

ATTACHMENT B

District Minutes from September 18, 2018 and September 26, 2018, including amended Conflict of Interest Code in strikethrough format

BOARD OF EDUCATION
SANTA MARIA-BONITA SCHOOL DISTRICT
MINUTES OF THE REGULAR MEETING

Board Room
708 S. Miller Street
Santa Maria, CA
September 12, 2018

CALL TO ORDER: President Lara called the Regular Meeting of the Board of Education to order at 5:30 p.m. and adjourned to Closed Session.

BOARD MEMBERS PRESENT: Vedamarie Alvarez Flores, Linda Cordero, John Hollinshead, Jody Oliver and Ricky Lara

STAFF MEMBERS PRESENT: Luke Ontiveros, Matt Beecher, Patty Grady, Mark Muller, and Peggy Perdue

The Board returned to Open Session at 6:02 p.m

I. CLOSED SESSION AGENDA

**A. DELIBERATION ON STIPULATED EXPULSION AGREEMENT
STUDENT EXPULSION #19-01**

Information was shared.

II. GENERAL FUNCTIONS

A. The Pledge and Star Spangled Banner were led by Bonita School K-Kids, Victor Sierra, 6th grader, and Isaac Antonio Martinez, 5th grader, and their K-Kids teacher, Dirk Vavroch. Mr. Vavroch's K-Kids partner, Sally Aparicio, was also in attendance. The group also recited the Peace Builders Pledge. Bonita Elementary PE Specialist, Mr. Jerome Jones, showed a video introducing "Bonita News TV," a weekly program produced by, and starring, Bonita students.

B. RECOGNITION

- Public Information Officer, Maggie White, introduced two Coast Hills employees: Amanda Hollingworth, Community Relations Officer, and Andrea Hoffman, Product Marketing Officer and member of the Coast Hills Credit Union Community Action Committee. Mrs. White recognized their generous donation of 50 backpacks to every district in the Coast Hills coverage area. The backpacks were filled with all the tools students need at school and home in order to do their best. Ms. Hollingworth and Ms. Hoffman said they intentionally chose high quality backpacks that were colorful and unique, so they had a long-lasting product that wasn't generic.

- Superintendent, Luke Ontiveros, introduced Susan Houghton who addressed the Board on behalf of Dr. Walters, President of Allan Hancock College. Ms. Houghton highlighted the Hancock Promise Program, particularly Bulldog Bound, the program that targets 5th and 6th graders with college readiness activities and workshops. Ms. Houghton thanked the Board for helping Bulldog Bound be successful. Mrs. Cordero explained to the students present at the

meeting that they can decide now that they're going to go on to college, and AHC will pay for the first year.

- Assistant Superintendent of Instructional Services, Mark Muller, recognized and congratulated students on their perfect score on the Spring 2018 Smarter Balanced Assessment Consortium (SBAC) in either Language Arts, Mathematics, or both. Fewer than 1% of students in the State of California achieved a perfect score. Students and their parents were invited to attend a dinner at the Souza Center earlier, and then were recognized by the Board.

C. Board Calendar was reviewed by Mr. Lara.

- Special Board Meeting - Wednesday, September 26, 2018
- Regular Board Meeting - Wednesday, October 10, 2018
- Special Board Meeting - Wednesday, October 24, 2018

D. Public Comments

1. Comments on Agenda Items--*none*
2. Comments on Non-Agenda Items--Nancy Garza, Secretary II in Pupil Personnel Department, addressed the Board regarding the hiring process. Ms. Garza said that although she was just recently promoted, she had concerns about the process in general. A past request to be reclassified, although supported by her supervisor, was put on hold because the Job Analysis Committee (JAC) was being revamped. She was asked to test and interview all within a week's time. She appreciates the support she has, and is not looking to place blame. She was in favor of the Merit System because changes are needed.

E. Approval of Agenda as Presented

Dr. Patty Grady, Assistant Superintendent of Human Resources, requested that Item 412 be pulled. The Instructional Assistant III Behavioral Support Assistant job description was approved in April 2011, and should not have been placed on this agenda.

Mrs. Cordero moved and Mrs. Oliver seconded the motion to APPROVE THE AGENDA as amended. Motion carried.

III. CONSENT AGENDA

Mr. Hollinshead moved and Mrs. Cordero seconded the motion to APPROVE THE CONSENT AGENDA as presented. Roll Call vote, 5 Ayes, 0 Absent. Motion carried.

