

2014 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 or Kara Randall Phone No: (805) 963-4338
E-Mail: apeak@sbunified.org or krاندall@sbunified.org

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 includes disclosure by those 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.)

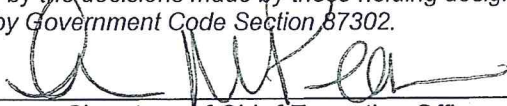
- ☒ Include new positions (including consultants) that must be designated
- ☐ Revise disclosure categories
- ☒ Revise the titles of existing positions
- ☐ Delete positions that no longer make or participate in making governmental decisions
- ☐ Other (describe) _____

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

☐ **No amendment is required.** (If your code is more than five years old, amendments may be necessary.)

Verification

This agency's conflict of interest 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 designated positions. The code includes all other provisions required by Government Code Section 87302.



Signature of Chief Executive Officer

9/15/14

Date

Complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 1, 2014**, or by the date specified by your agency, if earlier, to:

(PLACE RETURN ADDRESS OF THE CODE REVIEWING BODY HERE)

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.



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IRVINE
(949) 263-2600

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DIANNA MARIE VALDEZ
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January 8, 2015

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 2014/15-21 on November 18, 2014. 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, 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.

2015 JAN 12 PM 1:34
COUNTY OF SANTA BARBARA
CLERK OF THE BOARD
105 E. ANAPAMU STREET
SANTA BARBARA, CA 93101

BBK
BEST BEST & KRIEGER
ATTORNEYS AT LAW

Michael Allen
Chief Deputy Clerk of the Board
County of Santa Barbara
January 8, 2015
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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)

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)

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 November 18, 2014) PART "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 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 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
Coordinator, Certificated Personnel	5
Coordinator, Child Development	5
Coordinator, Classified Personnel	5
Coordinator, Elementary Title I Prog. Improvement	5
Coordinator, Purchasing	4
Director, ELL Education Programs	5
Director, Facilities & Operations	2, 3, 5
Director, Fiscal Services	4
Director, Food Service	5

<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Director, Special Education	5
Director, Technology	5
Executive Director, Human Resources	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
<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 ²	

² Individuals serving as a consultant as defined in FPPC Reg 18701 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.³ Such economic interests 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.

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)

RESOLUTION NO. 2014/15-21

**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 23, 2012, 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 18, 2014, 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 18th day of November, 2014.

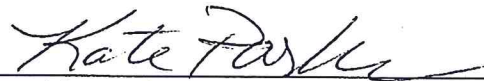
AYES: 5

NOES: 0

ABSTAIN: 0

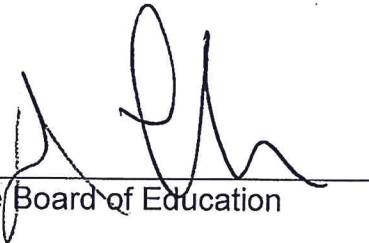
ABSENT: 0

BOARD OF EDUCATION OF THE SANTA
BARBARA UNIFIED SCHOOL DISTRICT



President of the Board of Education

ATTEST:



Clerk of the Board of Education

LEGISLATIVE VERSION
(SHOWS CHANGES MADE)

CONFLICT OF INTEREST CODE

OF THE

SANTA BARBARA

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CONFLICT OF INTEREST CODE OF THE SANTA BARBARA UNIFIED SCHOOL DISTRICT

(Amended ~~October 23, 2012~~November 18, 2014)

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EXHIBIT PART "A"

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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
<u>Chief Education Technology Officer</u>	<u>5</u>
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>Director, ELL Education Programs</u>	<u>5</u>
Director, Facilities & Operations	2, 3, 5
Director, Fiscal Services	4
Director, Food Service	5

<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Director, Special Education	5
Director, Technology	5
Disbursing Officer <u>Internal Auditor</u>	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

DESIGNATED POSITIONS'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
ASSIGNED

Consultants and New Positions²

2

~~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: Individuals serving as a consultant as defined in FPPC Reg 18701 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:~~

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