

ATTACHMENT B

Resolution of the Board of Education of the Santa Barbara Unified School District

RESOLUTION NO. 2018/19-22

RESOLUTION OF THE BOARD OF EDUCATION OF THE
SANTA BARBARA UNIFIED SCHOOL DISTRICT
AMENDING THE CONFLICT OF INTEREST CODE
PURSUANT TO THE POLITICAL REFORM ACT OF 1974

WHEREAS, the State of California enacted the Political Reform Act of 1974, Government Code Section 81000 et seq. (the "Act"), which contains provisions relating to conflicts of interest which potentially affect all officers, employees and consultants of the Santa Barbara Unified School District (the "District") and requires all public agencies to adopt and promulgate a Conflict of Interest Code; and

WHEREAS, the Board of Education of the District adopted a Conflict of Interest Code (the "Code") which was amended on November 18, 2014, in compliance with the Act; and

WHEREAS, subsequent changed circumstances within the District has made it advisable and necessary, pursuant to Sections 87306 and 87307 of the Act, to amend and update the District's Code; and

WHEREAS, the potential penalties for violation of the provisions of the Act are substantial and may include criminal and civil liability, as well as equitable relief which could result in the District being restrained or prevented from acting in cases where the provisions of the Act may have been violated; and

WHEREAS, notice of the time and place of a public meeting on, and of consideration by the Board of Education of, the proposed amended Code was provided each affected designated position and publicly posted for review at the offices of the District; and

WHEREAS, a public meeting was held upon the proposed amended Code at a regular meeting of the Board of Education on November 13, 2018, at which all present were given an opportunity to be heard on the proposed amended Code.

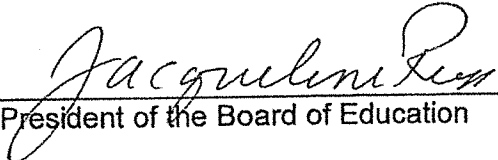
NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Santa Barbara Unified School District that the Board of Education does hereby adopt the proposed amended Conflict of Interest Code, a copy of which is attached hereto and shall be on file with the Coordinator of Certificated Personnel, and available to the public for inspection and copying during regular business hours;

BE IT FURTHER RESOLVED that the said amended Conflict of Interest Code shall be submitted to the Board of Supervisors of the County of Santa Barbara for approval and said amended Code shall become effective immediately after the Board of Supervisors approves the proposed amended Code as submitted.

PASSED AND ADOPTED this 13th day of November, 2018.

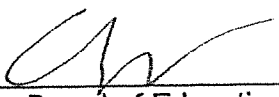
AYES: 5
NOES: 0
ABSTAIN: 0
ABSENT: 0

BOARD OF EDUCATION OF THE SANTA
BARBARA UNIFIED SCHOOL DISTRICT



President of the Board of Education

ATTEST:



Clerk of the Board of Education

LAW OFFICES OF
BEST BEST & KRIEGER LLP

LEGISLATIVE VERSION
(SHOWS CHANGES MADE)

CONFLICT OF INTEREST CODE
OF THE
SANTA BARBARA
UNIFIED SCHOOL DISTRICT

CONFLICT OF INTEREST CODE OF THE SANTA BARBARA UNIFIED SCHOOL DISTRICT

(Amended November 18, 2014 November 13, 2018[†])

The Political Reform Act (Gov. Code § 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 Cal. Code of Regs. § 18730) that contains the terms of a standard conflict of interest code which can be incorporated by reference in an agency's code. After public notice and hearing Section 18730 may be amended by the Fair Political Practices Commission 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. This incorporation page, Regulation 18730 and the attached Appendix designating positions, and establishing disclosure categories, shall constitute the conflict of interest code of the **Santa Barbara Unified School District** (the "District").

All officials and designated positions required to submit a statement of economic interests shall file their statements with the ~~Coordinator of Certificated Personnel~~ Administrative Assistant as the District's Filing Officer. The ~~Coordinator of Certificated Personnel~~ Administrative Assistant shall make and retain a copy of all statements filed by Members of the Board of Education, Superintendent and Deputy Superintendent of Business Services, and forward the originals of such statements to the Clerk of the Board of Supervisors of the County of Santa Barbara. The ~~Coordinator of Certificated Personnel~~ Administrative Assistant shall retain the originals of the statements of all other officials and designated positions and will make all retained statements available for public inspection and reproduction during regular business hours (Gov. Code § 81008).

[†] Regulation section numbers updated to reflect FPPC revisions.

APPENDIX

CONFLICT OF INTEREST CODE

OF THE

SANTA BARBARA UNIFIED SCHOOL DISTRICT

(Amended ~~November 18, 2014~~ November 13, 2018²)

PART "A"

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

District Officials who manage public investments, as defined by 2 Cal. Code of Regs. § 18700.3, are NOT subject to the Districts' Code, but must file disclosure statements under Government Code § 87200 et seq. [Regs. § 18730(b)(3)] These positions are listed here for informational purposes only.

It has been determined that the positions listed below are officials who manage public investments³:

Members of the Board of Education

Superintendent

Assistant Superintendent, Business Services

Financial Consultants

² _____
Titles updated and revised as of August 2016.