100 - MINUTES OF THE BOARD OF EDUCATION MEETINGS

101 - APPROVE BOARD BYLAW

9270 - Conflict of Interest BB (See Addendum #1)

200- APPROVAL OF AN OUT-OF-DISTRICT OVERNIGHT FIELD TRIP FOR LIBERTY ELEMENTARY SCHOOL FIFTH GRADE STUDENTS TO THE SANTA BARBARA MARITIME MUSEUM SEPTEMBER 27-28, 2018 (See Addendum #2)

300 - PAYMENT OF WARRANTS (See Addendum #3)

301- TAFT ELECTRIC COMPANY - FIRE ALARM AND INTERCOM REPLACEMENT

BID #5127 - CHANGE ORDER 1 (See Addendum #4)

302- VERNON EDWARDS CONSTRUCTORS, INC. - CONSTRUCTION OF SIX (6) CLASSROOM BUILDING AT TWO (2) DISTRICT SITES (LIBERTY) - BID #5101 -

CHANGE ORDER 5 (See Addendum #5)

- 303- VERNON EDWARDS CONSTRUCTORS, INC. - CONSTRUCTION OF SIX (6) CLASSROOM BUILDING AT TWO (2) DISTRICT SITES (TAYLOR) - BID #5101 - CHANGE ORDER 5 (See Addendum #6)
- 304- RDZ CONTRACTORS - TUNNELL ELEMENTARY SCHOOL PAVING PROJECT - BID #5123 - CHANGE ORDER 1 (See Addendum #7)
- 305- JEFF PAINTING - PAINTING AT THREE (3) DISTRICT SITES - BID #5131 - CONSTRUCTION CHANGE DIRECTIVE #1 (See Addendum #8)
- 306- AUTHORIZATION TO FILE NOTICE OF COMPLETION - TAFT ELECTRIC COMPANY - BID #5127- FIRE AND INTERCOM REPLACEMENT - FAIRLAWN ELEMENTARY SCHOOL (See Addendum #9)
- 307- AUTHORIZATION TO FILE NOTICE OF COMPLETION - RDZ CONTRACTORS - BID #5123 - SCHOOL PARKING LOT PAVING - TUNNELL ELEMENTARY SCHOOL (See Addendum #10)
- 308- AUTHORIZATION TO FILE NOTICE OF COMPLETION - JEFF PAINTING - BID #5131 - PAINTING AT THREE (3) DISTRICT SITES - ADAM, ONTIVEROS AND RICE ELEMENTARY SCHOOLS (See Addendum #11)
- 309- AUTHORIZATION TO FILE NOTICE OF COMPLETION - VERNON EDWARDS CONSTRUCTORS, INC. - BID #5101 - SIX (6) CLASSROOM BUILDINGS AT TWO (2) DISTRICT SITES - LIBERTY AND TAYLOR ELEMENTARY SCHOOLS (See Addendum #12)
- 400 - CERTIFICATED AND CLASSIFIED PERSONNEL CHANGES (See Addendum #13)

IV. ACTION ITEMS

- 110- STUDENT DISCIPLINE -- ACTION ON STIPULATED EXPULSION AGREEMENT BETWEEN DISTRICT AND PARENTS FOR EXPULSION #19-01

Mrs. Flores moved and Mrs. Cordero seconded the motion to ADOPT THE STIPULATED EXPULSION AGREEMENT as presented in item 110. Motion carried. (See Addendum #14)

- 111- ADOPTION OF REVISED LOCAL CONTROL ACCOUNTABILITY PLAN

Mr. Ontiveros explained that the LCAP was approved by the Board at the June 13, 2018 Board meeting. The county recommended technical revisions--there were no revisions to the actions and services. LCAP Coordinator, Rebecca Herrick, reviewed the changes, which focused on three elements: adherence to the State Board of Education (SBE) template, sufficient expenditures in budget to implement LCAP, and adherence to SBE expenditure regulations. Mr. Ontiveros commended Mrs. Herrick and Coordinator of Business Services, Brian King, for their efforts in finalizing the LCAP.

