

SAN LORENZO UNIFIED SCHOOL DISTRICT BOARD POLICY

Board Bylaws

BB 9270 (a)

CONFLICT OF INTEREST

Governing Board members shall not engage in any employment or activity which is inconsistent with, incompatible with, in conflict with or inimical to the Board member's duties as an officer of the district. (Government Code [1126](#))

Conflict of Interest Code

The district's conflict of interest code (see Exhibit B) shall be comprised of the terms of 2CCR 18730 and any amendments to it adopted by the Fair Political Practices Commission, together with a district attachment specifying designated positions and the specific types of disclosure statements required for each position.

Upon direction by the code reviewing body, the Board shall review the district's conflict of interest code in even-numbered years. If no change in the code is required, the district shall submit by October 1 a written statement to that effect to the code reviewing body. If a change in the code is necessitated by changed circumstances, the district shall submit an amended code to the code reviewing body. (Government Code [87306.5](#))

When a change in the district's conflict of interest code is necessitated by changed circumstances, such as the creation of new designated positions, amendments or revisions, the changed code shall be submitted to the code reviewing body within 90 days. (Government Code [87306](#))

When reviewing and preparing conflict of interest codes, the district shall provide officers, employees, consultants and members of the community adequate notice and a fair opportunity to present their views. (Government Code [87311](#))

If a Board member or designated employee determines that he/she has a financial interest in a decision, as described in Government Code [87103](#), this determination shall be disclosed. The member shall be disqualified from voting unless his/her participation is legally required. (2 CCR [18700](#))

Statements of economic interests submitted to the district by designated employees in accordance with the conflict of interest code shall be available for public inspection and reproduction. (Government Code [81008](#))

Financial Interest

The determination of whether a financial interest exists involves a review of statutes, court decisions and attorney general opinions as they apply to the particular facts at issue. The analysis can be complex and legal counsel should be consulted as appropriate.

Board members and designated employees shall not be financially interested in any contract made by the Board or in any contract they make in their capacity as Board members or designated employees. (Government Code [1090](#))

A Board member shall not be considered to be financially interested in a contract if his/her interest includes, but is not limited to, any of the following: (Government Code [1091.5](#))

1. That of an officer who is being reimbursed for his/her actual and necessary expenses incurred in the performance of an official duty
2. That of a recipient of public services generally provided by the public body or board of which he/she is a member, on the same terms and conditions as if he or she were not a member of the board
3. That of a landlord or tenant of the contracting party if such contracting party is the federal government or any federal department or agency, this state or an adjoining state, any department or agency of this state or an adjoining state, any county or city of this state or an adjoining state, or any public corporation or special, judicial or other public district of this state or an adjoining state unless the subject matter of such contract is the property in which such officer or employee has such interest as landlord or tenant in which even his/her interest shall be deemed a remote interest within the meaning of, and subject to, the provisions of Government Code [1091](#)
4. That of a spouse of an officer or employee of the district if his/her spouse's employment or office holding has existed for at least one year prior to his/her election or appointment
5. That of a nonsalaried member of a nonprofit corporation, provided that such interest is disclosed to the Board at the time of the first consideration of the contract, and provided further that such interest is noted in its official records
6. That of a noncompensated officer of a nonprofit, tax-exempt corporation which, as one of its primary purposes, supports the functions of the nonprofit board or to which the school Board has a legal obligation to give particular consideration, and provided further that such interest is noted in its official records
7. That of a person receiving salary, per diem, or reimbursement for expenses from a governmental entity, unless the contract directly involves the department of the government entity that employs the officer or employee, provided that such interest is disclosed to the Board at the time of consideration of the contract, and provided further that such interest is noted in its official records
8. That of an attorney of the contracting party or that of an owner, officer, employee or agent of a firm which renders, or has rendered, service to the contracting party in the capacity of stockbroker, insurance agent, insurance broker, real estate agent, or real estate broker, if these individuals have not received and will not receive remuneration, consideration, or a commission as a result of the contract and if these individuals have an ownership interest of less than 10 percent in the law practice or firm, stock brokerage firm, insurance firm or real estate firm

