

2012 Local Agency Biennial Notice

Name of Agency: CARPINTERIA UNIFIED SCHOOL DISTRICT

Mailing Address: 1400 LINDEN AVENUE, CARPINTERIA, CA 93013

Contact Person: Jölene Colomy Office Phone No: (805) 684-4511

E-mail: jcolomy@cusd.net Fax No: (805) 684-0218

Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code requires disclosure by agency officials who make or participate in making governmental decisions.

This agency has reviewed its conflict-of-interest code and has determined that (Check one box):

☒ **An amendment is required. The following amendments are necessary:**

(Mark all that apply.)

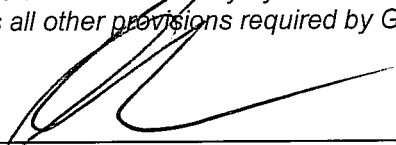
- ☒ Include new positions.
- ☐ Revise disclosure categories.
- ☐ Revise the titles of existing positions.
- ☐ Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions.
- ☐ Other (describe) include language provided by the FPPC to help clarify requirements.

☐ **No amendment is required.**

☐ **The code is currently under review by the code reviewing body.**

Verification

The agency's code accurately designates all positions that make or participate in the making of governmental decisions; the disclosure categories assigned to those positions accurately require the disclosure of all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding the designated positions; and the code includes all other provisions required by Government Code Section 87302.

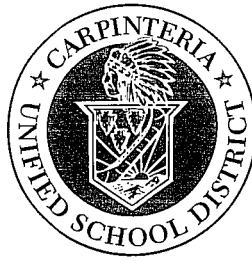

Signature of Chief Executive Officer

September 5, 2012

Date

Complete this notice regardless of how recently your code was approved or amended.
Please return this notice no later than **October 1, 2012**, or the date specified by your agency, if earlier, to:

Paul A. Cordeiro
District Superintendent
Lucinda L. Abbott
Assistant Superintendent
Business Services



Board Members
Terry Hickey Banks
Grace Donnelly
Sally Hinton
Lou Panizzon
Andy Sheaffer

Carpinteria Unified School District

September 7, 2012

Clerk of the Board of Supervisors
105 E. Anapamu St., Suite 407
Santa Barbara, CA 93101

Re: Review Conflict of Interest Code/2012 Local Agency Biennial Notice

Dear Clerk,

Enclosed please find the Carpinteria Unified School District's 2012 Local Agency Biennial Notice. You will note that an amendment is required because of the addition of a new position. We will be providing documents for the Board of Supervisors' approval.

Sincerely,

A handwritten signature in black ink, appearing to read "Jolene Colomy".
Jolene Colomy
Executive Assistant



BEST BEST & KRIEGER
ATTORNEYS AT LAW

INDIAN WELLS
(760) 568-2611

IRVINE
(949) 263-2600

LOS ANGELES
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SACRAMENTO
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SAN DIEGO
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WALNUT CREEK
(925) 977-3300

WASHINGTON, DC
(202) 785-0600

DIANNA MARIE VALDEZ
(951) 826-8252
DIANNAMARIE.VALDEZ@BBKLAW.COM

October 26, 2012

Via Regular U.S. Mail

Michael Allen
Chief Deputy Clerk of the Board
County of Santa Barbara
105 E. Anapamu Street, Rm 407
Santa Barbara, CA 93101

Re: Carpinteria Unified School District – Amendment of the
Conflict of Interest Code and Request for Notice

Dear Michael:

Enclosed for review and approval by the Santa Barbara County Board of Supervisors is the amended Conflict of Interest Code of the Carpinteria Unified School District (the "District") which was adopted by the District Board of Education by Resolution 12-676 on October 23, 2012. As you can see by the enclosed legislative version of the Code, this amendment was done to add a new position that must be designated, revise the title of an existing position, and to include clarifying language as provided by the Fair Political Practices Commission.

The District hereby requests approval by the Santa Barbara County Board of Supervisors of these amendments to the District's Conflict of Interest Code. Please let me know when this amendment is submitted to the Board for approval. I would also appreciate it if you would send me a copy of the Board's Resolution or Minute Order of approval.

BBK
BEST BEST & KRIEGER LLP
ATTORNEYS AT LAW

Michael Allen
Chief Deputy Clerk of the Board
County of Santa Barbara
October 26, 2012
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As always, please feel free to call or e-mail me if you or County Counsel have any questions regarding the enclosed.

Sincerely,



Dianna Marie Valdez
Conflicts of Interests & Ethics Coordinator
for BEST BEST & KRIEGER LLP
Special Counsel
Carpinteria Unified School District

Encls:
Amended Conflict of Interest Code and Adopting Resolution
Legislative Version of the amended Code (showing changes made)

**RESOLUTION OF THE BOARD OF EDUCATION OF THE
CARPINTERIA UNIFIED SCHOOL DISTRICT ADOPTING
AN AMENDED 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 Carpinteria Unified School 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 September 28, 2010, in compliance with the Act; and

WHEREAS, subsequent changed circumstances within the District have 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

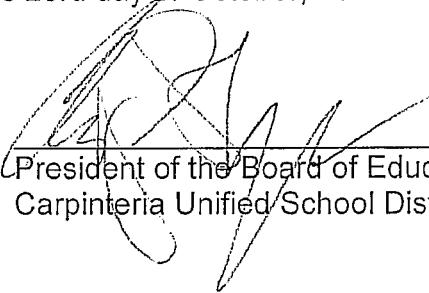
WHEREAS, notice of the time and place of a public meeting on, and of consideration by the Board of Education of, the proposed amended Conflict of Interest Code was provided each designated employee and publicly posted for review at the offices of the District; and

WHEREAS, a public meeting was held upon the proposed amended Conflict of Interest Code at a regular meeting of the Board of Education on October 23, 2012, at which all present were given an opportunity to be heard on the proposed amended Conflict of Interest Code.