Mrs. Cordero moved and Mrs. Oliver seconded the motion to APPROVE THE REVISED LOCAL CONTROL ACCOUNTABILITY PLAN, as presented in Item 111. Motion carried. (See Addendum #15)

210- PUBLIC HEARING: COMPLIANCE WITH EDUCATION CODE SECTION 60119 AND CCR, TITLE 5, SECTION 9531 (C) SUFFICIENCY OF INSTRUCTIONAL MATERIALS

Mr. Lara opened the Public Hearing at 7:11pm. There being no comments, Mr. Lara closed the Public Hearing at 7:11 p.m. (See Addendum #16)

211- RESOLUTION 18-04: COMPLIANCE WITH EDUCATION CODE SECTION 60119 AND CCR, TITLE 5, SECTION 9531 (C) SUFFICIENCY OF INSTRUCTIONAL MATERIALS

Coordinator of Curriculum, Niccole Wiseman, reported that they had completed 16 Williams visitations, and there were no deficiencies in instructional materials.

Mr. Hollinshead moved and Mrs. Cordero seconded the motion to ADOPT RESOLUTION 18-04: COMPLIANCE WITH EDUCATION CODE SECTION 60119 AND CCR, TITLE 5, SECTION 9531(C) SUFFICIENCY OF INSTRUCTIONAL MATERIALS, as presented in Item 211. Roll call vote: 5 Ayes 0 Absent. Motion carried. (See Addendum #17)

320- CERTIFICATION OF THE 2017-18 UNAUDITED ACTUALS

Mr. King reviewed the various components of the 2017-18 unaudited actuals, including revenues and expenditures, comparing with prior years, and ending fund balance--increase over projected balance, and variance in projected expenditures. Also, there is a State law that requires that districts spend 60% of their general fund on classroom-related activities. SMBSD spent 59.26% in 2017-18 and will request a waiver from the county. The law did not change when the funding formula changed, so more than 42% of elementary districts do not meet this requirement.

Mrs. Cordero moved and Mrs. Oliver seconded the motion to APPROVE THE 2017-18 UNAUDITED ACTUALS, AS PRESENTED IN ITEM 320, AND FORWARD A POSITIVE CERTIFICATION TO THE COUNTY SUPERINTENDENT OF SCHOOLS. Motion carried. (See Addendum #18)

321- RESOLUTION NO. 18-06 - ESTABLISH 2017-18 APPROPRIATIONS LIMIT PURSUANT TO ARTICLE XIII B OF THE CALIFORNIA CONSTITUTION

Mrs. Cordero moved and Mrs. Flores seconded the motion to ADOPT RESOLUTION NO. 18-06 TO ESTABLISH THE APPROPRIATIONS LIMIT FOR 2017-18 PURSUANT TO ARTICLE XIII B OF THE CALIFORNIA CONSTITUTION, as presented in Item 321. Roll call vote: 5 Ayes 0 Absent. Motion carried. (See Addendum #19)

410- RESOLUTION #18-05: CERTIFICATION OF TEACHER ASSIGNMENTS

Dr. Grady said that every year we certify that teachers are qualified to teach in the positions to which they are assigned. The teachers listed are fully credentialed, but are put on a waiver to teach one section outside their credentialed area.

Mrs. Flores moved and Mrs. Cordero seconded the motion to APPROVE RESOLUTION #18-05 CERTIFICATION OF TEACHER ASSIGNMENTS. Roll call vote: 5 Ayes 0 Absent. Motion carried.
(See Addendum #20)

411- CERTIFICATED JOB DESCRIPTION: TEACHER ON SPECIAL ASSIGNMENT (TOSA) TECHNOLOGY

Dr. Grady described the history of this position This TOSA will be under the direction of Olivia Bolaños, Director of Curriculum and Instruction, and is currently vacant.

Mr. Hollinshead moved and Mrs. Flores Seconded the motion to APPROVE THE CERTIFICATED JOB DESCRIPTION: TEACHER ON SPECIAL ASSIGNMENT (TOSA) TECHNOLOGY, as presented in Item 411.
(See Addendum #21)

~~412- CLASSIFIED JOB DESCRIPTION: INSTRUCTIONAL ASSISTANT III BEHAVIORAL SUPPORT ASSISTANT~~

V. DISCUSSION ITEMS

220- REVIEW OF BOARD POLICY AND ADMINISTRATIVE REGULATION BP/AR 6142.7 PHYSICAL EDUCATION AND ACTIVITY

Mr. Muller reviewed highlights of this new Board Policy and Administrative Regulation. Mr. Hollinshead opened discussion by asking if these were minimum minute requirements, and could the district require more than this minimum. Mr. Muller indicated that yes, this was a minimum, and if that requirement is not met, the minutes need to be made up. A California Department of Education contact told the district that we are compliant, having met the intent of the requirement. The Board discussed the challenges of making up minutes, especially on the junior high schedules. Ms. Wiseman added that the PE teachers will be collecting data using common assessments in order to improve outcomes. All districts will be using the PFT Fitnessgram for all students. All students must test and be given appropriate accommodations. All students are to complete as much of the assessment as they are able. In addition, Physical Education will be going through the Federal Program Monitoring (FPM) process, and there will be visits to Fairlawn, El Camino, and Tommie Kunst October 2-3, 2018.