In addition, a Board member or employee shall not be deemed to be interested in a contract made pursuant to competitive bidding under a procedure established by law if his/her sole interest is that of an officer, director, or employee of a bank or savings and loan association with which a party to the contract has the relationship of borrower or depositor, debtor or creditor. (Government Code [1091.5](#))

A Board member shall not be deemed to be financially interested in a contract if he/she has only a remote interest in the contract and if the remote interest is disclosed during a Board meeting and noted in the official Board minutes. The affected Board member shall not vote or debate on the matter or attempt to influence any other Board member to enter into the contract. Remote interests are specified in Government Code [1091\(b\)](#); they include, but are not limited to, the interest of a parent in the earnings of his/her minor child. (Government Code [1091](#))

It is recommended that the district consult legal counsel when situations arise involving financial interests in contracts or the rule of necessity.

A Board member may enter into a contract if the rule of necessity or legally required participation applies as defined in Government Code [87101](#).

Even if there is no prohibited or remote interest, a Board member shall abstain from voting on personnel matters that uniquely affect a relative of the Board member. A Board member may vote, however, on collective bargaining agreements and personnel matters that affect a class of employees to which the relative belongs. "Relative" means an adult who is related to the person by blood or affinity within the third degree, as determined by the common law, or an individual in an adoptive relationship within the third degree. (Education Code [35107](#))

A relationship within the third degree includes the individual's parents, grandparents and great-grandparents, children, grandchildren and great-grandchildren, brothers, sisters, aunts and uncles, nieces and nephews, and the similar family of the individual's spouse unless the individual is widowed or divorced.

Disqualification for Board Members Who Manage Public Investments

AB 1797 (Ch. 233, Statutes of 2003) added Government Code [87105](#) to require an "official who manages public investments" and has a financial interest in a decision to take the following actions. 2 CCR [18702.5](#), as added by Register 2003, No. 24, further clarifies the conditions upon which the Board member must recuse himself/herself, as well as the content and timing of the identification of the conflict.

A Board member who manages public investments pursuant to Government Code [87200](#) and who has a financial interest in a decision shall, upon identifying a conflict or potential conflict of interest and immediately prior to the consideration of the matter, do all of the following:

1. Publicly identify the financial interest that gives rise to the conflict or potential conflict of interest in detail sufficient to be understood by the public, except that disclosure of the exact street address of a residence is not required. (Government Code [87105](#))

2. Recuse himself/herself from discussing and voting on the matter, or otherwise acting in violation of Government Code [87100](#). This Board member shall not be counted toward achieving a quorum while the item is discussed. (Government Code [87105](#); 2 CCR [18702.5](#))
3. Leave the room until after the discussion, vote and any other disposition of the matter is concluded, unless the matter has been placed on the portion of the agenda reserved for uncontested matters. (Government Code [87105](#))

If the item is on the consent calendar, the Board member must recuse himself/herself from discussing or voting on that matter, but the Board member is not required to leave the room during the consent calendar. (2 CCR [18702.5](#))

The Board member may speak on the issue during the time that the general public speaks on the issue. The Board member shall recuse himself/herself from voting on the matter and leave the dais to speak from the same area as members of the public. He/she may listen to the public discussion of the matter with members of the public. (Government Code [87105](#); 2 CCR [18702.5](#)) If the Board's decision is made during closed session, the public identification may be made orally during the open session before the Board goes into closed session and shall be limited to a declaration that his/her recusal is because of a conflict of interest pursuant to Government Code [87100](#). The Board member shall not be present when the decision is considered in closed session or knowingly obtain or review a recording or any other non-public information regarding the Board's decision. (2 CCR [18702.5](#))

Gifts

Board members and designated employees may accept gifts only under the conditions and limitations specified in Government Code [89503](#) and 2 CCR [18730](#).

The limitations on gifts do not apply to wedding gifts and gifts exchanged between individuals on birthdays, holidays and other similar occasions, provided that the gifts exchanged are not substantially disproportionate in value. (Government Code [89503](#))

Gifts of travel and related lodging and subsistence shall be subject to the prevailing gift limitation except as described in Government Code [89506](#).

