



# SACRAMENTO COUNTY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

Agenda Item# 10.5

**ME** : December 20, 2012

**B** **Pa**

**B**9270, **C**

- Information Item Only
- Approval on Consent Agenda
- Conference (for discussion only)
- Conference/First Reading (Action Anticipated: \_\_\_\_\_)
- Conference/Action
- Action
- Public Hearing

**D** Human Resource Services/Legal Services

**B** : Approve proposed revisions to Board Bylaw 9270, Conflict-of-Interest.

**B** The District must review its conflict-of-interest code biennially in even-numbered years. In addition, the District underwent a departmental restructuring for the 2012-13 fiscal year that included updating and revising position descriptions, eliminating, and/or reclassifying positions. The position descriptions were reviewed to determine the need to include the position as a designated filer in the District's Conflict-of-Interest Code, Board Bylaw 9270. The proposed revisions have been reviewed by the Parent Advisory Committee (DAC) and the Student Advisory Committee (DAC), the Superintendent, Cabinet members, legal counsel, and Board members at the November 15, 2012 meeting. Incumbents in newly identified positions to be included as designated filers were provided a Notice of Intent and given the opportunity to comment at the November 15, 2012 Board meeting.

As required, the District notified its code reviewing body, the Sacramento County Board of Supervisors, that a revision of our conflict-of-interest code was needed. The revisions must be adopted by December 30, 2012.

**F** : The District must comply with Government Code section 87300 et seq. and Fair Political Practice Commission (FPPC) regulations or face court action by the FPPC.

**D**

1. Board of Education Executive Summary
2. Proposed Revisions to BB 9270, Conflict of Interest.

**E**

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**B** : Jess Serna, CHRO/Susan Pointer, Legal Services

**A** : Jonathan P. Raymond, Superintendent



## **I. OVERVIEW / HISTORY**

The Political Reform Act requires every local government agency to review its conflict-of-interest code biennially in even-numbered years. If amendments to an agency's conflict-of-interest code are necessary, the amended code must be forwarded to the agency's code reviewing Board (the Sacramento County Board of Supervisors) for approval. An agency's amended code is not effective until it has been approved by the Board of Supervisors.

In addition, since the last biannual review the District made changes to its organizational structure that included updating and revising position descriptions, eliminating, and/or reclassifying positions. The Political Reform Act requires public officials of governmental agencies (board/commission members, employees and consultants) to disclose assets and income which may be materially affected by their official actions. Designated positions generally make or participate in making decisions such as, voting on matters, negotiating contracts, or making recommendations on purchases without substantive review. The affected position descriptions were reviewed to determine the need to include the position as a designated filer in the District's conflict-of-interest code, Board Bylaw 9270.

## **II. DRIVING GOVERNANCE**

The Political Reform Act of 1974 (Gov. Code sections 8100-9104) requires that each state and local government agency adopt and implement a separate conflict-of-interest code.

Conflict-of-interest codes must be reviewed every two years and when necessary to add or delete designated positions and disclosure categories. This is the biennial review of the District's conflict-of-interest code.

## **III. BUDGET**

The District must comply with Government Code section 87300 et seq. and Fair Political Practice Commission (FPPC) regulations or face compliant action by the FPPC. Compliant action would most likely take the form of a fine.

## **IV. GOALS, OBJECTIVES, AND MEASURES**

The District must keep its conflict-of-interest code accurate and up-to-date and review its code biennially in even-numbered years. There have been changes to the District's organizational structure and some of the designated filer positions already listed in the code have undergone name and/or responsibility changes and the code must reflect these changes.

**Board of Education Executive Summary**  
**Human Resource Services/Legal Services**  
**Board Bylaw 9270, Conflict of Interest–Proposed Revisions**  
December 20, 2012



**V. MAJOR INITIATIVES**

After the District adopts the proposed changes, the conflict-of-interest code must be presented to the Sacramento County Board of Supervisors for approval by that Board. This must be completed by December 30, 2012.

**VI. RESULTS**

The proposed revisions have been reviewed by the District Advisory Committee, the Student Advisory Committee, the Superintendent, Cabinet members, Legal Counsel, and Board members. Incumbents in newly identified positions to be included as designated filers were provided a Notice of Intent and given the opportunity to comment at the November 15, 2012 Board meeting. Additional revisions were suggested by Board members at the November 15, 2012 Board meeting and those revisions have been included in the proposed revisions.

