

2018 Local Agency Biennial Notice

OCT 04 2018

Clerk of the Board

Name of Agency: Ojai Unified School DistrictMailing Address: PO Box 878 Ojai, CA 93024Contact Person: Kathy Smith Phone No. 805-640-4300Email: ksmith@ojaiusd.org Alternate Email: acantwell@ojaiusd.org

Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.

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:

(Check all that apply.)

- ☐ Include new positions
- ☐ Revise disclosure categories
- ☐ Revise the titles of existing positions
- ☐ Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions
- ☒ Other (describe) In May 2018, Form 804 was submitted to add new positions, attached.

☐ The code is currently under review by the code reviewing body.

☐ No amendment is required. (If your code is over five years old, amendments may be necessary.)

Verification (to be completed if no amendment is required)

This agency's code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure assigned to those positions accurately requires that all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions are reported. The code includes all other provisions required by Government Code Section 87302.


Signature of Chief Executive Officer

September 6, 2018

Date

All agencies must complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 1, 2018**, or by the date specified by your agency, if earlier, to:

**Board of Supervisors
800 S. Victoria Avenue
Ventura, CA 93009-1920**

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.

OCT 04 2018

Clerk of the Board

OJAI UNIFIED SCHOOL DISTRICT

BOARD AGENDA ITEM SUMMARY

MEETING DATE: August 14, 2018

FOR: Action

TITLE: Resolution #18-19-01: Biennial Review of the Conflict of Interest Code of the Ojai Unified School District (OUSD)

EXHIBIT: Resolution #18-19-01: Ojai Unified School Adopting A Conflict of Interest Code District

EXPLANATION:

The Board is asked to conduct the biennial review of the District's Conflict of Interest Code and to adopt Resolution #18-19-01: The OUSD Conflict of Interest Code, including its appendix of designated employees and disclosure categories.

RECOMMENDATION:

Adopt Resolution: #18-19-01.

Motion

Jane Weil

Second By

Michael Shandman

Vote Y

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N

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OCT 04 2018

Item 7.5.2 (2/5)
August 14, 2018

Clerk of the Board
OJAI UNIFIED SCHOOL DISTRICT
RESOLUTION # 18-19-01 ADOPTING A
CONFLICT OF INTEREST CODE

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

WHEREAS, the Governing Board of the Ojai Unified School District has previously adopted a local conflict of interest code; and

WHEREAS, past and future amendments to the Political Reform Act and implementing regulations may require conforming amendments to be made to the District's conflict of interest code; and

WHEREAS, a regulation adopted by the Fair Political Practices Commission, 2 CCR 18730, provides that incorporation by reference of the terms of that regulation, along with an agency-specific appendix designating positions and disclosure categories shall constitute the adoption and amendment of a conflict of interest code in conformance with Government Code 87300 and 87306; and

WHEREAS, the Ojai Unified School District has recently reviewed its positions, and the duties of each position, and has determined that no changes to the current conflict of interest code are necessary; and

WHEREAS, any earlier resolutions, bylaws, and/or appendices containing the District's conflict of interest code shall be rescinded and superseded by this resolution and Appendix; and

NOW THEREFORE BE IT RESOLVED that the Ojai Unified School District Governing Board adopts the following Conflict of Interest Code including its Appendix of Designated Employees and Disclosure Categories.

PASSED AND ADOPTED THIS 14th day of August, 2018 at a regular meeting, by the following vote:

AYES: 5 NOES: 0 ABSENT: 0

Attest:



President, Kevin Ruf

CONFLICT OF INTEREST (continued)

**Conflict of Interest Code of the
Ojai Unified School District**

The provisions of 2 CCR 18730 and any amendments to it adopted by the Fair Political Practices Commission, together with the Appendix below specifying designated positions and disclosure categories, are incorporated by reference and shall constitute the District's conflict of interest code.

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

APPENDIX

Disclosure Categories

1. Category 1: Broadest Disclosure(Form 700 Schedules A-1, A-2, B, C, D, E)
A person designated Category 1 shall disclose:
 - a. All 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. All Investments or business positions in or business entities; and
 - c. All sources of income, gifts, loans and travel payments.
2. Category 2: Real Property(Form 700 Schedule B)
A person designated Category 2 shall disclose:
 - a. All interests in real property, including interests in real property held by business entities and trusts in which the public official holds a business position or has an investment or other financial interest.
3. Category 3: Land Development, Construction and Transactions
(Form 700 Schedules A-1, A-2, C, D and E)
A person designated Category 3 shall disclose:
 - a. All investments, business positions and sources of income, gifts, loans and travel payments, from sources which engage in land development, construction, or real property acquisition or sale.
 - b.

CONFLICT OF INTEREST (continued)

4. Category 4: Procurement (Form 700 Schedules A-1, A-2, C,D, and E)

A person designated Category 4 shall disclose:

- a. All investments, business positions and sources of income, gifts, loans and travel payments which provide services, supplies, materials, machinery or equipment which the designated position procures or assists in procuring on behalf of the agency or department.

5. Category 5: Regulations and Permitting (Form 700 Schedules A-1, A-2, C,D, and E) A person designated Category 5 shall disclose:

- a. All investments, business positions, and sources of income, gifts, loans, and travel payments, from sources which are subject to the regulatory, permitting or licensing authority of, or have an application or license pending before, the designated position's agency or department.

Designated Positions

<u>Designated Position</u>	<u>Disclosure Category</u>	<u>Filing Officer</u>
Governing Board Members	1	Clerk of the Board
Superintendent of Schools	1	Clerk of the Board
Assistant Superintendent	1	Clerk of the Board
Purchasing Agent	1	Superintendent's Office
Bond Manager	1	Superintendent's Office
Director	2	Superintendent's Office
Principal	2	Superintendent's Office
Assistant Principal	2	Superintendent's Office
Dean of Students	2	Superintendent's Office
Director of Valley Oak Charter	5	Superintendent's Office

Disclosures for Consultants

Consultants are 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.

CONFLICT OF INTEREST (continued)

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 making a governmental decision as defined in 2 CCR 18704, subsections (a) and (b), 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)