

Agenda

SUTTER COUNTY BOARD OF EDUCATION

Regular Meeting

Wednesday, August 9, 2017 - 5:30 p.m.
Sutter County Superintendent of Schools Office
970 Klamath Lane – Board Room
Yuba City, CA 95993

A full Board packet is available for review at the Sutter County Superintendent of Schools Office Reception Desk, 970 Klamath Lane, Yuba City, CA (8:00 a.m. – 5:00 p.m., Monday through Friday – excluding legal holidays) and the Sutter County Superintendent of Schools' website at www.sutter.k12.ca.us.

5:30 p.m.

1.0 Call to Order

2.0 Pledge of Allegiance

3.0 Roll Call of Members:

Victoria Lachance, President
Jim Richmond, Vice President
Karm Bains, Member
June McJunkin, Member
Ron Turner, Member

4.0 Items of Public Interest to Come to the Attention of the Board

Members of the public are given an opportunity to address the Board regarding items not listed on the agenda. *The California Government Code, Section 54954.2 (a)(2) states, "No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3."* At the discretion of the Board president, time limits may be imposed upon such presentations.

5.0 Approve Minutes of the July 12, 2017 Regular Meeting of the Sutter County Board of Education **[ACTION ITEM]**

The minutes of the July 12, 2017 regular meeting of the Sutter County Board of Education are presented for approval.

6.0 Adult Charter School – Dr. Bal Dhillon & Eric Pomeroy

The Sutter County Superintendent of Schools is interested in starting an adult charter school. An update on this process will be presented to the Board.

7.0 Approval of Annual Declaration of Need for Fully Qualified Educators (2017-2018) - Wendy Bedard **[ACTION ITEM]**

The Declaration of Need for Fully Qualified Educators must be approved and on file with the Commission on Teacher Credentialing before emergency permits can be issued to the Sutter County Superintendent of Schools Office.

8.0 Quarterly Report on Williams/Uniform Complaints (April 1, 2017 – June 30, 2017) Dr. Christine McCormick

Education Code 35186 requires the county superintendent to report on the number and nature of complaints.

9.0 Biennial Review of the Conflict of Interest Code
Dr. Baljinder Dhillon **[Action Item]**

A biennial review of the Conflict of Interest Code is required by law. Amendments designate new positions and or title changes for positions that must file conflict of interest statements under current law. The amendments must be filed with the Sutter County Board of Supervisors by August 31, 2017. The current Conflict of Interest has been revised to include an amendment listing the designated positions and disclosure categories that are listed in the Conflict of Interest Code for Sutter County Superintendent of Schools.

10.0 Resolution No. 17-18-I Adopting Conflict of Interest Code
Dr. Baljinder Dhillon **[Action Item]**

After the biennial review of the Conflict of Interest Code, the Board must adopt a Resolution stating if there were changes/no changes to the current Conflict of Interest Code.

11.0 Facilities Goals Update/Discussion – James Peters

James Peters, Director of Facilities, Maintenance and Operations will share and discuss facilities goals with the Board.

12.0 Business Services Report

Monthly Financial Report – July 2017 – Barbara Henderson

13.0 Items from the Superintendent/Board

14.0 Adjournment

Meeting facilities are accessible to persons with disabilities. By request, alternative agenda document formats are available to persons with disabilities. To arrange an alternative agenda document format or to arrange aid or services to modify or accommodate persons with a disability to participate in a public meeting, please provide a written request to: Dr. Baljinder Dhillon, Superintendent, Sutter County Superintendent of Schools Office, 970 Klamath Lane, Yuba City, CA 95993, at least three working days prior to any public meeting.

BOARD AGENDA ITEM: Approve Minutes of the July 12, 2017 Regular Board Meeting

BOARD MEETING DATE: August 9, 2017

AGENDA ITEM SUBMITTED FOR:

- Action
- Reports/Presentation
- Information
- Public Hearing
- Other (specify)

PREPARED BY:

Maggie Nicoletti

SUBMITTED BY:

Dr. Baljinder Dhillon

PRESENTING TO BOARD:

Dr. Baljinder Dhillon

BACKGROUND AND SUMMARY INFORMATION:

The minutes of the regular meeting of the Sutter County Board of Education held July 12, 2017, are presented for approval.

Unapproved
SUTTER COUNTY BOARD OF EDUCATION MINUTES
Regular Meeting
July 12, 2017

1.0 Call to Order

A regular meeting of the Sutter County Board of Education was called to order by President Lachance at 5:30 p.m., July 12, 2017, at the Sutter County Superintendent of Schools Office, 970 Klamath Lane, Yuba City, California.

2.0 Pledge of Allegiance

The Pledge of Allegiance was led by Victoria Lachance.