Mr. Lara ACKNOWLEDGED REVIEW OF THE BOARD POLICY AND ADMINISTRATIVE REGULATION, as presented in Item 220, AND REQUESTED ADMINISTRATION TO BRING THE ITEM BACK FOR ACTION AT THE NEXT REGULAR BOARD MEETING.

(See Addendum #22)

330- DISCUSSION OF WORKERS' COMPENSATION UNFUNDED LIABILITY

Mr. King reviewed the requirement for districts who are self-insured for workers' compensation claims, to annually provide information to the governing board regarding the estimated accrued but unfunded cost of those claims. He provided information affirming that the district has not accrued an unfunded liability with workers' compensation; it is being appropriately funded and reserved in our budget.

Mr. Lara ACKNOWLEDGED RECEIPT OF THE ANNUAL WORKERS' COMPENSATION

CLAIMS INFORMATION, as presented in Item 330.
#23)

(See Addendum

331- ENROLLMENT AND FACILITIES UPDATE

Assistant Superintendent of Business Services, Matt Beecher, updated the Board on the Measure T School. We are waiting for the Department of State Architect approval letter, then we will sign and submit the application to the Office of Public School Construction.

Mr. Beecher reviewed current enrollment compared to prior years and the yearly variance, as a percent of the student population. Mrs. Cordero questioned what impact this may have had on teacher movement. Dr. Grady said those conversations are currently taking place; for instance, there may be a need for Kindergarten teachers. Mr. Hollinshead asked if the change in enrollment correlates with some geographical areas being more stable, resulting in more growth and less decline. Mr. Beecher thought it would be difficult to put your finger on any one reason for the changes.

Mr. Beecher said the changes in enrollment affect budget projections and future decisions about such topics as reducing budget, federal programs, and eligibility for state match.

Mr. Lara ACKNOWLEDGED THE ENROLLMENT AND FACILITIES UPDATE, as presented in Item 331.
(See Addendum #24)

Board/Superintendent Reports

Mrs. Cordero visited Alvin School and attended the PBIS training.

Mrs. Flores attended the ASES training.

Mr. Lara thanked Mrs. White for the great Shoes for Students golf tournament that she organized.

Mr. Ontiveros thanked Mr. Muller for the student recognition event for parents. He also thanked Ms. Wiseman, Mr. Cuellar, Mr. Medina, Mr. Michaelis, and others for the labor of love involved in preparing for the Williams visitations.

Mr. Ontiveros reminded the Board that the Board Study Session in two weeks would focus on the Board Self-Evaluation. CSBA has sent the online instructions for the self-evaluation, and the window closes September 26, 2018.

The meeting was adjourned at 8:36 p.m.

Signed: _____
Clerk

Signed: _____
Member

Date: _____

BOARD OF EDUCATION
SANTA MARIA-BONITA SCHOOL DISTRICT

MINUTES OF THE SPECIAL MEETING

Board Room
708 S. Miller Street
Santa Maria, CA
September 26, 2018

CALL TO ORDER: President Lara called the Special Meeting of the Board of Education to order at 5:00 p.m.

BOARD MEMBERS PRESENT: Vedamarie Alvarez Flores, Linda Cordero, John Hollinshead, Jody Oliver and Ricky Lara

BOARD MEMBERS ABSENT: None

STAFF MEMBERS PRESENT: Luke Ontiveros, Matt Beecher, Mark Muller and Maggie White

Matt Beecher led the Pledge of Allegiance

Public Comments: None

4. APPROVAL OF AGENDA AS PRESENTED – Mrs. Cordero moved and Mrs. Flores seconded the motion to APPROVE THE AGENDA AS PRESENTED. 5 Ayes, Motion carried.
5. APPROVAL OF THE CONSENT AGENDA – Mr. Hollinshead moved and Mrs. Cordero seconded the motion to APPROVE THE CONSENT AGENDA AS PRESENTED. Roll Call Vote, 5 Ayes. Motion carried.
 - 100- APPROVE BOARD BYLAW BB 9270 - Conflict of Interest
(See Addendum #1)
 - 200- APPROVAL OF AN OUT-OF-DISTRICT OVERNIGHT FIELD TRIP FOR LIBERTY ELEMENTARY SCHOOL FIFTH GRADE STUDENTS TO THE SANTA BARBARA MARITIME MUSEUM OCTOBER 8-9, 2018
(See Addendum #2)
6. DISCUSSION ITEM
BOARD SELF-EVALUATION

