

## 2012 Local Agency Biennial Notice

Name of Agency: SANTA BARBARA UNIFIED SCHOOL DISTRICT

Mailing Address: 720 Santa Barbara St., Santa Barbara, CA 93101

Contact Person: ANN PEAK Office Phone No: (805) 963-4338 *A 6266*

E-mail: apeak@sbsdk12.org Fax No: \_\_\_\_\_

**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.)

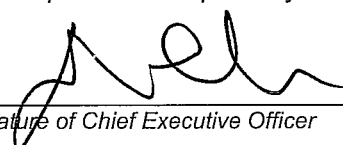
- ☒ Include new positions.
- ☐ Revise disclosure categories.
- ☒ Revise the titles of existing positions.
- ☒ Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions.
- ☒ Other (describe) include language provided by FPPC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

9/12/12  
\_\_\_\_\_  
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:



**BEST BEST & KRIEGER**  
**ATTORNEYS AT LAW**

INDIAN WELLS  
(760) 568-2611

IRVINE  
(949) 263-2600

LOS ANGELES  
(213) 617-8100

ONTARIO  
(909) 989-8584

3390 UNIVERSITY AVENUE, 5TH FLOOR, P.O. Box 1028, RIVERSIDE, CA 92502  
PHONE: (951) 686-1450 | FAX: (951) 686-3083 | WWW.BBKLaw.COM

SACRAMENTO  
(916) 325-4000

SAN DIEGO  
(619) 525-1300

WALNUT CREEK  
(925) 977-3300

WASHINGTON, DC  
(202) 785-0600

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

October 29, 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: Santa Barbara 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 Santa Barbara Unified School District (the "District") which was adopted by the District Board of Education by Resolution 2012/13-23 on October 23, 2012. As you can see by the enclosed legislative version of the Code, this amendment was done to add new positions that must be designated, revise titles of existing positions, delete positions that have been abolished, and to include clarifying language as provided by the Fair Political Practices Commission. Also, please note the change in the name of the school district.

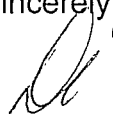
The District hereby requests approval by the Santa Barbara County Board of Supervisors of these amendments to the District's Conflict of Interest Code. Please let me know when this amendment is submitted to the Board for approval. I would also appreciate it if you would send me a copy of the Board's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

**BBK**  
**BEST BEST & KRIEGER**  
ATTORNEYS AT LAW

Michael Allen  
Chief Deputy Clerk of the Board  
County of Santa Barbara  
October 29, 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  
Santa Barbara Unified School District

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

RESOLUTION NO. 2012/13-23

**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 October 26, 2010, 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 October 23, 2012, 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 30 days after the Board of Supervisors approves the proposed amended Code as submitted.

**PASSED AND ADOPTED** this 23rd day of October, 2012.

AYES: 5

NOES: 0

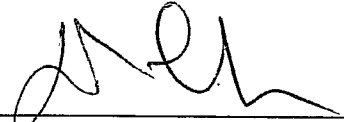
ABSTAIN: 0

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

**CONFLICT OF INTEREST CODE**  
**OF THE**  
**SANTA BARBARA**  
**UNIFIED SCHOOL DISTRICT**

# CONFLICT OF INTEREST CODE OF THE SANTA BARBARA 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 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** as the District's Filing Officer. The **Coordinator of Certificated Personnel** 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** 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).

# APPENDIX

## CONFLICT OF INTEREST CODE OF THE SANTA BARBARA 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 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 investments<sup>1</sup>:

Members of the Board of Education

Superintendent

Assistant Superintendent, Business Services

Financial Consultants

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<sup>1</sup> 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**

<b><u>DESIGNATED POSITIONS'</u></b> <b><u>TITLE OR FUNCTION</u></b>	<b><u>DISCLOSURE CATEGORIES</u></b> <b><u>ASSIGNED</u></b>
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
Buyer	4
Coordinator, Admin. Services & Communications	5
Coordinator, Certificated Personnel	5
Coordinator, Child Development	5
Coordinator, Classified Personnel	5
Coordinator, Elementary Title I Prog. Improvement	5
Coordinator, Purchasing	4
Director, Facilities & Operations	2, 3, 5
Director, Fiscal Services	4
Director, Food Service	5
Director, Special Education	5
Director, Student Services & Compliance	5
Director, Technology	5

<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Disbursing Officer	5
Executive Director, Human Resources	5
General Counsel	1, 2
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>MEMBERS OF BOARDS,</u> <u>COMMITTEES AND COMMISSIONS</u>	
Bond Oversight Committee	1, 2
Citizens Parcel Tax Committee	1, 2

#### Consultants and New Positions<sup>2</sup>

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<sup>2</sup> Individuals serving as a consultant as defined in FPPC Reg 18701 or in a new position must file under the broadest disclosure set forth in this Code subject to the following limitations:

The Superintendent may determine that, due to the range of duties or contractual obligations, it is more appropriate to designate 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. 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.