A gift of travel does not include travel provided by the district for Board members and designated employees. (Government Code [89506](#))

Honoraria

Board members and designated employees shall not accept any honorarium, which is defined as any payment made in consideration for any speech given, article published, or attendance at any public or private gathering, in accordance with law. (Government Code [89501](#), [89502](#))

Note: Exceptions exist within the Government Code's definitions of gifts, income, interest in real property and investment; see Government Code [82028](#), [82030](#), [82033](#) and [82034](#).

The term honorarium does not include: (Government Code [89501](#))

1. Earned income for personal services customarily provided in connection with a bona fide business, trade or profession unless the sole or predominant activity of the business, trade or profession is making speeches
2. Any honorarium which is not used and, within 30 days after receipt, is either returned to the donor or delivered to the district for donation into the general fund without being claimed as a deduction from income for tax purposes

Legal Reference:

EDUCATION CODE

[1006](#) Qualifications for holding office

[35107](#) School district employees

[35230-35240](#) Corrupt practices

[35233](#) Prohibitions applicable to members of governing boards

[35239](#) Compensation for board members in districts under 70 ADA

GOVERNMENT CODE

[1090-1098](#) Prohibitions applicable to specified officers

[1125-1129](#) Incompatible activities

[81000-91015](#) Political Reform Act of 1974, especially:

[82011](#) Code reviewing body

[82019](#) Definition of designated employee

[82028](#) Definition of gifts

[82030](#) Definition of income

[87100-87103.6](#) General prohibitions

[87200-87210](#) Disclosure

[87300-87313](#) Conflict of interest code

[87500](#) Statements of economic interests

[89501-89503](#) Honoraria and gifts

[91000-91014](#) Enforcement

CODE OF REGULATIONS, TITLE 2

[18110-18997](#) Regulations of the Fair Political Practices Commission, especially:

[18702.5](#) Public identification of a conflict of interest for Section 87200 filers

COURT DECISIONS

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

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

ATTORNEY GENERAL OPINIONS

86 Ops.Cal.Atty.Gen. 138(2003)

85 Ops.Cal.Atty.Gen. 60 (2002)

82 Ops.Cal.Atty.Gen. 83 (1999)

81 Ops.Cal.Atty.Gen. 327 (1998)

80 Ops.Cal.Atty.Gen. 320 (1997)

69 Ops.Cal.Atty.Gen. 255 (1986)

68 Ops.Cal.Atty.Gen. 171 (1985)

65 Ops.Cal.Atty.Gen. 606 (1982)

Management Resources:

WEB SITES

Fair Political Practices Commission: <http://www.fppc.ca.gov>

(11/99 7/01) 11/03

Board adopted:

**SAN LORENZO
UNIFIED SCHOOL DISTRICT
EXHIBIT A**

Board Bylaws

E.A 9270 (a)

CONFLICT OF INTEREST

Designated Positions/Disclosure Categories

It has been determined that persons occupying the following positions manage public investments and shall file a full statement of economic interests pursuant to Government Code 87200:

1. Persons occupying the following positions are designated employees in Category 1:
 Governing Board Members
 Superintendent of Schools

Designated persons in this category must report:

- 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. 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 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
2. Persons occupying the following positions are designated employees in Categories as indicated in Appendix A:

Disclosure Categories

Assistant/Vice Principal (ALL)	6
Assistant Superintendent, Business Services	6
Assistant Superintendent, Personnel Services	6
Associate Superintendent, Educational Services	6

Director of Assessment	2, 3
Director of Business Services	1,2
Director of Child Nutrition/Food Services	6
Director of Educational Technology/Instructional Materials/	6
Director of Information Technology (IT)	6
Director of Instruction & Program Improvement	6
Director of Maintenance/Operations	3,6
Director of Operations	5,6
Director of Purchasing	5
Director of Special Services	6
Director of Student Support Services	6
Maintenance Manager	5,6
Principal (ALL)	6
Teachers as appropriate	6
Transportation Supervisor	6

Designated persons in these categories must report investments or business positions in or income 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.
3. 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.

