

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Board of Supervisors

BOARD AGENDA # *A-3b

Urgent Routine

AGENDA DATE December 21, 2010

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval to Adopt an Amendment to the Conflict of Interest Code of the Empire Union School District

STAFF RECOMMENDATIONS:

Adopt an amendment to the Conflict of Interest Code of the Empire Union School District.

Contact person: Christine Ferraro Tallman, Clerk of the Board

Telephone: 525-4494

FISCAL IMPACT:

There is no fiscal impact associated with this item.

BOARD ACTION AS FOLLOWS:

No. 2010-765

On motion of Supervisor Chiesa, Seconded by Supervisor O'Brien
and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Monteith, DeMartini, and Chairman Grover

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

MOTION:

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

2010 Local Agency Biennial Notice

Name of Agency: EMPIRE UNION SCHOOL DISTRICT
Mailing Address: 116 NORTH MCCLURE RD, MODESTO, CA 95357
Contact Person: CLAUDIA VICINO Office Phone No: 521-2800
E-mail: _____ Fax No: _____

Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. 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
- Delete positions that manage public investments from the list of designated positions
- Revise disclosure categories
- Revise the titles of existing positions
- Delete titles of positions that have been abolished
- Other (describe) _____

No amendment is required.

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 which 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 37302.



Signature of Authorizing Official and Title
Administrative Assistant to the Superintendent

September 30, 2010
Date

Complete this notice regardless of how recently your code was approved or amended.
Please return this notice no later than **October 1, 2010** to:

**CLERK OF THE BOARD OF SUPERVISORS
STANISLAUS COUNTY
1010 10th Street, Suite 6700
MODESTO, CA 95354**

2010 OCT -4 P 12:11
BOARD OF SUPERVISORS

EMPIRE UNION SCHOOL DISTRICT

Bylaws of the Board

9270

Conflict of Interest

Governing Board members shall not engage in any employment or activity which is inconsistent with, incompatible with, in conflict with or inimical to the Board member's duties as an officer of the district. (Government Code 1126)

Board members and designated employees shall adhere to the district's conflict of interest code adopted pursuant to the provisions of Government Code 87300 and attached hereto.

Revised: August 1, 1996
September 5, 1996
December 7, 2000
November 18, 2004
January 11, 2007
December 9, 2010

BOARD OF SUPERVISORS
2010 DEC 15 A 11:41

ATTACHMENT A

CONFLICT OF INTEREST CODE

OF THE EMPIRE UNION SCHOOL DISTRICT

The Political Reform Act, Government Code Section 81000, et seq., requires each state and local government agency to adopt and promulgate a conflict of interest code. The Fair Political Practices Commission has adopted a regulation, 2 California Code of Regulations, Section 18730, which contains the terms of a standard conflict of interest code. It can be incorporated by reference and may be amended by the Fair Political Practices Commission after public notice and hearings 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 and, along with the attached Appendix consisting of this Attachment A and Attachments B through D, in which members and employees are designated (Attachment B) and disclosure categories (Attachment C) are set forth, and the place of filing is specified (Attachment D), shall constitute the Conflict of Interest Code of the Empire Union School District.

Designated employees shall file statements of economic interests with the agency. Upon receipt of the statements of the various designated members and employees, the designated agency shall make and retain a copy and forward the original of these statements to the place of filing, as indicated on Attachment D.

ATTACHMENT B
CONFLICT OF INTEREST CODE
OF THE EMPIRE UNION SCHOOL DISTRICT
DESIGNATED EMPLOYEES/POSITIONS

Under provisions of the Standard Code, designated employees/positions shall file statements of economic interest. Listed below are the designated employees/positions for the Empire Union School District and the appropriate schedules for filing:

<u>POSITIONS:</u>	<u>DISCLOSURE CATEGORY:</u>
Members of the Board of Trustees	I/II
Superintendent	I/II
Assistant Superintendent, Human Resources	I/II
Assistant Superintendent, Business Services	I/II
Consultant(s) (as defined in 2 California Code of Regulations. Sections 18701 (a)(2)	III
Director of Instructional Services	II
Director of Fiscal Services	II
Director of Food Services	II
Director of Maintenance and Operations	II
Director of Transportation	II

ATTACHMENT C
CONFLICT OF INTEREST CODE
OF THE EMPIRE UNION SCHOOL DISTRICT
DISCLOSURE CATEGORIES FOR DESIGNATED EMPLOYEES/POSITIONS

CATEGORY 1

Designated employees assigned to this category must report:

A. Interests in real property which are located, in whole or in part: (1) within the boundaries of the district, (2) within two (2) miles of the boundaries of the district, or (3) within two (2) miles of any land owned or used by the district, including any leasehold, beneficial or ownership interest or option to acquire such interest in real property;

B. Investments and business positions in business entities or income from sources which engage in the acquisition or disposal of real property within the jurisdiction;

C. Investments and business positions in business entities or income from sources which: (1) are contractors or subcontractors engaged in the performance of work or services of the type utilized by the district, or (2) which manufacture, sell or provide supplies, materials, books, machinery, services or equipment of the type utilized by the district.

CATEGORY II

Designated employees assigned to this category must report:

Investments and business positions in business entities and sources of income which provide services, supplies, materials, machinery or equipment of the type utilized by employee's department or district. For the purposes of this category, a principal's department is his/her entire school.

CATEGORY III

Consultants shall disclose, pursuant to broadest disclosure category and the code, subject to the following limitation:

The Superintendent may determine, in writing, that a particular consultant, although a "designated position," is hired to perform a range of duties that 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 the disclosure requirements. The Superintendent's determination shall be a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

ATTACHMENT D
CONFLICT OF INTEREST CODE
EMPIRE UNION SCHOOL DISTRICT
PLACE OF FILING

DESIGNATED EMPLOYEES/POSITIONS:

Where: Empire Union School District

The District shall maintain a copy of each "Statement of Financial Interests" form a the District and the original Statements shall be forwarded to the Clerk of the Board of Supervisors at 1100 H Street, Modesto, CA 95354