Cecilia A. Massetti, Ed.D.
Superintendent of Schools

Agenda Item 8.4

Board of Education Action Item
April 13, 2021

Topic:
Consideration Revision of MCOEP 2305 and MCOEP AR 2305 Conflict of Interest Code.

Background:
A recent review of MCOEP 2305 Conflict of Interest Code and the administrative regulations of this policy was provided by Madera County counsel. The Board of Supervisors legal counsel advised MCSOS to make changes to the policy revised on August 11, 2020. The suggested changes are marked in red. The title of Administrator, Special Education Local Plan Area was eliminated and the title Director, Special Education Local Plan Area was added.

Financial Impact:
None

Resource:
Cecilia A. Massetti, Ed.D.
Madera County Superintendent of Schools

Recommendation:
It is recommended the Board approve the revisions to MCOEP 2305 and MCOEP AR 2305 Conflict of Interest Code.

2000 ADMINISTRATIVE

2300 GENERAL ADMINISTRATIVE COMPLIANCE

Conflict of Interest Code MCOEP 2305

The Political Reform Act (Government Code Section 81000 at seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes.

The Fair Political Practices Commission ("FPPC") has adopted a regulation (2 Cal. Code of Regs. § 18730) which contains the terms of a standard conflict of interest code which may be incorporated by reference in an agency's code, and which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act, following public notice and hearings.

Therefore, the terms of 2 Cal. Code of Regs. 18730 and any amendments to it duly adopted by the FPPC are hereby incorporated by reference. This regulation and the attached Appendices designating officials and employees and establishing disclosure categories shall constitute the conflict of interest code for the Madera County Superintendent of Schools Office of Education.

~~Designated employees of the Office of Education~~ Individuals holding designated positions, including Board members, shall adhere to the financial disclosure requirements of the Madera County Superintendent of Schools Office of Education conflict of interest code adopted pursuant to the provisions of Government Code 87300.

~~Designated employees~~ Individuals holding designated positions, including board members, shall file their statements of economic interests with the Madera County Superintendent of Schools. The Superintendent or designee shall make and retain copies of all statements and make them available for public inspection and reproduction, pursuant to Government Code Section 81008. The originals shall be forwarded to the code reviewing body. For governing board members and for County Superintendent, the Madera County Board of Supervisors Chief Clerk of the Board is the filing officer.

Filing officer for designated employees of the Madera County Superintendent of Schools Office of Education is the Senior Executive Assistant/Public Information Officer, Madera County Superintendent of Schools. The code reviewing body is the Madera County Board of Supervisors.

LEGAL REFERENCE
CA Code of Regulations Title 2, 18726.3 - 18730

Adopted: April, 1992
Revised: May 9, 2000
Revised: October 10, 2000

Revised: May 14, 2002
Revised: January 22, 2003
Revised: August 10, 2004
Revised: April 12, 2005
Revised: January 10, 2006
Revised: August 8, 2006
Revised: August 12, 2008
Revised: September 14, 2010
Revised: August 12, 2012
Revised: August 12, 2014
Revised: January 10, 2017
Revised: August 11, 2020
Revised: April 13, 2021

The designated employees of the Madera County Superintendent of Schools (MCSOS) and the Madera County Board of Education members shall adhere to the financial disclosure requirements of the MCSOS Office of Education Conflict of Interest Code adopted pursuant to Government Code 87300. The following disclosure categories are to guide individuals in the determination of conflict.

Disclosure Categories

An investment, business position, interest in real property, or source of income is reportable if the business entity in which the investment or business position is held, the interest in real property, or the income or source of income may foreseeable be affected materially by any decision made or participated in by the designated employee by virtue of the employee's position.

Disclosure Category No. 1

- Designated employees in Category No. 1 must report all investments, business positions in, and income from sources located in or doing business in the jurisdiction. Interests in real property located in the jurisdiction, including property located within a two mile radius of the jurisdiction or of any property owned or used by the agency.

Disclosure Category No. 2

- Designated employees in Category No. 2 must report all investments, business positions in, and income from sources which provide services, supplies, materials, machinery or equipment of the type utilized by the agency.

  Example: Purchasing Agent

Disclosure Category 3

- Designated employees in Category No. 3 must report all investments, business positions in, and income from sources which provide services, supplies, materials, machinery or equipment of the type utilized by the specified area of responsibility.

  Example: Transportation Official

The designated positions are listed by category reflecting levels of required disclosure.

Designated Positions	**Disclosure Category**
Members, Board of Education	1
County Committee on School District Organization	1
County Superintendent of Schools	1
Assistant Superintendent	1
Associate Superintendent	1
Executive Director, Career Technical and Alternative Education Services	1
Executive Director, Student Programs and Services	1
Chief, Business & Administrative Services Officer	1
Chief, Information Systems and Technology Services Officer	1
Administrator, Human Resources	2
Director~~Administrator~~, Special Education Local Plan Area	2
Senior Director, Business Services	2
Assistant Director, Information Systems and Technology Services	2
Coordinator, Human Resources and Credentials	2
Coordinator, Local Education Consortium	2
Coordinator, Maintenance and Operations	2
Director, Credential and Certification Programs	2
Director, Local Control Accountability Plan (LCAP) and Strategic Planning	2
Fiscal Manager	2
Manager, Facilities, Maintenance and Operations	2
Principal	2
Program Director	2
Business Systems Project Manager	3
Coordinator, Early Learning Support Services	3
Coordinator, Mental Health Program	3
Coordinator, Student Events	3
Director Curriculum & Instruction	3
Manager	3
Program Specialist, SELPA	3
School Counselor, Career and Alternative Education Services	3
Specialist, Information Technology Services	3
Specialist, Network Services	3
Those Consultants determined to be in a "decision making" capacity by the County Superintendent of Schools	As determined by the County Superintendent of Schools

Adopted: September 14, 2010
Revised: August 14, 2012
Revised: August 12, 2014

Revised: January 10, 2017
Revised: August 14, 2018
Revised: August 11, 2020
Revised: April 13, 2021