A consultant is an individual who, pursuant to a contract with the district, makes a governmental decision whether to: (2 CCR [18701](#))

- a. Approve a rate, rule or regulation
- b. Adopt or enforce a law
- c. Issue, deny, suspend or revoke a permit, license, application, certificate, approval, order or similar authorization or entitlement
- d. Authorize the district to enter into, modify or renew a contract that requires district approval

- e. Grant district approval to a contract or contract specifications which require district approval and in which the district is a party
- f. Grant district approval to a plan, design, report, study or similar item
- g. 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 [18702.2](#) 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 [18701](#))

Board Approved:

**SAN LORENZO
UNIFIED SCHOOL DISTRICT
EXHIBIT B**

E.B 9270

**CONFLICT OF INTEREST CODE
OF
SAN LORENZO UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION**

SECTION 1.

Definitions. The definitions contained in article 2 of chapter 7 of the Political Reform Act of 1974 (Government Code sections 81000 et seq.), regulations of the Fair Political Practices Commission (2 Cal. Code of Regulations, sections 18110, et seq.), and any amendments to the Act or regulations, are incorporated by reference into this Amended Conflicts of Interest Code (hereinafter “Code”).

SECTION 2.

Purpose. Pursuant to the provisions of Government Code Sections 87300 et seq. San Lorenzo Unified School District Board of Education of Alameda County hereby adopts the following Conflict of Interest Code. Nothing contained herein is intended to modify or abridge the provisions of the Political Reform Act of 1974. The provisions of this Code are additional to Government Code Section 87100 and other laws pertaining to conflicts of interest. Except as otherwise indicated, the definitions of said Act and regulations adopted pursuant thereto are incorporation herein and this Code shall be interpreted in a manner consistent therewith.

SECTION 3.

Designated Positions. The positions listed on Exhibit “A” are designated positions. Officers and employees holding those positions are designated employees and are deemed to make, or participate in the making of decisions which may foreseeably have a material effect on a financial interest of the designated employee. Each designated employee shall file an annual statement disclosing that employee’s interests in investments, business positions, interests in real property, and income designated as reportable by the Political Reform Act of 1974. Those interests shall be reportable only if the business entity in which the investment and or business position is held, the interests in real property or the income or source of income may foreseeably be affected materially by any decision made or participated in by the designated employee by virtue of this or her position.

SECTION 4.

Place and Time of Filing.

- (a) All designated employees required to submit a statement of financial interests shall file the original with the Administrative Secretary in the Business Office of the District.
- (b) The Administrative Secretary shall make and retain a copy and forward the original to the District’s Code Reviewing Body, the Alameda County Board of Supervisors.

- (c) A designated employee required to submit a statement of financial interest shall submit an initial statement disclosing all reportable investments, business positions, but not income, within 30 days after the effective date of this Code. Thereafter, each person already in a position when it is designated by a future amendment to this Code as designated employee position, shall file an initial statement within (30) days after the effective date of the amendment.
- (d) Civil service employees appointed, promoted or transferred to designated positions shall file initial statements within 30 days after date of employment.
- (e) All other employees appointed, promoted or transferred to designated positions shall file initial statements not less than 10 days before assuming office (or if subject to confirmation, 10 days before being confirmed), unless an earlier assumption of office is required by emergency circumstances, in which case the statement shall be filed within 30 days thereafter.
- (f) Annual statements shall be filed by all designated employees no later than April 1st of each year. Such statements shall cover the period of the preceding calendar year and shall include income from the preceding calendar year as well as investments, business positions and interests in real property.
- (g) A designated employee required to file a statement of financial interest with any other agency which is in the same territorial jurisdiction may comply with the provisions of this Code by filing a duplicative copy of the statement filed with the other agency in lieu of an entirely separate document.
- (h) All persons who leave designated employee positions shall file statements of economic interests within 30 days after leaving office.
- (i) Persons who resign within 30 days of initial appointment are not deemed to have assumed office or left office, provided that they did not make or participate in the making of, or use their position to influence any decision and did not receive or become entitled to receive any form of payment as a result of their appointment. Such persons shall not file either an assuming or leaving office statement.
 - 1. Any person who resigns a position within 30 days of initial appointment *shall* do both of the following:
 - file a written resignation with the appointing power;
 - file a written statement with the filing officer declaring under penalty of perjury that during the period between appointment and resignation, he or she did not make, participate in making or use appointed to the position.

SECTION 5.