## **EXHIBIT "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.<sup>3</sup>

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 Districts.

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 Districts.

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 Districts.

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 Districts.

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.

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<sup>3</sup> 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**  
**(SHOWING CHANGES MADE)**

**CONFLICT OF INTEREST CODE**  
**OF THE**  
**SANTA BARBARA ~~ELEMENTARY~~**  
**~~SCHOOL DISTRICT~~**  
**~~AND THE~~**  
**~~SANTA BARBARA SECONDARY~~**  
**UNIFIED SCHOOL DISTRICT**

**CONFLICT OF INTEREST CODE OF THE  
SANTA BARBARA ELEMENTARY SCHOOL DISTRICT  
AND THE  
SANTA BARBARA SECONDARY UNIFIED SCHOOL DISTRICT  
(~~Adopted October 26, 2010~~ Amended October 23, 2012)**

The Political Reform Act (Government Code ~~§~~Section 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. ~~§~~Section 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 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, rRegulation 18730 and the attached Appendix designating ~~officials and employees~~positions, and establishing disclosure categories, shall constitute the conflict of interest code of the **Santa Barbara Unified School District** (the "**District**").

All ~~Officials~~officials and ~~D~~designated Employeespositions required to submit a statement of economic interests shall file their statements with the **Coordinator of Certificated Personnel** as the District's Filing Officer. The Filing Officer~~Coordinator of Certificated Personnel~~ 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 Filing Officer~~Coordinator of Certificated Personnel~~ shall retain the originals of the statements of all other officials and D~~designated Employees~~positions. ~~The Filing Officer~~and will make all retained statements available for public inspection and reproduction during regular business hours (Gov. Code § 81008).

# APPENDIX

CONFLICT OF INTEREST CODE  
OF THE  
SANTA BARBARA SCHOOL ELEMENTARY DISTRICT  
AND THE  
SANTA BARBARA SECONDARY UNIFIED SCHOOL DISTRICT  
(Amended ~~October 26, 2010~~ 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 Districts' Code, but ~~are subject to the disclosure requirements of the Act.~~ (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 investments<sup>1</sup>:

Members of the Board of Education

Superintendent

Deputy Assistant Superintendent, Business Services

Financial Consultants

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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**

<b><u>DESIGNATED EMPLOYEES' POSITIONS'</u></b> <b><u>TITLE OR FUNCTION</u></b>	<b><u>DISCLOSURE CATEGORIES</u></b> <b><u>ASSIGNED</u></b>
Accountant	4
Administrator, Safety, Welfare & Attendance	5
Assistant Principal (ALL)	5
<del>Associate Assistant Superintendent, for Elementary Education</del>	5 ( <u>modified into two positions</u> )
<u>Assistant Superintendent, Secondary Education</u>	5 ( <u>see above</u> )
<u>Assistant Superintendent, Human Resources</u>	5
Buyer	4
Coordinator, Admin. Services & Communications	5
Coordinator, Certificated Personnel	5
Coordinator, Child Development	5
Coordinator, Classified Personnel	5
Coordinator, Elementary Title I Prog. Improvement	5
Coordinator, Purchasing	4
<u>Program Director, Child Development &amp; After School Programs</u>	5
<del>Director, Curriculum &amp; Categorical Programs</del>	5
Director, Facilities & Operations	2, 3, 5
Director, Fiscal Services	4

<u>DESIGNATED EMPLOYEES' POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Director, Food Service	5
Director, <del>Research, Evaluation &amp; Technology</del>	5
Director, Special Education	5
<del>Director</del> <u>Assistant Superintendent</u> , Student Services	5
<u>Disbursing Officer</u>	<u>5</u>
Executive Director, Human Resources	5
<del>Executive Director</del> <u>Assistant Superintendent</u> , Special Education	5
General Counsel	1, 2
Principal (ALL)	5
Project Manager (ALL)	5
Purchasing Technician	4
Supervisor, Computer Technology	5
Supervisor, Information Services	5
<u>Supervisor, Maintenance &amp; Operations</u>	<u>5</u>
 <u>MEMBERS OF BOARDS,</u> <u>COMMITTEES AND COMMISSIONS</u>	
Bond Oversight Committee	1, 2
Citizens Parcel Tax Committee	1, 2



DESIGNATED EMPLOYEES' POSITIONS'  
TITLE OR FUNCTION

DISCLOSURE CATEGORIES  
ASSIGNED

Consultants and New Positions<sup>2</sup>

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~~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 serving as a consultant as defined in FPPC Reg 18701 or in a new position must file under the broadest disclosure set forth in this Code subject to the following limitations:~~

~~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 designate 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. 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.~~

## **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~~economic investments that the Designated Employee position must disclose for each disclosure category to which he or she is assigned.<sup>3</sup>

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 Districts.

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 Districts.

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 Districts.

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 Districts.

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 position's~~ department, unit, or division.

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<sup>3</sup>

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)