

TITLE: Conflict of Interest

Approved by: <u>Tracy Bishop</u> <i>Yuba County Board of Education, Board President</i>	Series: Board Bylaws Version: New Effective Date: 09/09/2026 Previous Policy Date: 08/12/2000 Revised By: Committee Policy Number: E 9270
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RESOLUTION ADOPTING A
CONFLICT OF INTEREST CODE

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

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

WHEREAS, the County Board of Education of Yuba County ("County Board") has previously adopted a local conflict of interest code in this manner; and

WHEREAS, the County Board recently reviewed its conflict of interest code and has determined that changes to the current conflict of interest code are necessary.

NOW THEREFORE BE IT RESOLVED, the County Board adopts the following Conflict of Interest Code, including the accompanying Appendix, and

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any earlier resolutions, bylaws, and/or appendices containing the County Board's conflict of interest code are hereby rescinded and superseded by this Resolution and Appendix.

Conflict of Interest Code ("Code") of the County Board of Education of Yuba County ("County Board")

The Political Reform Act (PRA) (Government Code 81000-87505) requires the County Board 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 County Board.

County Board members shall file a Form 700 (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 County Board's filing officer and/or, if so required, with the County Board's code reviewing body. The statements shall be made available for public review and inspection.

APPENDIX

Disclosure Categories

Category 1: A County Board designated "Category 1" shall disclose the following:

- a. Interests in real property located entirely or partly within county boundaries, or within two miles of county boundaries, or of any land owned or used by the COE
- b. Investments or business positions in or income from sources which are engaged in the acquisition or disposal of real property within the county, 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 COE, or manufacture or sell supplies, books, machinery, or equipment of the type used by the COE

Category 2 (Applicable to County Board members that "manage public investments," as defined by Government Code 87200): A County Board member designated "Category 2" shall disclose, in accordance with Government Code 87200-87210, the following:

- a. Interests in real property located entirely or partly within county boundaries, or within two miles of county boundaries, or of any land owned or used by the COE
- b. Investments, business positions, and sources of income, including gifts, loans, and travel payments

Designated Positions Disclosure Category

<i>Designated Positions</i>	<i>Disclosure Category</i>
Governing Board Members	1
Superintendent of Schools	1
Deputy Superintendent	1
Assistant Superintendent	1
Chief Business Official	1
Executive Director	1
<i>Designated Positions</i>	<i>Disclosure Category</i>
Directors	2
Principals	2
Vice Principals	2
Program Coordinators	2
Program Administrators	2
Behavior Analyst	2
Behavior Specialist	2

Psychologist	2
Specialist	2
Executive Assistant	2
Administrative Assistant	2

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 Description

2 CCR 18110-18997 Regulations of the Fair Political Practices Commission

2 CCR 18438.1-18438.8 Campaign contribution-based conflicts of interest

2 CCR 18700-18760 Conflicts of Interest

2 CCR 18722-18740 Disclosure of interests

2 CCR 18753-18756 Conflict of interest codes

2 CCR 18940.2 Gift limit amount

Ed. Code 1006 Prohibition against school district employees serving on county board of education

Ed. Code 35107 School district employees

Ed. Code 35230-35240 Corrupt practices

Ed. Code 35233 Prohibitions applicable to members of governing boards

Ed. Code 41000-41003 Moneys received by school districts

Ed. Code 41015 Investments

Fam. Code 297.5 Rights, protections, and benefits of registered domestic partners

Gov. Code 1090-1099 Prohibitions applicable to specified officers

Gov. Code 1125-1129 Incompatible activities

Gov. Code 53234-53235.2 Ethics training

Gov. Code 81000-91014 Political Reform Act

Gov. Code 82011 Code reviewing body

Gov. Code 82019 Definition; designated employee

Gov. Code 82028 Definition; gift

Gov. Code 82030 Definition; income

Gov. Code 82033 Definition; interest in real property

Gov. Code 82034 Definition; investment

Gov. Code 84308 Campaign Disclosure

Gov. Code 87100-87505 Political Reform Act; conflict of interest

Gov. Code 89501-89503 Honoraria and gifts

Gov. Code 89506 Ethics; travel

Gov. Code 91000-91014 Enforcement

Pen. Code 85-88 Bribes

Pub. Cont. Code 6102 Bribery of public official; voidable contract

Rev. & Tax Code 203 Taxable and exempt property; colleges

Management Resources Description

Attorney General Opinion 105 Ops.Cal.Atty.Gen.69 (2022)

Attorney General Opinion 92 Ops.Cal.Atty.Gen. 26 (2009)

Attorney General Opinion 92 Ops.Cal.Atty.Gen. 19 (2009)

Attorney General Opinion 89 Ops.Cal.Atty.Gen. 217 (2006)

Attorney General Opinion 86 Ops.Cal.Atty.Gen. 138(2003)

Attorney General Opinion 85 Ops.Cal.Atty.Gen. 60 (2002)

Attorney General Opinion 82 Ops.Cal.Atty.Gen. 83 (1999)

Attorney General Opinion 81 Ops.Cal.Atty.Gen. 327 (1998)

Attorney General Opinion 80 Ops.Cal.Atty.Gen. 320 (1997)

Attorney General Opinion 69 Ops.Cal.Atty.Gen. 255 (1986)

Attorney General Opinion 68 Ops.Cal.Atty.Gen. 171 (1985)

Attorney General Opinion 65 Ops.Cal.Atty.Gen. 606 (1982)

Attorney General Opinion 63 Ops.Cal.Atty.Gen. 868 (1980)

Court Decision Thorpe v. Long Beach Community College District (2000) 83 Cal.App.4th 655

Court Decision McGee v. Balfour Beatty Construction, LLC, et al. (2016) 247 Cal.App.4th 235

Court Decision Kunec v. Brea Redevelopment Agency (1997) 55 Cal.App.4th 511

Court Decision Klistoff v. Superior Court (2007) 157 Cal.App.4th 469

Court Decision Davis v. Fresno Unified School District (2015) 237 Cal.App.4th 261

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
 Code Description
 1340 Access To County Office Records
 1340 Access To County Office Records
 1700 Relations Between Private Industry And The Schools
 3230 Federal Grant Funds
 3230-E(1) Federal Grant Funds
 3290 Gifts, Grants And Bequests
 3300 Expenditures And Purchases
 3311 Bids
 3311 Bids
 3400 Management Of County Office Assets/Accounts
 3400 Management Of County Office Assets/Accounts
 3430 Investing
 3430 Investing
 3470 Debt Issuance And Management
 3512 Equipment
 3512-E(1) Equipment
 3600 Consultants
 4112.8 Employment Of Relatives
 4136 Nonschool Employment
 4212.8 Employment Of Relatives
 4236 Nonschool Employment
 4312.8 Employment Of Relatives
 4336 Nonschool Employment
 6161.1 Selection And Evaluation Of Instructional Materials
 6161.1 Selection And Evaluation Of Instructional Materials
 6161.1-E(1) Selection And Evaluation Of Instructional Materials
 7140 Architectural And Engineering Services
 7140 Architectural And Engineering Services
 7214 General Obligation Bonds
 7214 General Obligation Bonds
 9000 Role Of The Board
 9000-E(1) Role Of The Board
 9005 Governance Standards
 9140 Board Representatives
 9200 Limits Of Board Member Authority
 9220 Governing Board Elections
 9220-E(1) Governing Board Elections
 9222 Resignation
 9230 Orientation
 9240 Board Training
 9320 Meetings And Notices
 9321 Closed Session
 9321-E(1) Closed Session
 9321-E(2) Closed Session
 9323 Meeting Conduct