



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: County Counsel
Department No.: 0710
For Agenda Of: March 2, 2010
Placement: Administrative
Estimated Tme: n/a
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: County Counsel Dennis A. Marshall x2950

Contact Info: Jerry F. Czuleger x2950 

SUBJECT: Amendment to the Conflict of Interest Code of the Santa Barbara County
Education Office

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: n/a

Other Concurrence: n/a

Recommended Actions:

That the Board of Supervisors approve the attached proposed amendments to the Conflicts of Interest Code of the Santa Barbara County Education Office ("Education Office").

Summary Text:

The Education Office adopted the attached amendments to its Conflicts of Interest Code on January 7, 2010. The amendments include new positions that must be designated, revisions to titles of existing positions and/or deletions of positions that have been abolished.

Background:

All public agencies are required by the Political Reform Act of 1974 to:

1. Adopt local conflicts of interest codes identifying the reporting requirements of covered employees;
2. Review the need for any revisions to their local conflicts of interest codes at least every two years.

The Board of Supervisors is the "code reviewing body" for the Education Office's Conflict of Interest Code. Government Code Section 87303. Thus, any amendment to the Education Office's Conflict of Interest Code is not effective until approved by the Board of Supervisors.

Special Instructions:

Please forward a copy of the minute order reflecting the Board's action to:

- Assistant Superintendent Albert Zonana, Ph.D. at the Santa Barbara County Education Office; and
- Senior Deputy County Counsel Jerry F. Czuleger.

Attachments:

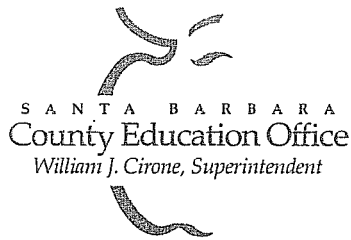
January 11, 2010 letter (with attachments) from Assistant Superintendent Albert Zonana, Ph.D. at the Santa Barbara County Education Office.

Authored by:

Senior Deputy County Counsel Jerry F. Czuleger

cc:

Santa Barbara County Education Office



Santa Barbara County Education Office

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January 11, 2010

Clerk, Board of Supervisors
County of Santa Barbara
105 East Anapamu Street
Santa Barbara, CA 93101

ROUTE TO:
2010 JAN 12 AM 11:30
RETURN INSTRUCTIONS:

ADMINISTRATOR

Re: Revision of Conflict of Interest Code
(Policy No. 2007 – Santa Barbara County Education Office)

Attached are 13 copies of a revised Conflict of Interest Code for the Santa Barbara County Education Office, reflecting changes made in the list of designated positions identified as Exhibit “A”.

This revision received a public hearing and first reading at the December 3, 2009 meeting of the County Board of Education, and was adopted following a second reading at the board meeting on January 7, 2010.

Please place on the agenda of a meeting of the County Board of Supervisors as an item requesting their approval of the attached revised Conflict of Interest Code. If you have any questions in this regard, please contact me.

Sincerely,

Albert Zonana, Ph.D.
Assistant Superintendent
Human Resources

Enclosures

POLICY -- CONFLICT OF INTEREST CODE

BP2007

The Political Reform Act, Government Code Sections 81,000 *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. Adm. Code Section 18730, which contains the terms of a standard 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. The terms of 2 Cal. Adm. Code 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 Appendices "A" and "B" in which employees and officials are designated and disclosure categories are set forth, constitute the Conflict of Interest Code of the Santa Barbara County Education Office.

Pursuant to Section 4 of the standard Code, designated employees and officials shall file statements of economic interest with the Santa Barbara County Education Office. Upon receipt of the statements of the County Superintendent of Schools and members of the County Board of Education, the County Education Office shall make and retain a copy and forward the originals of these statements to the Elections Division of the Santa Barbara County Clerk/Recorder. Statements for all other designated employees will be retained by the County Education Office.

EXHIBIT "A"
DESIGNATED POSITIONS

- I. Persons occupying the following positions are designated employees and officials, and must disclose financial interests in Categories 1 and 2 defined in Exhibit "B".

Members, County Board of Education
Members, Personnel Commission
County Superintendent of Schools
Assistant Superintendents
Legal Counsel

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

None

- III. Persons occupying the following positions are designated employees and must disclose financial interests defined in Category 3 of Exhibit "B".

