



**Clerk of the Board
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

KUYLER CROCKER
District One

PETE VANDER POEL
District Two

AMY SHUKLIAN
District Three

EDDIE VALERO
District Four

DENNIS TOWNSEND
District Five

AGENDA DATE: February 26, 2019

Public Hearing Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
CONTACT PERSON: Melinda Benton PHONE: 636-5000				

SUBJECT: Approval of Tulare Joint Union High School District Conflict of Interest Code

REQUEST(S):

That the Board of Supervisors:

Approve the amended Conflict of Interest Code adopted by Tulare Joint Union High School District

SUMMARY:

The Political Reform Act, Administered by the State Fair Political Practice Commission (FPPC), requires local governmental agencies to adopt a Conflict of Interest Code and update it from time-to-time to reflect changes in decision-making positions within the Agency. This includes newly added positions, deleted positions, or changes in the title or decision-making duties assigned to positions. This also includes changes in disclosure categories for designated positions.

In addition, a local government agency is required to conduct a review of its Conflict of Interest Code every even numbered year. A local government agency includes a special district of any kind, school districts, or any local board, committee, commission or agency established by State of Federal statute that has a separate legal status. Pursuant to the Act, the Tulare County Board of Supervisors is the code-reviewing body for all local government agencies whose territorial boundaries are wholly in Tulare County, and has the responsibility to see that such agencies meet conflict of interest code requirements.

A Conflict of Interest Code is designated to cover members of boards, commissions, committees, districts and similar bodies, and administrative

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DATE: February 26, 2019

employees that make, or participate in making government decisions. The purpose of the Code is to prevent such officials from engaging in government decision-making in which the official may have a personal financial interest. Officials designated in an agency's code are required to file a Form 700-Statement of Economic Interests upon appointment to a designated position, upon leaving the position and on a yearly basis while performing the official functions of that position. For this reason, positions designated in the local agency's code must also be assigned a disclosure category. Disclosure categories describe the types of personal financial interests that the official must disclose in his or her Form 700-Statement of Economic Interests.

In July 2018, written notices were sent to all local government agencies within Tulare County of their obligation to conduct a Biennial Review of the agency's Conflict of Interest Code as required by law. By law, the Board of Supervisors must approve all amended or new Conflict of Interest Codes.

The Tulare Joint Union High School District responded that they have amended their respective Conflict of Interest Codes since 2016 and have provided the County with the necessary supporting documents for review. These amended codes meet the requirements of the Political Reform Act and can be recommended to this Board for approval. Declaration by the representative of this special district confirming compliance with applicable requirements for amending the agency's code are attached for your review.

FISCAL IMPACT/FINANCING:

There is no County cost associated with this request.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The approval of the Conflict of Interest Codes helps fulfill the Organization Performance initiative by ensuring that the County and the local agencies are in compliance with the law.

ADMINISTRATIVE SIGN-OFF:



Melinda Benton, Chief Clerk
Clerk of the Board

cc: County Administrative Office

Attachment(s) Attachment A- Tulare Joint Union High School District Conflict of Interest Code

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF APPROVAL OF)
TULARE JOINT UNION HIGH SCHOOL) Resolution No. _____
DISTRICT CONFLICT OF INTEREST CODE)

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD _____
_____, BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JASON T. BRITT
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

* * * * *

Approved the amended Conflict of Interest Code adopted by Tulare Joint Union
High School District

TULARE JOINT UNION HIGH SCHOOL DISTRICT

TO: MEMBERS OF THE BOARD OF TRUSTEES

APPROVE: Resolution 2018-26 Amendment of the Tulare Joint Union High School District's Conflict of Interest Code Bylaws

Background: Pursuant to the Government Code Section 87200, the code designates those officers, employees, and consultants of the district who by virtue of their participation in decision-making, must disclose certain information of their personal investments, income, interest in real property and business positions, and who must disqualify themselves from making or participation in the making of governmental decision affecting those interests. This memo is going straight for action due to the process being revised and the designated employee position being updated to the existing bylaws

Current Considerations: The code must be updated and amended as a position in the district are added, deleted, or changed. See the changes below.

Current: Assistant Superintendent for Curriculum and Instruction

Revised: Assistant Superintendent for Curriculum, Technology, and Assessment

Current: Assistant Superintendent for Human Resources

Revised: Assistant Superintendent for Human Resources and Business

Delete: Director of State and Federal Programs and Assessment

Add: Assistant Superintendent of Student Services and Special Programs

Delete: Campus Food Service Manager

Add: Director of Food Services

Fiscal Implications: None.