The Board reviewed the California School Boards Association Board Self-Evaluation Survey results. Superintendent Ontiveros presented the results, as tabulated by CSBA based on SMBSD Board Member answers, of 58 specific questions regarding the Board's roles, responsibilities and culture. Overall, the Board's review was positive. The follow-up recommendations include: considering format changes to the Board agenda so that items for future consideration are discussed near the start of the meeting, reviewing the new district website, implementing a CSBA district policy audit, continuing to review data on a regular basis, and doing a similar Board self-review each September.

Mr. Lara adjourned Open Session and moved to begin Closed Session at 6:50 p.m.

CLOSED SESSION AGENDA

- A. CONFIDENTIAL STUDENT MATTERS: The Board will meet in closed session to discuss confidential student matters protected by state and federal law, including, but not limited to the Family Education Rights and Privacy Act (FERPA), California Education Code 49060 et.seq., 49073 et.seq., and California Constitution Article 1 section 1 to consider special education Settlement Agreement OAH2018071119.

Mr. Hollinshead moved and Mrs. Cordero seconded the motion to RATIFY THE AGREEMENT AS PRESENTED. 5 Ayes. Motion carried.

- B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Government Code Section 54957
Title: Superintendent

Information was received.

The Closed Session meeting was adjourned at 7:45 p.m.

Signed: _____
Clerk

Signed: _____
Member

Date: October 10, 2018

Board Bylaw Conflict Of Interest

BB 9270

Board Bylaws

The Governing Board desires to maintain the highest ethical standards and help ensure that decisions are made in the best interest of the district and the public. Accordingly, no Board member, district employee, or other person in a designated position shall participate in the making of any decision for the district when the decision will or may be affected by his/her financial, family, or other personal interest or consideration.

(cf. 9005 - Governance Standards)

Even if a prohibited conflict of interest does not exist, a Board member shall abstain from voting on personnel matters that uniquely affect his/her relatives. However, a Board member may vote on collective bargaining agreements and personnel matters that affect a class of employees to which his/her relative belongs. Relative means an adult who is related to the Board member by blood or affinity within the third degree, as determined by the common law, or an individual in an adoptive relationship within the third degree. (Education Code 35107)

A relationship within the third degree includes an individual's parents, grandparents, great-grandparents, children, grandchildren, great-grandchildren, brothers, sisters, aunts, uncles, nieces, nephews, and the similar family of the individual's spouse/registered domestic partner unless the individual is widowed or divorced.

The Board shall adopt for the district a conflict of interest code that incorporates the provisions of 2 CCR 18730 by reference, specifies the district's designated positions, and provides the disclosure categories required for each position. The conflict of interest code shall be submitted to the district's code reviewing body for approval, in accordance with Government Code 87303 and within the deadline for submission established by the code reviewing body. (Government Code 87303)

Upon direction by the code reviewing body, the Board shall review the district's conflict of interest code and submit any changes to the code reviewing body or, if no change is required, the Board shall submit a written statement to that effect. (Government Code 87306.5)

When a change in the district's conflict of interest code is necessitated due to changed circumstances, such as the creation of new designated positions, changes to the duties assigned to existing positions, amendments, or revisions, the amended code shall be submitted to the code reviewing body within 90 days after the changed circumstances necessitating the amendments have become apparent. (Government Code 87306)

When reviewing and preparing the district's conflict of interest code, the Superintendent or designee shall provide officers, employees, consultants, and members of the community adequate notice and a fair opportunity to present their views. (Government Code 87311)

(cf. 9320 - Meetings and Notices)

Board members and designated employees shall annually file a Statement of Economic Interest/Form 700 in accordance with the disclosure categories specified in the district's conflict of interest code. A Board member who leaves office or a designated employee who leaves district employment shall, within 30 days, file a revised statement covering the period of time between the closing date of the last required statement and the date of leaving office or district employment. (Government Code 87302, 87302.6)

(cf. 4117.2/4217.2/4317.2 - Resignation)

(cf. 9222 - Resignation)