Period Covered by Statements of Economic Interests. Disclosure statements shall be made on forms supplied by the Clerk of the Alameda County Board of Supervisors, and shall include investments, interests in real property, business positions, and income received during the following time periods:

- (a) Initial Statements shall disclose any reportable investments, interests in real property, business positions, and income received 12 months prior to the effective date.
- (b) Assuming Office Statements shall disclose any reportable investments, interests in real property, business positions, and income received 12 months prior to the date of assuming office or the date of being appointed or nominated, respectively.
- (c) Annual Statements shall disclose any reportable investments, interests in real property, business positions, and income received the previous calendar year.
- (d) Leaving Office Statements shall disclose any reportable investments, interests in real property, business positions, and income received during the period between the closing date of the last statement filed and the date of leaving office.

SECTION 6.

Contents of Disclosure Statements. Disclosure statements shall be made on forms supplied by the Clerk of the Alameda County Board of Supervisors, and shall contain the following information:

- (a) Contents of Investment and Real Property Reports:
When an investment, or an interest in real property is required to be reported, the statement shall contain:
 - (1) A statement of the nature of the investment or interest;
 - (2) The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;
 - (3) The address or other precise location of the real property;
 - (4) A statement whether the fair market value of the investment or interest in real property exceeds two thousand dollars (\$2,000), exceeds ten thousand dollars (\$10,000), or exceeds one hundred thousand dollars (\$100,000). This information need not be provided with respect to an interest in real property which is used principally as the residence of the filer.
- (b) Contents of Personal Income Reports:
When personal income is required to be reported, the statement shall contain:
 - (1) The name and address of each source of income aggregating five hundred dollars (\$500) or more in value, or fifty dollars (\$50) or more in value if the income was a gift, and a general description of the business activity, if any of each source;
 - (2) A statement whether the aggregate value of income from each source was one thousand dollars (\$1,000) or less, greater than one thousand dollars (\$1,000); and whether it was greater than ten thousand dollars (\$10,000), or greater than one hundred thousand dollars (\$100,000);
 - (3) A description of the consideration, if any, for which the income was received
 - (4) In the case of a gift, the name and address of the donor, the amount of other description of the gift, and the date on which the gift was received.
 - (5) In the case of a loan, the annual interest rate and the security, if any, given for the loan.

(c) Contents of Business Entity Income Reports:

When income of a business entity, including income of a sole proprietorship, is required to be reported¹, the statement shall contain:

- (1) The name, address, and a general description of the business activity of the business entity;
- (2) The name of every person from whom the business entity was received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than ten thousand dollars (\$10,000)the position to influence any decision of the agency, or receive, or become entitled to receive, any form of payment by virtue of being

(d) Contents of Business Positions Reports:

When business positions are required to be reported, designated employees shall list the name of each business entity not specified above in which they are a director, officer, partner, trustee, employee or in which they hold any position of management. In the case of an annual or leaving office statement, if an investment or interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.

SECTION 7.

Gifts. Board members and designated employees may accept gifts only under the conditions and limitations specified in Government Code 89503 and 2 CCR 18730. The limitations on gifts do not apply to wedding gifts and gifts exchanged between individuals on birthdays, holidays and other similar occasions, provided that the gifts exchanged are not substantially disproportionate in value. (Government Code 89503) Gifts of travel and related lodging and subsistence shall be subject to the prevailing gift limitation except as described in Government Code 89506. A gift of travel does not include travel provided by the district for Board members and designated employees. (Government Code 89506)

SECTION 8.

Honoraria. Board members and designated employees shall not accept any honorarium, which is defined as any payment made in consideration for any speech given, article published, or attendance at any public or private gathering, in accordance with law. (Government Code 89501, 89502) The term honorarium does not include: (Government Code 89501)

1. Earned income for personal services customarily provided in connection with a bona fide business, trade or profession unless the sole or predominant activity of the business, trade or profession is making speeches
2. Any honorarium which is not used and, within 30 days after receipt, is either returned to the donor or delivered to the district for donation into the general fund without being claimed as a deduction from income for tax purpose.

¹ **Reportable Business Entity Income Disclosure.** Income of a business entity is reportable only if the direct indirect or beneficial interest of the filer and the filer's spouse in the business entity aggregates a 10 percent or great interest. In addition, the disclosure of persons who are clients or customers of a business entity is required only if the clients or customers are within one of the disclosure categories of the filer.

