

**RESOLUTION ADOPTING A
CONFLICT OF INTEREST CODE**

WHEREAS, the Political Reform Act, Government Code 87300-87313, require each public agency in California, including each school district, to adopt a conflict of interest code;

WHEREAS, a district is permitted to create its conflict of interest code by incorporating by reference the terms of 2 CCR 18730, along with a list of District Officials to whom the code applies and disclosure categories, in accordance with Government Code 87300 and 87306;

WHEREAS, the Governing Board of the Pasadena Unified School District ("District") has previously adopted a local conflict of interest code in this manner; and

WHEREAS, the District has recently reviewed its list of District Officials, and the duties of each, and has determined that changes to the current conflict of interest code are necessary.

NOW THEREFORE BE IT RESOLVED, the Governing Board of the District adopts the following Conflict of Interest Code, including the accompanying Appendix of District Officials and Disclosure Categories, and

BE IT FURTHER RESOLVED, any earlier resolutions, bylaws, and/or appendices containing the District's conflict of interest code are hereby rescinded and superseded by this Resolution and Appendix.

**Conflict of Interest Code ("Code") of the Pasadena Unified
School District ("District")**

The Political Reform Act (PRA) (Government Code 81000-87505) requires the District to adopt a conflict of interest code. 2 CCR 18730 contains the terms of a conflict of interest code, which may be amended by the Fair Political Practices Commission (FPPC) to conform to amendments in the PRA. Therefore, the terms of 2 CCR 18730 and any amendments to it duly adopted by the FPPC are hereby incorporated by reference. This Code and the attached Appendix, designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the district.

District Officials, defined as those positions listed herein, shall file a Form 700

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(also known as a Statement of Economic Interest) in accordance with the disclosure categories listed in the attached Appendix. The Form 700 shall be filed with the district's filing officer and/or, if so required, with the district's code reviewing body. The district's filing officer shall make the statements available for public review and inspection.

APPENDIX

Disclosure Categories

Category 1: A District Official designated "Category 1" shall disclose the following:

- 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
- b. Investments or business positions in or income from sources which are engaged in the acquisition or disposal of real property within the district, 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 manufacture or sell supplies, books, machinery, or equipment of the type used by the district

Category 2: A District Official designated "Category 2" shall disclose the following:

- a. Investments or business positions in or income from sources which are contractors or subcontractors engaged in work or services of the type used by the department which the designated person manages or directs
- b. Investments or business positions in or income from sources which manufacture or sell supplies, books, machinery, or equipment of the type used by the department which the designated person manages or directs

For a principal in this category, the principal's department is the principal's entire school.

Designated Positions

District Officials	Disclosure Category
Governing Board Members	1

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Superintendent	1
Assistant/Associate Superintendent	1
Purchasing Agent	1
Director	2
Principal	2
Chief (CAO, CBO, CHR)	1
Sr. Director	2
Citizen Oversight Committee Member	2

Disclosures for Consultants

The Superintendent or designee shall annually determine, on a case-by-case basis, which district consultants, if any, shall constitute District Officials and who shall disclose financial interests. 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, makes a governmental decision whether to: (2 CCR 18700.3)

1. Approve a rate, rule, or regulation
2. Adopt or enforce a law
3. Issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order, or similar authorization or entitlement
4. Authorize the district to enter into, modify, or renew a contract that requires district approval
5. Grant district approval to a contract that requires district approval and in which the district is a party, or to the specifications for such a contract
6. Grant district approval to a plan, design, report, study, or similar item
7. Adopt or grant district approval of district policies, standards, or guidelines

A consultant is also an individual who, pursuant to a contract with the district, serves in a staff capacity with the district and in that capacity participates in

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making a governmental decision as defined in 2 CCR 18704 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 18700.3)

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State

2 CCR 18110-18997
2 CCR 18438.1-18438.8
2 CCR 18700-18760
2 CCR 18722-18740
2 CCR 18753-18756
2 CCR 18940.2
Ed. Code 1006

Ed. Code 35107
Ed. Code 35230-35240
Ed. Code 35233
Ed. Code 41000-41003
Ed. Code 41015
Fam. Code 297.5

Gov. Code 1090-1099
Gov. Code 1125-1129
Gov. Code 53234-53235.2
Gov. Code 81000-91014
Gov. Code 82011
Gov. Code 82019
Gov. Code 82028
Gov. Code 82030
Gov. Code 82033
Gov. Code 82034
Gov. Code 84308
Gov. Code 87100-87505
Gov. Code 89501-89503
Gov. Code 89506
Gov. Code 91000-91014
Pen. Code 85-88
Pub. Cont. Code 6102
Rev. & Tax Code 203

Management Resources

Attorney General Opinion
Attorney General Opinion
Attorney General Opinion
Attorney General Opinion
Attorney General Opinion