Conflict of Interest under the Political Reform Act

A Board member, designated employee, or other person in a designated position shall not make, participate in making, or in any way use or attempt to use his/her official position to influence a governmental decision in which

he/she knows or has reason to know that he/she has a disqualifying conflict of interest. A disqualifying conflict of interest exists if the decision will have a "reasonably foreseeable material financial effect," which is distinguishable from the effect on the public generally, on the Board member, designated employee, or other person in a designated position, his/her immediate family, or any financial interest described in 2 CCR 18700. (Government Code 87100, 87101, 87103; 2 CCR 18700-18709)

A Board member, designated employee, or other person in a designated position makes a governmental decision when he/she, acting within the authority of his/her office or position, authorizes or directs any action on a matter, votes or provides information or opinion on it, contacts or appears before a district official for the purpose of affecting the decision, or takes any other action specified in 2 CCR 18704.

Conflict of Interest under Government Code 1090 - Financial Interest in a Contract

Board members, employees, or district consultants shall not be financially interested in any contract made by the Board on behalf of the district, including in the development, preliminary discussions, negotiations, compromises, planning, reasoning, and specifications and solicitations for bids. If a Board member has such a financial interest in a contract made by the Board, the contract is void. (Government Code 1090)

A Board member shall not be considered to be financially interested in a contract in which he/she has only a "remote interest," as specified in Government Code 1091, if the interest is disclosed during a Board meeting and noted in the official Board minutes. The affected Board member shall not vote or debate on the matter or attempt to influence any other Board member or district official to enter into the contract. (Government Code 1091)

In addition, a Board member shall not be considered to be financially interested in a contract in which his/her interest is a "noninterest" as defined in Government Code 1091.5. Noninterest includes a Board member's interest in being reimbursed for his/her actual and necessary expenses incurred in the performance of his/her official duties, in the employment of his/her spouse/registered domestic partner who has been a district employee for at least one year prior to the Board member's election or appointment, or in any other applicable circumstance specified in Government Code 1091.5.

Common Law Doctrine Against Conflict of Interest

A Board member shall abstain from any official action in which his/her private or personal interest may conflict with his/her official duties.

Incompatible Offices and Activities

Board members shall not engage in any employment or activity or hold any office which is inconsistent with, incompatible with, in conflict with, or inimical to the Board member's duties as an officer of the district. (Government Code 1099, 1126)

(cf. 4136/4236/4336 – Non-school Employment)

Gifts

Board members and designated employees may accept gifts only under the conditions and limitations specified in Government Code 89503 and 2 CCR 18730.

The limitations on gifts do not apply to wedding gifts and gifts exchanged between individuals on birthdays, holidays and other similar occasions, provided that the gifts exchanged are not substantially disproportionate in value. (Government Code 89503)

In addition, the limitation on gifts does not apply to informational materials such as books, reports, pamphlets, calendars, and periodicals. (Government Code 82028)

Gifts of travel and related lodging and subsistence shall be subject to the prevailing gift limitation except when:

(Government Code 89506)

1. The travel is in connection with a speech given by a Board member or designated employee, provided the lodging and subsistence expenses are limited to the day immediately preceding, the day of, and the day immediately following the speech and the travel is within the United States.
2. The travel is provided by a person or agency specified in Government Code 89506, including a government, governmental agency or authority, bona fide public or private educational institution, as defined in Revenue and Taxation Code 203, or nonprofit organization exempt from taxation under section 501(c)(3) of the Internal Revenue Code.

Gifts of travel exempted from the gift limitation, as described in items #1 and 2 above, shall nevertheless be reportable on the recipient's Statement of Economic Interest/Form 700 as required by law.

A gift of travel does not include travel provided by the district for Board members and designated employees.
(Government Code 89506)

Honoraria

Board members and designated employees shall not accept any honorarium, which is defined as any payment made in consideration for any speech given, article published, or attendance at any public or private gathering, in accordance with law. (Government Code 89501, 89502)

The term honorarium does not include: (Government Code 89501)

1. Earned income for personal services customarily provided in connection with a bona fide business, trade or profession unless the sole or predominant activity of the business, trade or profession is making speeches
2. Any honorarium which is not used and, within 30 days after receipt, is either returned to the donor or delivered to the district for donation into the general fund without being claimed as a deduction from income for tax purposes.