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Carpinteria 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 Human Resources Coordinator and available for inspection to the public;

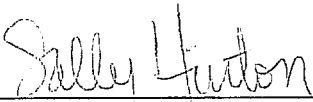
BE IT FURTHER RESOLVED that the said Conflict of Interest Code shall be submitted to the Board of Supervisors of the County of Santa Barbara for approval and said Code shall become effective 30 days after the Board of Supervisors approves the proposed amended Code as submitted.

APPROVED AND ADOPTED this 23rd day of October, 2012.



President of the Board of Education
Carpinteria Unified School District

ATTEST:



Clerk of the Board of Education
Carpinteria Unified School District

CONFLICT OF INTEREST CODE FOR THE
CARPINTERIA UNIFIED SCHOOL DISTRICT

(Amended October 23, 2012)

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 Regulation 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 **Carpinteria Unified School District (the "District")**.

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

APPENDIX

CONFLICT OF INTEREST CODE OF THE CARPINTERIA UNIFIED SCHOOL DISTRICT (Amended October 23, 2012)

EXHIBIT "A"

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

District Officials who manage public investments, as defined by 2 Cal. Code of Regs. § 18701(b), are NOT subject to the District's Code, but must file disclosure statements under Government Code Section 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 investments¹:

Members of the Board of Education

Superintendent

Assistant Superintendent, Business Services

Financial Consultants

¹ 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 EMPLOYEES'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
After School Coordinator	5
Assistant Principal	5
Athletic Director	5
Cafeteria Manager	5
Curriculum Coordinator	5
Custodial Services Supervisor	5
Director of College-Bound Programs & Instruction	5
Director of Facilities	1, 2
Director of Pupil Services	5
Director of Special Education	5
Executive Assistant	4
Executive Director, CCPM	5
Food Service Supervisor	5
General Counsel	1, 2
Grounds Supervisor	5
Human Resources Coordinator	5
Maintenance Supervisor	5
Principal	5

<u>DESIGNATED EMPLOYEES'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Project Director	5
Purchasing Technician	4
Technology Supervisor	5
Transportation/Warehouse Supervisor	5
Consultant and New Position ²	

² Individuals providing services as a Consultant defined in Regulation 18701 or in a new position created since this Code was last approved that makes or participates in making decisions shall disclose pursuant to the broadest disclosure category 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 Sec. 82019; FPPC Regulations 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 Sec. 81008.)

EXHIBIT "B"

DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of economic interests that the designated positions must disclose for each disclosure category to which he or she is assigned.³

Category 1: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are located in, 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.

³

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)

LEGISLATIVE VERSION
(SHOWS CHANGES MADE)

CONFLICT OF INTEREST CODE FOR THE
CARPINTERIA UNIFIED SCHOOL DISTRICT
(Amended September 28, 2010 October 23, 2012)

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) ~~which~~ 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 ~~it~~ Regulation 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 ~~regulation~~ incorporation page, Regulation 18730 and the attached Appendix designating ~~officials and employees~~ positions and establishing disclosure categories, shall constitute the conflict of interest code of the **Carpinteria Unified School District (the "District")**.

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

APPENDIX

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OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

District Officials who manage public investments, as defined by 2 Cal. Code of Regs. § 18701(b), are NOT subject to the District's Code, but ~~are subject to the disclosure requirements of the Act. (must file disclosure statements under~~ Government Code Section 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 investments¹:

Members of the Board of Education

Superintendent

Assistant Superintendent, Business Services

Financial Consultants

¹

Individuals holding one of the above-listed positions may contact the FPPC-Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The FPPC-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 EMPLOYEES'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
After School Coordinator	5
Assistant Principal	5
Athletic Director	5
Cafeteria Manager	5
Curriculum Coordinator	5
Custodial Services Supervisor	5
<u>Director of College-Bound Programs & Instruction</u>	<u>5</u>
Director of Facilities	1, 2
Director of Pupil Services	5
Director of Special Education	5
Executive Assistant	4
Executive Director, CCC Project <u>CCPM</u>	5
Food Service Supervisor	5
General Counsel	1, 2
Grounds Supervisor	5
Human Resources Coordinator	5
Maintenance Supervisor	5
Principal	5
Project Director	5

DESIGNATED EMPLOYEES'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
ASSIGNED

Purchasing Technician	4
Technology Supervisor	5
Transportation/Warehouse Supervisor	5

Consultant and New Position²

²

~~Consultants shall be included in the list of Designated Employees and shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitation: Individuals providing services as a Consultant defined in Regulation 18701 or in a new position created since this Code was last approved that makes or participates in making decisions shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitation:~~

~~The Superintendent may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that are 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 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. 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 Sec. 82019; FPPC Regulations 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 Sec. 81008.)~~

EXHIBIT "B"

DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of investments, business entities, sources of income, including gifts, loans and travel payments, or real property which the Designated Employee economic interests that the designated positions must disclose for each disclosure category to which he or she is assigned.³

Category 1: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are located in, 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, supplies 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, supplies products, materials, machinery, vehicles or equipment of a type purchased or leased by the Designated Employee's designated position's department, unit or division.

³

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)