**VII. LESSONS LEARNED / NEXT STEPS**

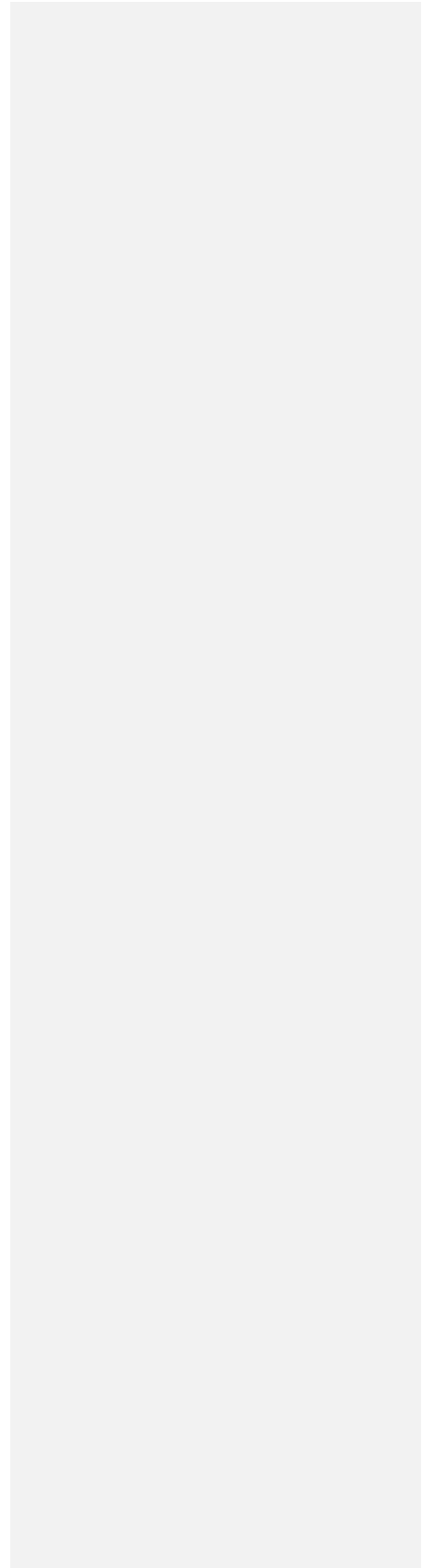
Continue to monitor Board Bylaw 9270, Conflict-of-Interest for necessary revisions.

Next Steps: Submit approved BB 9270, Conflict-of-Interest, to the County Board of Supervisors for approval by December 30, 2012.

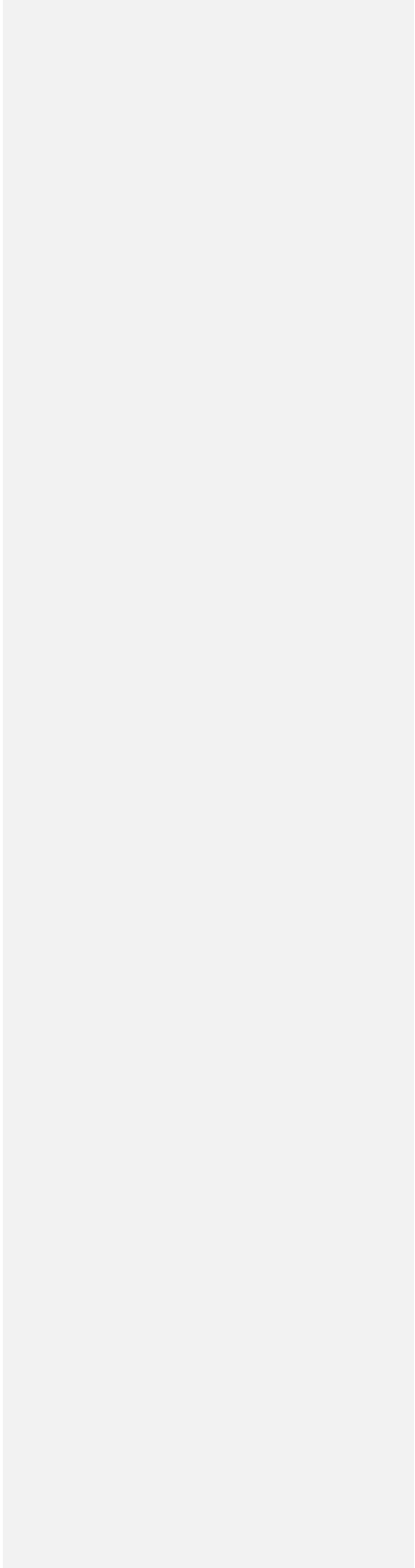
# Sacramento City USD      Proposed Revisions

