ADMINISTRATION

Conflict of Interest

Every public agency is required to adopt and promulgate Conflict of Interest Codes in compliance with the Political Reform Act, Government Code section 81000, et seq. The Fair Political Practices **Commission** has adopted a standard set of regulations which contains the terms of the Conflict of Interest Code. (CCR, Title 2, Sec. 18730)

The standard regulations, enumerated in California Code of Regulations, Title 2, Sec. 18730, are hereby incorporated by reference. The Shasta SELPA Governing Board members shall abide by the terms of the standard regulation.

Copies of the standard regulations can be obtained from the EDCC SELPA.

Each participating charter in the Shasta County SELPA shall be responsible for adopting appropriate conflict of interest and ethics policies and regulations applicable to their representatives.

Legal Reference:
G.C. §§ 81000, et seq.
2 CCR § 18730

Appendix

Designated Positions/Disclosure Categories

It has been determined that persons occupying the following positions manage public investments and shall file a full statement of economic interests pursuant to Government Code 87200:

- Governing Board Members
- Superintendent of Schools

1. Persons occupying the following positions are designated employees in **Category 1** [public officials who manage public investments]:

    - Deputy/Assistant/Associate Superintendent

Designated persons in this category must report:

a. Interests in real property located entirely or partly within district/county office boundaries, or within two miles of district/county office boundaries or of any land owned or used by the district/county office. Such interests include any leasehold, beneficial or ownership interest or option to acquire such interest in real property.

b. Investments or business positions in or income from sources which:

(1) Are engaged in the acquisition or disposal of real property within the district/county office

(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/county office or

(3) Manufacture or sell supplies, books, machinery or equipment of the type used by the district/county office.

2. Persons occupying the following positions are designated employees in **Category 2** [positions which involve the making or participation in the making of decisions which may foresee ably have a material effect on any financial interest]:

    - None

Designated persons in this category must report investments or business positions in or income from sources which:

a. Are contractors or subcontractors engaged in work or services of the type used by the department which the designated person manages or

directs, or

b. Manufacture or sell supplies, books, machinery or equipment of the type used by the department which the designated person manages or directs. For the purposes of this category a principal's department is his/her entire school.

3. Consultants may also be designated employees who must disclose financial interests as determined on a case-by-case basis by the Superintendent or designee. The Superintendent or designee's written determination shall include a description of the consultant's duties and a statement of the extent of disclosure requirements based upon that description. All such determinations are public records and shall be retained for public inspection along with this conflict of interest code.

A consultant is an individual who, pursuant to a contract with the district/county office, makes a governmental decision whether to: (2 CCR 18701)

a. Approve a rate, rule or regulation

b. Adopt or enforce a law

c. Issue, deny, suspend or revoke a permit, license, application, certificate, approval, order or similar authorization or entitlement

d. Authorize the district/county office to enter into, modify or renew a contract that requires district/county office approval

e. Grant district/county office approval to a contract or contract specifications which require district/county office approval and in which the district/county office is a party

f. Grant district/county office approval to a plan, design, report, study or similar item

g. Adopt or grant district/county office approval of district/county office policies, standards or guidelines

A consultant is also an individual who, pursuant to a contract with the district/county office, serves in a staff capacity with the district/county office and in that capacity participates in making a governmental decision as defined in 2 CCR 18702.2 or performs the same or substantially all the same duties for the district that would otherwise be performed by an individual holding a position specified in the district's Conflict of Interest Code. (2 CCR 18701)