profit entity). Such a designation will be made in the contract with respect to any person who in the opinion of the County, may reasonably be expected to make, participate in making or in any way attempt to use his position as a "consultant" to influence a governmental decision in which the person might reasonably be expected to have a financial interest.

Category 2. All-Inclusive Reportable Interests in Real Property

[See Appendix I - Sections 82033, 82035]

A designated employee in this category shall disclose all interests (worth more than \$1,000) in real property located within the jurisdiction if the interests are:

- (a) held or owned by the designated employee, his or her spouse, and dependent child, or
- (b) the pro rata share (worth more than \$1,000) of interests in real property of any business entity or trust in which the designated employee or spouse owns, directly, indirectly or beneficially, a 10% interest or greater.

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Category 4. Less-Inclusive Reportable Investments

[See Appendix I - Section 82034]

A designated employee in this category shall disclose only investments (worth more than \$1,000) in any business entity, which within the last two years has contracted with or in the future foreseeably may contract with the County or with any local government agency for which the Board of Supervisors of the County is the governing body to provide services, supplies, materials, machinery or equipment:

- (a) to the County or to such local government agency
- (b) of the type utilized by the Agency adopting this Code and associated with the job assignment of the designated employee

Category 5. Less-Inclusive Reportable Interests in Real Property

[See Appendix I - Sections 82033, 82035]

A designated employee in this category shall disclose all reportable interests in real property (worth more than \$1,000) located in the unincorporated area of the County, or not more than 2 miles outside the boundaries of the unincorporated area, or within 2 miles of any land owned or used by the County.