³ Individuals holding one of the above-listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by § 87200.

DESIGNATED POSITIONS

GOVERNED BY THE CONFLICT OF INTEREST CODE

<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Administrator, Safety, Welfare & Attendance	5
Assistant Principal (ALL)	5
Assistant Superintendent, Elementary Education	5
Assistant Superintendent, Human Resources	5
Assistant Superintendent, Secondary Education	5
Assistant Superintendent, Special Education	5
Assistant Superintendent, Student Services	5
Buyer	4
Chief Education Technology Officer	5
Coordinator, Admin. Services & Communications	5
<u>Coordinator, After School & Expanded Learning Programs</u>	<u>5</u>
Coordinator, Certificated Personnel	5
Coordinator, Child Development	5
Coordinator, Classified Personnel	5
Coordinator, Elementary Title I Prog. Improvement	5
Coordinator, Purchasing	4
<u>Coordinator II, Visual & Performing Arts Coordinator</u>	<u>5</u>
<u>Director, Elementary Education</u>	<u>5</u>
Director, ELL Education & Parent Engagement Programs	5

<u>DESIGNATED POSITIONS' TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES ASSIGNED</u>
Director, Facilities & Operations <u>& Modernization</u>	2, 3, 5
Director, Fiscal Services	4
Director, Food Service	5
<u>Director, Secondary Education</u>	<u>5</u>
Director, Special Education	5
Director, Information Technology	5
Executive Director, Human Resources	5
<u>Facilities Supervisor</u>	<u>5</u>
<u>Food Service Operations Manager</u>	<u>5</u>
General Counsel	1, 2
Internal Auditor	5
Principal (ALL)	5
Program Director, Child Development & After School Programs	5
Project Manager (ALL)	5
Purchasing Technician	4
Supervisor, Computer Technology	5
Supervisor, Information Services	5
Supervisor, Maintenance & Operations	5
<u>TIP Administrator</u>	<u>5</u>

DESIGNATED POSITIONS'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
ASSIGNED

MEMBERS OF BOARDS,
COMMITTEES AND COMMISSIONS

Bond Oversight Committee	1, 2
Citizens Parcel Tax Committee	1, 2

Consultants and New Positions⁴

⁴ Individuals serving as a consultant as defined in FPPC Reg 18700.3 or in a new position created since this Code was later amended that makes or participates in making decisions must file under the broadest disclosure requirements set forth in this Code subject to the following limitation:

The Superintendent may determine that, due to the range of duties or contractual obligations, it is more appropriate to assign a limited disclosure requirement. A clear explanation of the duties and a statement of the extent of the disclosure requirements must be in a written document. (Gov. Code § 82019; FPPC Regs 18219 and 18734.) The Superintendent'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. (Gov. Code § 81008.)

PART "B"

DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of economic investments that the designated position must disclose for each disclosure category to which he or she is assigned.⁵ "Investment" means financial interest in any business entity (including a consulting business or other independent contracting business) and are reportable if they are either located in or doing business in the jurisdiction, are planning to do business in the jurisdiction, or have done business during the previous two years in the jurisdiction of the District.

Category 1: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, located in, that do business in or own real property within the jurisdiction of the District.

Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the jurisdiction of the District.

Category 3: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the District.

Category 4: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the District.

Category 5: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the designated position's department, unit, or division.

⁵ This Conflict of Interest Code does not require the reporting of gifts from outside this agency's jurisdiction if the source does not have some connection with or bearing upon the functions or duties of the position. (Reg. 18730.1)

LAW OFFICES OF
BEST BEST & KRIEGER LLP

CONFLICT OF INTEREST CODE
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SANTA BARBARA
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**CONFLICT OF INTEREST CODE
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(Amended November 13, 2018)**

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Buyer	4
Chief Education Technology Officer	5
Coordinator, Admin. Services & Communications	5
Coordinator, After School & Expanded Learning Programs	5
Coordinator, Certificated Personnel	5
Coordinator, Child Development	5
Coordinator, Classified Personnel	5
Coordinator, Elementary Title I Prog. Improvement	5
Coordinator, Purchasing	4
Coordinator II, Visual & Performing Arts Coordinator	5
Director, Elementary Education	5
Director, ELL Education & Parent Engagement Programs	5

LAW OFFICES OF
 BEST BEST & KRIEGER
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Director, Fiscal Services	4
Director, Food Service	5
Director, Secondary Education	5
Director, Special Education	5
Director, Information Technology	5
Executive Director, Human Resources	5
Facilities Supervisor	5
Food Service Operations Manager	5
General Counsel	1, 2
Internal Auditor	5
Principal (ALL)	5
Program Director, Child Development & After School Programs	5
Project Manager (ALL)	5
Purchasing Technician	4
Supervisor, Computer Technology	5
Supervisor, Information Services	5
Supervisor, Maintenance & Operations	5
TIP Administrator	5

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LLP

DESIGNATED POSITIONS'
TITLE OR FUNCTION

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MEMBERS OF BOARDS,
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