

**BOARD OF TRUSTEES
RIVER DELTA UNIFIED SCHOOL DISTRICT**

445 Montezuma Street
Rio Vista, California 9457-1561

BOARD AGENDA BRIEFING

Meeting Date: October 11, 2022

Attachments: X

From: Katherine Wright, Superintendent

Item Number: 9.1.3.1

Type of item: (Action, Consent Action or Information Only): Information Only

SUBJECT:

Request the Board to Hold a 45-day Comment Period of the Notice of Intension to Amend the Conflict of Interest Code of River Delta Unified School District.

BACKGROUND:

It is essential and legally-required for the conflict of interest code for River Delta Unified School District reflect the current structure of its organization. Part of the processes in amending the conflict of interest code is identifying the proper officials who should be filing statements of Economic Interests (Form 700) is to hold a 45-day public comment period, and to notify all employees of the 45-daycomment period.

STATUS:

Attached is a draft copy of the Notice of Intention to Amend the Conflict of Interest Code of the River Delta Unified School District. A comment period has been established commencing on October 12, 2022 and closing on November 25, 2022. Any interested person may submit written comments relating to the proposed amendment by submitting them no later than the November 25, 2022 deadline or at the conclusion of the Public Hearing, if requested, whichever comes later. A hearing must be requested no later than November 1, 2022.

PRESENTER:

Katherine Wright, Superintendent

OTHER PEOPLE WHO MIGHT BE PRESENT:

Staff

COST AND FUNDING SOURCES:

None

RECOMMENDATION:

That the Board holds a 45-day comment period of the Notice of Intension to Amend the Conflict of Interest Code of River Delta Unified School District.

Time allocated: 3 minutes

**NOTICE OF INTENTION TO AMEND THE CONFLICT OF INTEREST CODE
OF THE RIVER DELTA UNIFIED SCHOOL DISTRICT**

NOTICE IS HEREBY GIVEN that the River Delta Unified School District, pursuant to the authority vested in it by section 87306 of the Government Code, proposes amendment to its conflict of interest code. A comment period has been established commencing on October 12, 2022 and closing on November 25, 2022. All inquiries should be directed to the contact listed below.

The River Delta Unified School District Superintendent's Office proposes to amend its conflict of interest code to include employee positions that involve the making or participation in the making of decisions that may foreseeably have a material effect on any financial interest, as set forth in subdivision (a) of section 87302 of the Government Code. The amendment carries out the purposes of the law and no other alternative would do so and be less burdensome to affected persons.

Changes to the conflict of interest code include: Assistant Superintendent of Educational Services and Assistant Superintendent of Business Services have been added to the list of designated positions to file. Chief Educational Services Officer and Chief Business Officer have been deleted from the designated positions.

The proposed amendment and explanation of the reasons can be obtained from the agency's contact.

Any interested person may submit written comments relating to the proposed amendment by submitting them no later than November 25, 2022, or at the conclusion of the Public Hearing, if requested, whichever comes later. At this time, no Public Hearing is scheduled. A person may request a hearing no later than November 1, 2022.

The River Delta Unified School District Superintendent's Office has determined that the proposed amendments:

1. Impose no mandate on local agencies or school districts.
2. Impose no costs or savings on any state agency.
3. Impose no costs on any local agency or school district that are required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.
4. Will not result in any nondiscretionary costs or savings to local agencies.
5. Will not result in any costs or savings in federal funding to the state.
6. Will not have any potential cost impact on private persons, businesses or small businesses.

All inquiries concerning this proposed amendment and any communication required by this notice should be directed to: Jennifer Gaston, Executive Assistant to the Superintendent
(707) 374-1711
jgaston@rdusd.org

CONFLICT OF INTEREST CODE FOR THE
RIVER DELTA JOINT UNIFIED SCHOOL DISTRICT

The Political Reform Act (Government 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 CCR 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, the standard code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 CCR 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 River Delta Joint Unified 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. (Government Code 81008.) All statements will be retained by the District.

CONFLICT OF INTEREST CODE FOR THE
RIVER DELTA JOINT UNIFIED SCHOOL DISTRICT

APPENDIX A
Designated Positions

<u>Position</u>	<u>Disclosure Category</u>
Superintendent	1
Athletic Director	2
Chief Assistant Superintendent of Educational Services Officer	
2	
Coordinator, After School Program	2
Coordinator, First 5 Readiness Program	2
Coordinators, Secondary Education (VP)	2
Director, Accounting Dept.	2
Director, Personnel Dept.	2
Director, Special Education	2
Director, Maintenance, Operations & Transportation Dept.	2
Supervisor, Maintenance, Operations	2
Supervisor, Transportation	2
District Nurses	2
Executive Assistant to the Superintendent	2
School Principals	2
Consultants/New Positions	*

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

The Superintendent may determine in writing that a particular consultant or new position, although a "designated position", is hired to perform a range of duties that are limited in scope and thus is not required to comply fully with the disclosure requirements described in this Section. Such written determination shall include a description of the consultant's or new position's duties and, based on that description, a statement of the extent of disclosure requirements. 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. (Government Code 81008)

Public Officials Who Manage Public Investments:

The following positions are not covered by the conflict of interest code because they must file a statement of economic interests pursuant to Government Code Section 87200 and, therefore, are listed for informational purposes only:

- Members of the Board of Trustees
- ~~Chief Assistant Superintendent of~~ Business Officer

An individual 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 their position has been categorized incorrectly. The Fair Political Practices Commission makes the final

CONFLICT OF INTEREST CODE FOR THE
RIVER DELTA JOINT UNIFIED SCHOOL DISTRICT

determination whether a position is covered by Government Code Section 87200.

APPENDIX B

Disclosure Categories

Category 1

Designated persons in this category must report:

- a. Interests in real property which are 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 include any leasehold, beneficial or ownership interest or option to acquire such interest in real property.
- b. Investments or business positions in or income, including receipt of gifts, loans, and travel payments, from sources which:
 - (1) Are engaged in the acquisition or disposal of real property within the district.
 - (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) Manufacture or sell supplies, books, machinery or equipment of the type used by the district.

Category 2

Designated persons in this category must report investments or business positions or income, including receipt of gifts, loans, and travel payments, 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.