Legal Reference:

EDUCATION CODE

- 1006 Qualifications for holding office
- 35107 School district employees
- 35230-35240 Corrupt practices, especially:
- 35233 Prohibitions applicable to members of governing boards
- 41000-41003 Moneys received by school districts
- 41015 Investments

FAMILY CODE

- 297.5 Rights, protections, and benefits of registered domestic partners

GOVERNMENT CODE

- 1090-1099 Prohibitions applicable to specified officers
- 1125-1129 Incompatible activities
- 81000-91014 Political Reform Act of 1974, especially:
- 82011 Code reviewing body
- 82019 Definition, designated employee
- 82028 Definition, gift
- 82030 Definition, income
- 82033 Definition, interest in real property
- 82034 Definition, investment
- 87100-87103.6 General prohibitions
- 87200-87210 Disclosure

87300-87313 Conflict of interest code
87500 Statements of economic interests
89501-89503 Honoraria and gifts
89506 Ethics; travel
91000-91014 Enforcement

PENAL CODE

85-88 Bribes

REVENUE AND TAXATION CODE

203 Taxable and exempt property - colleges

CODE OF REGULATIONS, TITLE 2

18110-18997 Regulations of the Fair Political Practices Commission, especially:

18700-18707 General prohibitions

18722-18740 Disclosure of interests

18750.1-18756 Conflict of interest codes

COURT DECISIONS

McGee v. Balfour Beatty Construction, LLC, et al. (4/12/16, No. B262850)

Davis v. Fresno Unified School District (2015) 237 Cal.App.4th 261

Klistoff v. Superior Court, (2007) 157 Cal.App.4th 469

Thorpe v. Long Beach Community College District, (2000) 83 Cal.App.4th 655

Kunec v. Brea Redevelopment Agency, (1997) 55 Cal.App.4th 511

ATTORNEY GENERAL OPINIONS

92 Ops.Cal.Atty.Gen. 26 (2009)

92 Ops.Cal.Atty.Gen. 19 (2009)

89 Ops.Cal.Atty.Gen. 217 (2006)

86 Ops.Cal.Atty.Gen. 138(2003)

85 Ops.Cal.Atty.Gen. 60 (2002)

82 Ops.Cal.Atty.Gen. 83 (1999)

81 Ops.Cal.Atty.Gen. 327 (1998)

80 Ops.Cal.Atty.Gen. 320 (1997)

69 Ops.Cal.Atty.Gen. 255 (1986)

68 Ops.Cal.Atty.Gen. 171 (1985)

65 Ops.Cal.Atty.Gen. 606 (1982)

63 Ops.Cal.Atty.Gen. 868 (1980)

Management Resources:

CSBA PUBLICATIONS

Conflict of Interest: Overview of Key Issues for Governing Board Members, Fact Sheet, July 2010

FAIR POLITICAL PRACTICES COMMISSION PUBLICATIONS

Can I Vote? A Basic Overview of Public Officials' Obligations Under the Conflict-of-Interest Rules, 2005

INSTITUTE FOR LOCAL GOVERNMENT PUBLICATIONS

Understanding the Basics of Public Service Ethics: Personal Financial Gain Laws, 2009

Understanding the Basics of Public Service Ethics: Transparency Laws, 2009

WEB SITES

CSBA: <http://www.csba.org>

Fair Political Practices Commission: <http://www.fppc.ca.gov>

Institute of Local Government: <http://www.ca-ilg.org>

Bylaw SANTA-MARIA BONITA SCHOOL DISTRICT

adopted: April 2004 Santa Maria, California

revised: October 25, 2006

revised: August 27, 2008

revised: December 14, 2016

revised: September 12, 2018

Conflict Of Interest

E 9270

Board Bylaws

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.

Designated Position and Disclosure Category

Persons occupying the following positions are designated employees in Category 1:

Governing Board Members	Coordinators
Superintendent of School	* Food Service
Assistant Superintendent of Business Services	* Special Education
Assistant Superintendent of Curriculum & Instruction	* Human Resources
Assistant Superintendent of Human Resources	* Curriculum & Instruction
Purchasing Supervisor	* English Language Learners
Directors:	* Maintenance, Operations, Facilities & Transportation
* Special Education	* Budget & Finance
* Curriculum & Instruction	* Migrant Services
* Consolidated Projects	* After School Programs
* Pupil Personnel	* Information Technologies
* School Support	* LCAP Coordinator

Persons occupying the following positions are designated employees in Category 2:

Principal	Supervisor
Assistant Principal/Administrator	* IMC
Maintenance and Operations Director	* Budget/Accounting
Project Specialist	* Food Services
Program Specialist	* Human Resources
Consultants	* Maintenance & Operations
Student Housing Technician	* School Facilities
Assistant Administrator	* Custodial
Junior High Dean	* Risk Management