Description

Regulations of the Fair Political Practices Commission
[Campaign contribution-based conflicts of interest](#)
[Conflicts of Interest](#)
[Disclosure of interests](#)
[Conflict of interest codes](#)
[Gift limit amount](#)
[Prohibition against school district employees serving on county board of education](#)
[School district employees](#)
[Corrupt practices](#)
[Prohibitions applicable to members of governing boards](#)
[Moneys received by school districts](#)
[Investments](#)
[Rights, protections, and benefits of registered domestic partners](#)
[Prohibitions applicable to specified officers](#)
[Incompatible activities](#)
[Ethics training](#)
[Political Reform Act](#)
[Code reviewing body](#)
[Definition; designated employee](#)
[Definition; gift](#)
[Definition; income](#)
[Definition; interest in real property](#)
[Definition; investment](#)
[Campaign Disclosure](#)
Political Reform Act; conflict of interest
[Honoraria and gifts](#)
[Ethics; travel](#)
[Enforcement](#)
[Bribes](#)
[Bribery of public official; voidable contract](#)
[Taxable and exempt property - colleges](#)

Description

105 Ops.Cal.Atty.Gen.69 (2022)
63 Ops.Cal.Atty.Gen. 868 (1980)
65 Ops.Cal.Atty.Gen. 606 (1982)
68 Ops.Cal.Atty.Gen. 171 (1985)
69 Ops.Cal.Atty.Gen. 255 (1986)

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Attorney General Opinion	80 Ops.Cal.Atty.Gen. 320 (1997)
Attorney General Opinion	81 Ops.Cal.Atty.Gen. 327 (1998)
Attorney General Opinion	82 Ops.Cal.Atty.Gen. 83 (1999)
Attorney General Opinion	85 Ops.Cal.Atty.Gen. 60 (2002)
Attorney General Opinion	86 Ops.Cal.Atty.Gen. 138(2003)
Attorney General Opinion	89 Ops.Cal.Atty.Gen. 217 (2006)
Attorney General Opinion	92 Ops.Cal.Atty.Gen. 19 (2009)
Attorney General Opinion	92 Ops.Cal.Atty.Gen. 26 (2009)
Court Decision	Davis v. Fresno Unified School District (2015) 237 Cal.App.4th 261
Court Decision	Klistoff v. Superior Court (2007) 157 Cal.App.4th 469
Court Decision	Kunec v. Brea Redevelopment Agency (1997) 55 Cal.App.4th 511
Court Decision	McGee v. Balfour Beatty Construction, LLC, et al. (2016) 247 Cal. App. 4th 235
Court Decision	Thorpe v. Long Beach Community College District (2000) 83 Cal.App.4th 655
CSBA Publication	Conflict of Interest: Overview of Key Issues for Governing Board Members, Fact Sheet, July 2010
Fair Political Practices Commission Publication	Advice Letter: A-96-314 (December 18, 1996)
Fair Political Practices Commission Publication	Can I Vote? A Basic Overview of Public Officials' Obligations Under the Conflict-of-Interest Rules, 2005
Institute For Local Government Publication	Understanding the Basics of Public Service Ethics: Personal Financial Gain Laws, 2009
Institute for Local Government Publication	Understanding the Basics of Public Service Ethics: Transparency Laws, 2009
Website	CSBA District and County Office of Education Legal Services
Website	Institute for Local Government
Website	Fair Political Practices Commission
Website	CSBA

Cross References

Policy	Description
1340	Access To District Records
1340	Access To District Records
1700	Relations Between Private Industry And The Schools
3230	Federal Grant Funds
3230	Federal Grant Funds
3300	Expenditures And Purchases
3311	Bids
3311	Bids
3400	Management Of District Assets/ Accounts
3400	Management Of District Assets/ Accounts
3430	Investing
3430	Investing
3470	Debt Issuance And Management
3600	Consultants

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4112.8	<u>Employment Of Relatives</u>
4117.2	<u>Resignation</u>
4136	<u>Nonschool Employment</u>
4212.8	<u>Employment Of Relatives</u>
4217.2	<u>Resignation</u>
4236	<u>Nonschool Employment</u>
4312.8	<u>Employment Of Relatives</u>
4317.2	<u>Resignation</u>
4336	<u>Nonschool Employment</u>
6161.1	<u>Selection And Evaluation Of Instructional Materials</u>
6161.1	<u>Selection And Evaluation Of Instructional Materials</u>
6161.1-E(1)	<u>Selection And Evaluation Of Instructional Materials</u>
7140	<u>Architectural And Engineering Services</u>
7140	<u>Architectural And Engineering Services</u>
7214	<u>General Obligation Bonds</u>
7214	<u>General Obligation Bonds</u>
9000	<u>Role Of The Board</u>
9005	<u>Governance Standards</u>
9140	<u>Board Representatives</u>
9200	<u>Limits Of Board Member Authority</u>
9220	<u>Governing Board Elections</u>
9220-E(1)	<u>Governing Board Elections</u>
9222	<u>Resignation</u>
9230	<u>Orientation</u>
9240	<u>Board Training</u>
9320	<u>Meetings And Notices</u>
9321	<u>Closed Session</u>
9321-E(1)	<u>Closed Session</u>
9321-E(2)	<u>Closed Session</u>
9323	<u>Meeting Conduct</u>

Adopted: 2010

Revised: 05/22/2025