3.0 Roll call of Members

Victoria Lachance, President – Present
Jim Richmond, Vice President – Arrived at 5:50 p.m.
Karm Bains, Member – Absent
June McJunkin, Member – Present
Ronald Turner, Member – Present

Dr. Baljinder Dhillon, Ex-officio Secretary – Present
Staff Members Present: Dr. Christine McCormick, Barbara Henderson,
Eric Pomeroy, Neda Anasseri, Rinky Basi and Maggie Nicoletti

4.0 Items of Public Interest to come to the attention of the Board

None

5.0 Approve Minutes of the June 21, 2017 and June 28, 2017 Regular Meetings of the Sutter County Board of Education

5.1 A motion was made to approve the minutes of the June 21, 2017 Regular Meeting of the Sutter County Board of Education.

MOTION: June McJunkin SECONDED: Ron Turner
ACTION: Motion Carried
AYES: 3 (McJunkin, Turner and Lachance)
NOES: 0
ABSENT: 2 (Richmond and Bains)
ABSTAIN: 0

5.2 A motion was made to approve the minutes of the June 28, 2017 Regular Meeting of the Sutter County Board of Education. Item 5.2 was addressed at 6:10 p.m. (shortly before the meeting was adjourned). Prior to the arrival of Trustee Richmond (5:50 p.m.), there would not have been a quorum for this item.

MOTION: Ron Turner SECONDED: Jim Richmond
ACTION: Motion Carried
AYES: 3 (Turner, Richmond, and Lachance)
NOES: 0
ABSENT: 1 (Bains) ABSTAIN: 1 (McJunkin)

Barbara Henderson reviewed the Collective Bargaining Agreement for Sutter County Superintendent of Schools Staff Association (CTA) with the Board. The disclosure of the collective bargaining agreement was included in the Board packet.

2.0 Superintendent's Salary Committee

President Lachance stated since bargaining agreements have been reached between units, the salary committee will meet again to review the Superintendent's salary. June said the committee will look at the salary comparatively.

Regular Agenda

9.0 Items from the Superintendent/Board

Superintendent Dhillon stated that interviews were recently held for the position of Assistant Superintendent, Business Services. The interviewing panel did not feel that the applicants were suited for the position so the position will be posted again. Bal further stated that she hopes to appoint an Interim Assistant Superintendent, Business Services, until a permanent replacement can be found. The position for Director, External Business Services, which is posted on EdJoin, will close on July 17th. Jim Richmond stated that after serving ten years on the Shady Creek Foundation Board, he has resigned. He said there was discussion that there had to be a Board member or someone from the county office to serve on the Shady Creek Foundation Board.

10.0 Adjournment

A motion was made to adjourn the meeting at 6:12 p.m.

MOTION: June McJunkin SECONDED: Ron Turner
ACTION: Motion Carried
AYES: 4 (Richmond, Turner, McJunkin and Lachance)
NOES: 0
ABSENT: 1 (Bains) ABSTAIN: 0

BOARD AGENDA ITEM: Adult Charter School

BOARD MEETING DATE: August 9, 2017

AGENDA ITEM SUBMITTED FOR:

PREPARED BY:

Action

Eric Pomeroy

Reports/Presentation

SUBMITTED BY:

Information

Dr. Baljinder Dhillon; Eric Pomeroy

Public Hearing

PRESENTING TO BOARD:

Other (specify)

Dr. Baljinder Dhillon; Eric Pomeroy

BACKGROUND AND SUMMARY INFORMATION:

The Sutter County Superintendent of Schools is interested in starting an adult charter school. An update on this process will be presented to the Board.

BOARD AGENDA ITEM: Annual Declaration of Need

BOARD MEETING DATE: August 9, 2017

AGENDA ITEM SUBMITTED FOR:

PREPARED BY:

Action

Kathy Tamez

Reports/Presentation

SUBMITTED BY:

Information

Wendy Bedard

Public Hearing

PRESENTING TO BOARD:

Other (specify)

Wendy Bedard

BACKGROUND AND SUMMARY INFORMATION:

Annual Declaration of Need is a mandatory Commission on Teacher Credentialing document that requires Board acknowledgement and approval. This document represents an estimate of the number of educators the county will hire that are not fully credentialed.



DECLARATION OF NEED FOR FULLY QUALIFIED EDUCATORS

Original Declaration of Need for year: _____

Revised Declaration of Need for year: _____

FOR SERVICE IN A SCHOOL DISTRICT

Name of District: _____ District CDS Code: _____

Name of County: _____ County CDS Code: _____

By submitting this annual declaration, the district is certifying the following:

- A diligent search, as defined below, to recruit a fully prepared teacher for the assignment(s) was made
- If a suitable fully prepared teacher is not available to the school district, the district will make a reasonable effort to recruit based on the priority stated below

The governing board of the school district specified above adopted a declaration at a regularly scheduled public meeting held on ____/____/____ certifying that there is an insufficient number of certificated persons who meet the district's specified employment criteria for the position(s) listed on the attached form. The attached form was part of the agenda, and the declaration did NOT appear as part of a consent calendar.

► **Enclose a copy of the board agenda item**

With my signature below, I verify that the item was acted upon favorably by the board. The declaration shall remain in force until June 30, _____.