Tulare Joint Union High School District Board Priorities:

- *Staff the TJUHSD with Qualified Personnel and Maintain a Positive Work Environment*

Therefore it is:

Recommended:

That the Board approve
Resolution 2018-26
Amendment of the Tulare Joint
Union High School District's
Conflict of Interest Code
Bylaws.

SUBMITTED BY:

Mr. Antonio Rodriguez
Superintendent

PREPARED BY: Ms. Barbara Orisio, Assistant Superintendent for Human Resources & Business

Before the Board of Trustees of the
Tulare Joint Union High School District
Tulare County, State of California

In the Matter of the Amendment of the
Tulare Joint Union High School District's
Conflict of Interest Code Bylaws



Resolution #2018-26

CC: Barbara Orsio
CC: Mark Martinez, TCOE
10/5/18
M. Monreal

WHEREAS, the Political Reform Act, Government Code 87300-87313, requires each public agency in California to adopt a conflict of interest code; and
WHEREAS, the Board of Trustees of the Tulare Joint Union High School District has previously adopted a local conflict of interest code; and

WHEREAS, past and future amendments to the Political Reform Act and implementing regulations may require conforming amendments to be made to the district's conflict of interest code; and

WHEREAS, a regulation adopted by the Fair Political Practices Commission, 2 CCR 18730, provides that incorporation by reference of the terms of that regulation, along with an agency-specific appendix designating positions and disclosure categories shall constitute the adoption and amendment of a conflict of interest code in conformance with Government Code 87300 and 87306; and

WHEREAS, the Tulare Joint Union High School District has recently reviewed its positions, and the duties of each position, and has determined that (changes/no changes) to the current conflict of interest code are necessary; and

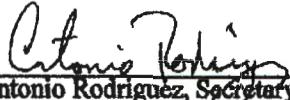
WHEREAS, any earlier resolutions, bylaws, and/or appendices containing the district's conflict of interest code shall be rescinded and superseded by this resolution and Appendix; and

NOW THEREFORE BE IT RESOLVED that the Tulare Joint Union High School District Board of Trustees adopts the following Conflict of Interest Code including its listing of Designated Employees and Disclosure Categories.

The Foregoing Resolution was passed and adopted upon a motion of Trustee Laura Fonseca, seconded by Trustee Cathy Mederos, at a regular meeting of the Board of Trustees held on **October 4, 2018**, by the following vote:

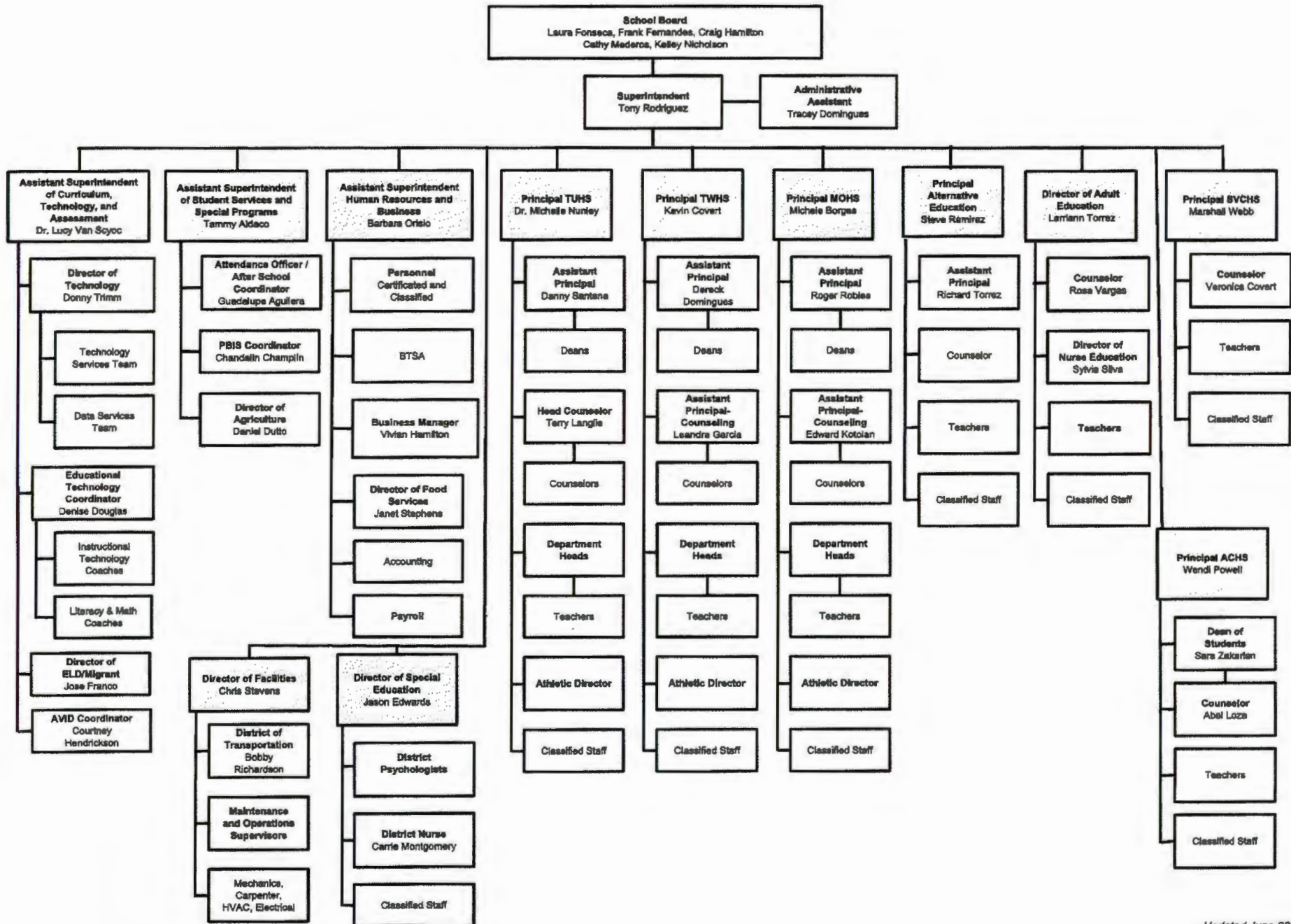
AYES: Fernandes, Fonseca, Hamilton, Mederos, Nicholson
NOES: None
ABSTENTIONS: None
ABSENT: None