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)

Bylaw
 adopted: December 14, 2016
 revised: September 12, 2018
 revised: September 26, 2018

SANTA-MARIA BONITA SCHOOL DISTRICT
 Santa Maria, California

**Agency Report of:
New Positions**

A Public Document

California Form 804


1. Agency Name (Also include, Division, Department, or Region (if applicable)) Santa Maria-Bonita School District		<input checked="" type="checkbox"/> Amendment Date of Original Filing: _____ (month, day, year)
Agency Contact Luke Ontiveros		
Phone Number 805-361-8110	Email lontiveros@smbds.net pperdue@smbds.net	

2. New Position Information page 1 of 2

Position Title/Classification and Job Summary	Assigned Category	OR	Disclosure Requirement	Assuming/Start Date (Optional)
Director of School Support	Category 1			Start ____/____/____ m / d / yr
Coordinator of Information Technologies	Category 1			Start ____/____/____ m / d / yr
LCAP Coordinator	Category 1			Start ____/____/____ m / d / yr
Accounting Supervisor	Category 2			Start ____/____/____ m / d / yr
School Facilities Supervisor	Category 2			Start ____/____/____ m / d / yr
Custodial Supervisor	Category 2			Start ____/____/____ m / d / yr
Risk Management Supervisor	Category 2			Start ____/____/____ m / d / yr

3. Verification

I have read and understand FPPC Regulations 18700.3 and 18734. I have verified that the disclosure assignment(s) set forth above, is in accordance with its provisions.

 Signature	Luke Ontiveros Name	Superintendent Title	9/26/18 (month, day, year)
--	------------------------	-------------------------	-------------------------------

Comment: (Use this space or an attachment for any additional information.)

**Agency Report of:
New Positions**

A Public Document

California Form 804

1. Agency Name (Also include, Division, Department, or Region (if applicable)) Santa Maria-Bonita School District		<input checked="" type="checkbox"/> Amendment Date of Original Filing: _____ (month, day, year)
Agency Contact Luke Ontiveros		
Phone Number 805-361-8110	Email lontiveros@smbds.net pperdue@smbds.net	

2. New Position Information page 2 of 2

Position Title/Classification and Job Summary	Assigned Category	OR	Disclosure Requirement	Assuming/Start Date (Optional)
Junior High Dean	Category 2			Start <u> </u> / <u> </u> / <u> </u> m / d / yr
				Start <u> </u> / <u> </u> / <u> </u> m / d / yr
				Start <u> </u> / <u> </u> / <u> </u> m / d / yr
				Start <u> </u> / <u> </u> / <u> </u> m / d / yr
				Start <u> </u> / <u> </u> / <u> </u> m / d / yr
				Start <u> </u> / <u> </u> / <u> </u> m / d / yr
				Start <u> </u> / <u> </u> / <u> </u> m / d / yr

3. Verification

I have read and understand FPPC Regulations 18700.3 and 18734. I have verified that the disclosure assignment(s) set forth above, is in accordance with its provisions.

_____ Signature	Luke Ontiveros _____ Name	Superintendent _____ Title	9/26/18 _____ (month, day, year)
--------------------	---------------------------------	----------------------------------	--

Comment: (Use this space or an attachment for any additional information.)

Conflict Of Interest

E 9270

Board Bylaws

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.

Designated Position and Disclosure Category

Persons occupying the following positions are designated employees in Category 1:

- | | |
|--|--|
| Governing Board Members | Coordinators |
| Superintendent of School | * Food Service |
| Assistant Superintendent of Business Services | * Special Education |
| Assistant Superintendent of Curriculum & Instruction | * Human Resources |
| Assistant Superintendent of Human Resources | * Curriculum & Instruction |
| Purchasing Supervisor | * English Language Learners |
| Directors: | * Maintenance, Operations, Facilities & Transportation |
| * Special Education | * Budget & Finance |
| * Curriculum & Instruction | * Migrant Services |
| * Consolidated Projects | * After School Programs |
| * Pupil Personnel | * Information Technologies |
| * School Support | * LCAP Coordinator |

Persons occupying the following positions are designated employees in Category 2:

Principal	Supervisor
Assistant Principal/Administrator	* IMC
Maintenance and Operations Director	* Budget/Accounting
Project Specialist	* Food Services
Program Specialist	* Human Resources
Consultants	* Maintenance & Operations
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Assistant Administrator	* Custodial
Supervisor	* Risk Management
Junior High Dean	

Disclosures for Consultants

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