~~Administrative Services Manager~~
Administrator, Computer Center
Administrator, Internal Services
Administrator, Juvenile Court and Community Schools
Administrator, School Business Advisory Services
Administrator, Special Education
Benefits Manager
Children's Creative Project Manager
Children's Health Initiative Program Manager
Computer Center Manager
Coordinator, Community Day Schools
Coordinator, Computers for Families
Coordinator, Educational Technology
Coordinator, English Learner Services
Coordinator, Special Education Programs
Director, Beginning Teacher Support and Assessment (BTSA)
Director, Child Development
Director, Classified Human Resources
Director, Communications
Director, Community Education and Special Projects for the Superintendent
Director, Curriculum, Instruction and Program Support
Director, Educational Support Services

COMMUNITY RELATIONS

POLICY -- CONFLICT OF INTEREST CODE

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Director, Instructional Media Services
Director, Leadership Support Services
Director, Migrant Education
Director, R-Tac For Reading First
Director, Regional Occupational Program
Director, Secondary Support Services
Director, Teacher Programs & Support
Early Childhood Oral Health Program Manager
Financial Services Manager, School Business Advisory Services
Financial Services Manager, Special Education
Fiscal Services Controller
Fiscal Services Manager
Guidance Supervisor, Regional Occupational Program
Health Linkages Program Coordinator
Maintenance and Operations Manager
Manager, Homeless Education and Liaison Project
Manager, WEB Nurses
North County Liaison/Office Manager
Payroll and Retirement Manager
Principal, Juvenile Court & Community Schools
Program Development and Accountability Manager
Program Manager, Welcome Every Baby
Regional Occupational Program Coordinator
Regional Occupational Program Manager, North County
Risk and Loss Control Manager
School District Financial Advisor
Special Education Related Services Manager
Vocational and Transition Services Manager

- IV. Consultants are included in the list of designated positions and must disclose financial interests defined in Categories 1, 2, and 3 of Exhibit "B", subject to the following limitation:

The County Superintendent of Schools or designee may determine in writing that a particular consultant, although a "designated position," 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 described in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The County Superintendent/designee's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.

EXHIBIT "B"
DISCLOSURE CATEGORIES

CATEGORY 1

- A. Interests in real property which is located in whole or in part within the jurisdiction of the County Education Office if the fair market value of the interest is One Thousand Dollars (\$1,000.) or more.
- B. Investments in or income from business entities which are contractors or subcontractors which are or have been within the previous two-year period engaged in or in the foreseeable future may engage in the performance of building construction or design for the County Education Office.
- C. Investments in or income from persons or business entities engaged in the acquisition of or disposal of real property within the jurisdiction of the County Education Office.

CATEGORY 2

Investments in or income from business entities which within the last two years have contracted or in the future foreseeably may contract with the County Education Office to provide work, services, materials, machinery or equipment.

CATEGORY 3

Investments in or income from business entities which within the last two years have contracted or in the future foreseeably may contract with the County Education Office to provide work, services, materials, machinery or equipment of the type utilized by the department for which the designated employee is a manager or director.

COMMUNITY RELATIONS

POLICY -- CONFLICT OF INTEREST CODE

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ADOPTED BY COUNTY BOARD:	February 3, 1977
REVISED:	July 5, 1984
APPROVED BY BOARD OF SUPERVISORS:	August 6, 1984
REVISED:	March 7, 1985
APPROVED BY BOARD OF SUPERVISORS:	March 25, 1985
REVISED:	December 5, 1985
APPROVED BY BOARD OF SUPERVISORS:	January 21, 1986
REVISED:	December 4, 1986
APPROVED BY BOARD OF SUPERVISORS:	January 12, 1987
REVISED:	December 3, 1987
APPROVED BY BOARD OF SUPERVISORS:	February 1, 1988
REVISED:	May 2, 1991
APPROVED BY BOARD OF SUPERVISORS:	June 25, 1991
REVISED:	January 2, 1992
APPROVED BY BOARD OF SUPERVISORS:	January 28, 1992
REVISED:	December 3, 1992
APPROVED BY BOARD OF SUPERVISORS:	January 5, 1993
REVISED:	December 1, 1993
APPROVED BY BOARD OF SUPERVISORS:	January 4, 1994
REVISED:	December 1, 1994
APPROVED BY BOARD OF SUPERVISORS:	January 24, 1995
REVISED:	December 7, 1995
APPROVED BY BOARD OF SUPERVISORS:	January 16, 1996
REVISED:	November 7, 1996
APPROVED BY BOARD OF SUPERVISORS:	January 21, 1997
REVISED:	December 3, 1998
APPROVED BY BOARD OF SUPERVISORS:	February 9, 1999
REVISED:	March 2, 2000
APPROVED BY BOARD OF SUPERVISORS:	April 4, 2000
REVISED:	November 2, 2000
APPROVED BY BOARD OF SUPERVISORS:	January 2, 2001
REVISED:	January 3, 2002
APPROVED BY BOARD OF SUPERVISORS:	February 19, 2002
REVISED:	November 6, 2003
APPROVED BY BOARD OF SUPERVISORS:	March 2, 2004
REVISED:	November 4, 2004
APPROVED BY BOARD OF SUPERVISORS:	January 18, 2005
REVISED:	January 5, 2006
APPROVED BY BOARD OF SUPERVISORS:	February 28, 2006
REVISED:	December 7, 2006
APPROVED BY BOARD OF SUPERVISORS:	February 6, 2007
REVISED:	December 6, 2007
APPROVED BY BOARD OF SUPERVISORS:	February 26, 2008
REVISED:	December 4, 2008
APPROVED BY BOARD OF SUPERVISORS:	February 17, 2009
REVISED:	January 7, 2010
APPROVED BY BOARD OF SUPERVISORS:	