## Board Bylaw

| ~~Conflict-Of-Interest~~Conflict-of-Interest



Board members and designated employees shall

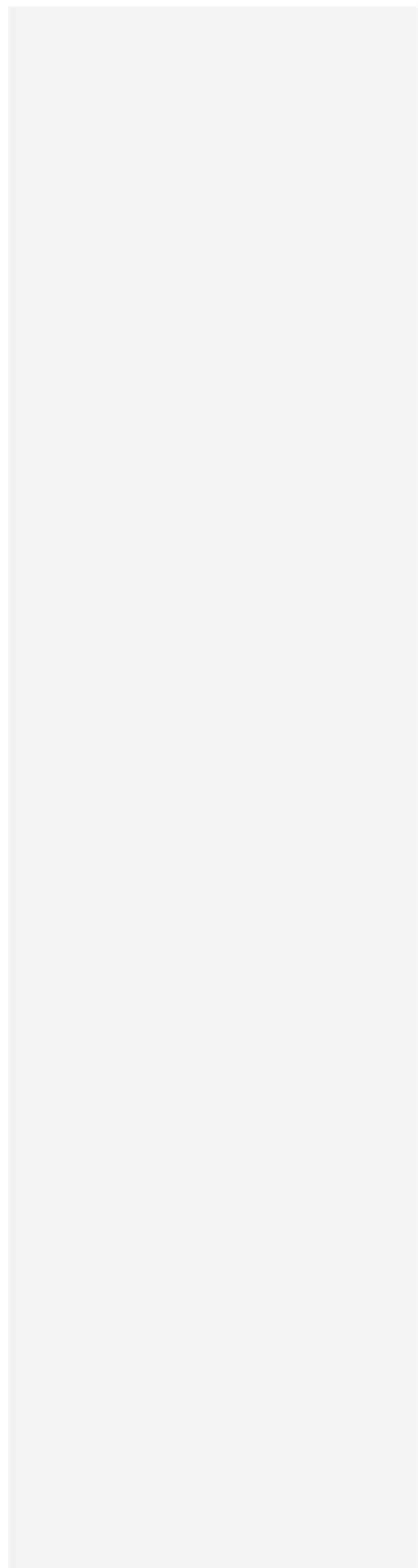


provided further that such interest is noted in its official records

- | 6. ~~6.~~ That of a noncompensated officer of a nonprofit, tax-exempt corporation which, as one of its primary purposes, supports the functions of the district and its Board and provided further that such interest is noted in its official records
- | 7. ~~7.~~ That of a person receiving salary, per diem, or reimbursement for expenses from a governmental entity, unless the contract directly involves the department of the governmental entity that employs the officer or employee, provided that such interest is

individual is widowed or divorced.

Disqualification for Board Members Who Manage Public Investments







Members of the Board of Education  
Superintendent  
Chief Academic Officer  
Chief Accountability Officer  
Chief Business Officer  
Chief Communications Officer  
Chief Family and Community Engagement Officer  
Chief Human Resources Officer

— Designated persons in this category must report:

- A. ~~a.~~—Interests in real property located entirely or partly within district boundaries, or within two miles of district boundaries or of any land owned or used by the district. Such interests shall include any leasehold, beneficial or ownership interest or option to acquire such interest in real property;
- B. ~~b.~~—Investments or business positions in or income from sources which:
  - 1) ~~(1)~~—Are engaged in the acquisition or disposal of real property within the district;
  - 2) ~~(2)~~—Are contractors or subcontractors which are or have been within the past two years engaged in work or services of the type used by the district; or
  - 3) ~~(3)~~—Manufacture or sell supplies, books, machinery or equipment of the type used by the district.

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2. Category 2

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Persons occupying the following positions are designated employees in Category 2:

~~Chief of Staff~~  
~~Director, 501(c)3~~  
~~Assistant Superintendent, Curriculum and Instruction~~  
~~Director, Child Development~~  
~~Director, Multilingual Literacy~~  
~~Director, Special Education~~  
~~Director, Linked Learning~~  
~~Director, Technology~~  
~~Area Assistant Superintendent~~  
~~Director, Adult Education~~  
~~Director Assessment, Research and Evaluation~~  
~~Director, Student Services/Alternative Education~~  
~~Director, Human Resource Services~~  
~~Director, Budget Services~~  
~~Director, Compensation and Benefits~~  
~~Director, Accounting Services/Internal Audit~~

~~Director, School, Family and Community Partnerships~~  
~~Director, Youth Development~~  
~~Director, Integrated Support Services~~  
~~Director, Health Services~~  
~~Director, Capitol Asset Management Services~~  
~~Director, Operations and Planning~~  
~~Director, Facilities and Maintenance~~  
~~Director, Distribution Services~~  
~~Manager, Purchasing and Warehouse~~