SECTION 9.

Disqualification. No designated employee shall make, participate in making, or in any way attempt to use his or her official position to influence the making of any government decision which he or she knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the designated employee or a member of his or her immediate family or on:

- (a) Any business entity in which the designated employee has a direct or indirect investment worth two thousand dollars (\$2,000) or more;
- (b) Any real property in which the Designated Employee has a direct or indirect interest worth two thousand dollars (\$2,000) or more;
- (c) Any source of income (other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status) aggregating five hundred dollars (\$500) or more in value provided to, received by or promised to the designated employee within 12 months prior to the time when the decision is made;
- (d) Any business entity in which the Designated Employee is director, officer, partner, trustee, employee, or holds any position of management; or
- (e) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating \$390 or more in value provided to, received by, or promised to the designated employee within 12 months prior to the time when the decision is made.

SECTION 10.

Manner of Disqualification. When a designated employee determines that he or she should not make a government decision because he or she has a disqualifying interest in it, the determination not to act must be accompanied by a disclosure of the disqualifying interest. In the case of a voting body, this determination and disclosure shall be made a part of the agency's official record; in the case of a designated employee who is the head of an agency, this determination and disclosure shall be made in writing to his or her appointing authority; and in the case of other designated employees, this determination and disclosure shall be made in writing to the designated employee's supervisor.

SECTION 11.

Violations. This Code has the force and the effect of law. Designated employees violating any provision of this code are subject to administrative, criminal and civil sanctions provide din the Political Reform Act, Government Code sections 81000 – 91015. In addition, a decision to relation to which a violation of the disqualification provision of this Code or of Government section 87100 or 87450 had occurred may be set aside as void pursuant to Government Code section 91003.

SECTION 12.

Interpretation with Other Laws. The financial disclosure and disqualification requirements of this code are in addition to all other disclosures required by applicable state and federal law.

PASSED AND ADOPTED THIS 17th day of June, 2008, by the following called vote.

AYES:

NOES:

ABSTAIN:

ABSENT:

President of the Board of Education of
San Lorenzo Unified School District
of Alameda County, State of California

APPENDIX "A"**DESIGNATED POSITIONS**
GOVERNED BY THE CONFLICT OF INTEREST CODE

<u>Designated Employees'</u> <u>Title or Function</u>	<u>Disclosure Categories</u> <u>Assigned</u>
Governing Board Members	Full Disclosure
Assistant/Vice Principal (ALL)	6
Assistant Superintendent, Business Services	6
Assistant Superintendent, Personnel Services	6
Associate Superintendent, Educational Services	6
Director of Assessment	2, 3
Director of Business Services	1,2
Director of Child Nutrition/Food Services	6
Director of Educational Technology/Instructional Materials/	6
Director of Information Technology (IT)	6
Director of Instruction & Program Improvement	6
Director of Maintenance/Operations	3,6
Director of Operations	5,6
Director of Purchasing	5
Director of Special Services	6
Director of Student Support Services	6
Maintenance Manager	5,6
Principal (ALL)	6
Superintendent	1, 2
Teachers as appropriate	6
Transportation Supervisor	6

2

² Consultants shall be included in the list of Designated Employees and shall disclose pursuant to the broadcast disclosure category in this Code subject to the following limitation:

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

APPENDIX "B"

DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of Investments, business entities, sources of income, *including gifts, loans and travel payments* or real property which the Designated Employee must disclose for each disclosure category to which he or she is assigned.

- Category 1: All investments and business position in business entities, and sources of income that are located in, that do business in or own real property with the jurisdiction of the District.
- Category 2: All interest in real property which is located in whole or in part within, or not more than two (2) miles outside, the jurisdiction of the District.
- Category 3: All investments and business positions in, and sources of income from, business entities that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the District.
- Category 4: All investments and business position in, and sources of income from, business entities that are banking, savings and loan, or other financial institutions
- Category 5: All investments and business positions in, and sources of income from, business entities that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the District.
- Category 6: All investments and business positions in, and sources of income from, business entities that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the Designated Employee's Department.