WITNESS my hand and seal of the Board of Trustees this 4th day of October, 2018.



Antonio Rodriguez, Secretary
Board of Education
Tulare Joint Union High School District

Tulare Joint Union High School District Organizational Chart 2018-2019



CONFLICT OF INTEREST CODE FOR THE
TULARE JOINT UNION HIGH SCHOOL DISTRICT

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. Sec. 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, it 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 and the attached Appendices, designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the **Tulare Joint Union High School District (District)**.

Individuals holding designated positions shall file their statements of economic interests with the **District**, which will make the statements available for public inspection and reproduction. (Gov. Code Section 81008.) All statements will be retained by the **District**.

**APPENDIX A
DESIGNATED POSITIONS**

APPENDIX A

List of Designated Positions

Designated Positions:	Assigned Categories:
Associate Superintendent for Educational Services	1
Assistant Superintendent of Technology, Assessment and Accountability	1
Assistant Superintendent for Human Resources and Business	1
Assistant Superintendent of Curriculum, Technology, & Assessment	1
Assistant Superintendent of Student Services and Special Programs	1
Director of College & Career Readiness, Principal, Ag Parks	2
Director of Ag Programs	<u>1</u>
Director of Facilities	1
Director of Technology	2
Director of Food Services	2
Business Manager	2
Director of Adult School	2
Transportation Supervisor	2
Maintenance and Operations Supervisor	2
Director of Special Education	2
Principals	2
Campus Food Service Manager	2
Consultants	*

The following positions have been designated with the responsibility for the management of public investments for the Tulare Joint Union High School District and must file Statements pursuant to G. C. 87200.

Board Members

Superintendent

- * Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation:

investments for the Tulare Joint Union High School District and must file Statements pursuant to G. C. 87200.

DISCLOSURE CATEGORIES

Category 1. Designated positions assigned to this category must report:

- a. Interests in real property within the boundaries of the District that are used by the District or are of the type that could be acquired by the District as well as real property within two miles of the use or potential site.
- b. Investments and business positions in business entities and income (including receipt of gifts, loans, and travel payments) from sources of the type that engage in the acquisition or disposal of real property or are engaged in building construction or design for school districts.

Category 2. Designated positions assigned to this category must report:

Investments and business positions in business entities and income (including receipt of gifts, loans, and travel payments) from sources of the type that are contractors engaged in the performance of work, training, consulting or services, or are sources that manufacture or sell supplies, instructional materials, machinery, equipment, or vehicles of the type utilized by the District.

Category 3. Designated positions assigned to this category must report:

Investments and business positions in business entities and income (including receipt of gifts, loans, and travel payments) from sources of the type that are contractors engaged in the performance of work, training, consulting or services, or are sources that manufacture or sell supplies, instructional materials, machinery, equipment, or vehicles of the type utilized by the designated position's department. For the purposes of this category, a principal's department is his or her entire school.