Superintendent's Office

Chief of Staff  
Director, 501(c)3

Academic Office

Assistant Superintendent, Curriculum and Instruction  
Director, Child Development  
Director, Multilingual Literacy  
Director, Special Education  
Director, ~~Linked Learning~~ High School Reform Initiatives  
Coordinator, State and Federal Programs

Accountability Office

Area Assistant Superintendent  
Assistant Superintendent, Information Education Technology  
Director, Adult Education  
Director Assessment, Research and Evaluation  
~~Director, Attendance, Dropout Prevention and Recovery~~  
Director, Enrollment Center  
Director, ~~Technology~~ Network, Telecommunications and Technology Support  
Director, Student Services/Alternative Education

Administrative Services

Director, Accounting Services  
Director, Budget Services  
Director, Compensation and Benefits  
Director, Distribution Services  
Manager, Nutrition Services  
Manager, Purchasing and Warehouse

Capital Asset Management Services

Family and Community Engagement

—Director, Health Services

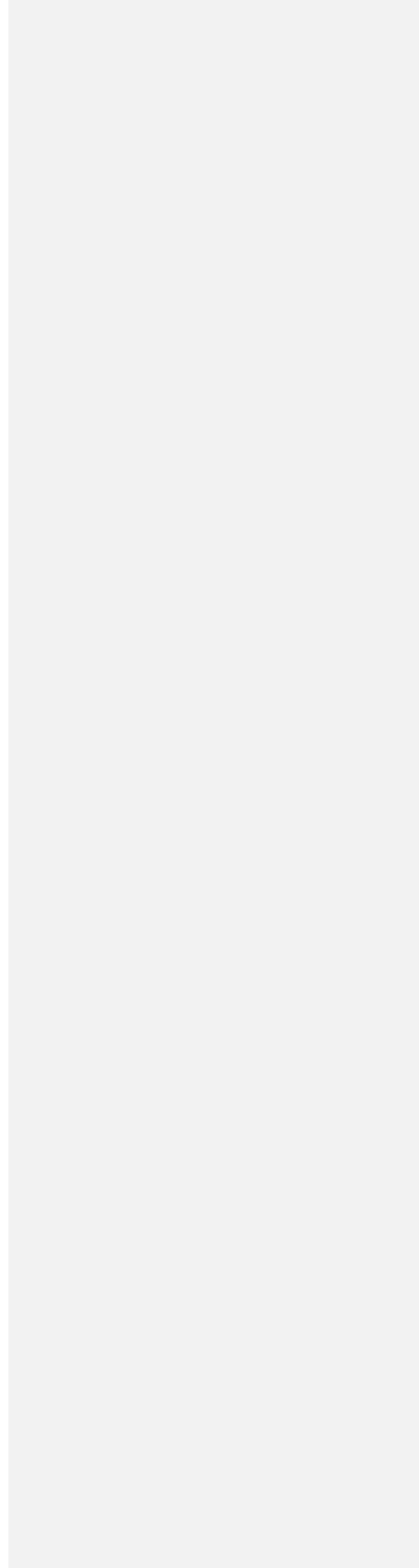
—Director, Integrated Support Services

—Director, School, Family and Community Partnerships

Director, Youth Development

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| g. ~~g.~~ Adopt or grant district approval of district policies, standards or guidelines  
a contract with the district, serves in a staff  
capacity with the district and in that capacity pa



81 Ops.Cal.Atty.Gen. 327 (1998)  
80 Ops.Cal.Atty.Gen. 320 (1997)  
69 Ops.Cal.Atty.Gen. 255 (1986)  
68 Ops.Cal.Atty.Gen. 171 (1985)  
65 Ops.Cal.Atty.Gen. 606 (1982)  
63 Ops.Cal.Atty.Gen. 868 (1980)

Management Resources:

CSBA PUBLICATIONS

Conflict of Interest: Overview of Key Issues for Governing Board Members, Fact Sheet, July 2010

FAIR POLITICAL PRACTICES COMMISSION PUBLICATIONS

Can I Vote? A Basic Overview of Public Officials' Obligations Under the Conflict-of-Interest Rules, 2005

INSTITUTE FOR LOCAL GOVERNMENT PUBLICATIONS

Understanding the Basics of Public Service Ethics: Personal Financial Gain Laws, 2009

Understanding the Basics of Public Service Ethics: Transparency Laws, 2009

WEB SITES

CSBA: <http://www.csba.org>

Fair Political Practices Commission: <http://www.fppc.ca.gov>

Institute of Local Government: <http://www.ca-ilg.org>

Bylaw SACRAMENTO CITY UNIFIED SCHOOL DISTRICT

adopted: November 16, 1998 Sacramento, California

revised: April 2, 2001

revised: March 3, 2005

revised: November 6, 2008

revised: December 10, 2009

revised: November 4, 2010

revised: December, 2012