Submitted by (Superintendent, Board Secretary, or Designee):

<i>Name</i>	<i>Signature</i>	<i>Title</i>
<i>Fax Number</i>	<i>Telephone Number</i>	<i>Date</i>
<i>Mailing Address</i>		
<i>E-Mail Address</i>		

FOR SERVICE IN A COUNTY OFFICE OF EDUCATION, STATE AGENCY OR NONPUBLIC SCHOOL OR AGENCY

Name of County _____ County CDS Code _____

Name of State Agency _____

Name of NPS/NPA _____ County of Location _____

The Superintendent of the County Office of Education or the Director of the State Agency or the Director of the NPS/NPA specified above adopted a declaration on ____/____/____, at least 72 hours following his or her public announcement that such a declaration would be made, certifying that there is an insufficient number of certificated persons who meet the county's, agency's or school's specified employment criteria for the position(s) listed on the attached form.

The declaration shall remain in force until June 30, _____.

► **Enclose a copy of the public announcement**

Submitted by Superintendent, Director, or Designee:

Name	Signature	Title
Fax Number	Telephone Number	Date
Mailing Address		
EMail Address		

► This declaration must be on file with the Commission on Teacher Credentialing before any emergency permits will be issued for service with the employing agency

AREAS OF ANTICIPATED NEED FOR FULLY QUALIFIED EDUCATORS

Based on the previous year's actual needs and projections of enrollment, please indicate the number of emergency permits the employing agency estimates it will need in each of the identified areas during the valid period of this Declaration of Need for Fully Qualified Educators. This declaration shall be valid only for the type(s) and subjects(s) identified below.

This declaration will be revised by the employing agency when the total number of emergency permits applied for exceeds the estimate by ten percent. Board approval is required for a revision.

Type of Emergency Permit	Estimated Number Needed
CLAD/English Learner Authorization (applicant already holds teaching credential)	_____
Bilingual Authorization (applicant already holds teaching credential)	_____
List target language(s) for bilingual authorization: _____	
Resource Specialist	_____
Teacher Librarian Services	_____
Visiting Faculty Permit	_____

LIMITED ASSIGNMENT PERMITS

Limited Assignment Permits may only be issued to applicants holding a valid California teaching credential based on a baccalaureate degree and a professional preparation program including student teaching.

Based on the previous year's actual needs and projections of enrollment, please indicate the number of Limited Assignment Permits the employing agency estimates it will need in the following areas:

TYPE OF LIMITED ASSIGNMENT PERMIT	ESTIMATED NUMBER NEEDED
Multiple Subject	
Single Subject	
Special Education	
TOTAL	

EFFORTS TO RECRUIT CERTIFIED PERSONNEL

The employing agency declares that it has implemented in policy and practices a process for conducting a diligent search that includes, but is not limited to, distributing job announcements, contacting college and university placement centers, advertising in local newspapers, exploring incentives included in the Teaching as a Priority Block Grant (refer to www.cde.ca.gov for details), participating in state and regional recruitment centers and participating in job fairs in California.

If a suitable fully prepared teacher is not available to the school district, the district made reasonable efforts to recruit an individual for the assignment, in the following order:

- A candidate who qualifies and agrees to participate in an approved intern program in the region of the school district
- An individual who is scheduled to complete initial preparation requirements within six months

EFFORTS TO CERTIFY, ASSIGN, AND DEVELOP FULLY QUALIFIED PERSONNEL

Has your agency established a District Intern program?	Yes	No
--	-----	----

If no, explain. _____

Does your agency participate in a Commission-approved college or university intern program?	Yes	No
---	-----	----

If yes, how many interns do you expect to have this year? _____

If yes, list each college or university with which you participate in an intern program.

If no, explain why you do not participate in an intern program.

BOARD AGENDA ITEM: Quarterly Report on Williams/Uniform Complaints

BOARD MEETING DATE: August 9, 2017

AGENDA ITEM SUBMITTED FOR:

- Action
- Reports/Presentation
- Information
- Public Hearing
- Other (specify)

PREPARED BY:

Angie Gresham

SUBMITTED BY:

Angie Gresham

PRESENTING TO BOARD:

Dr. Christine McCormick

BACKGROUND AND SUMMARY INFORMATION:

As per Education Code 35186 the county superintendent reports on the number and nature of complaints filed for:

- 1) Textbooks and instructional materials
- 2) Teacher vacancies or mis-assignments
- 3) Facilities and conditions

There were complaints filed by a district and no complaints filed by the county office programs during the period of April 2017 through June 2017.



970 Klamath Lane
 Yuba City, CA 95993
 PHONE: (530) 822-2933
 FAX: (530) 822-3085

QUARTERLY REPORT ON WILLIAMS/VALENZUELA UNIFORM COMPLAINTS

(Education Code § 35186)

District: Sutter County Superintendent of Schools

Person completing this form: Christine McCormick

Title: Director of Educational Services

Quarterly Report Submission Date:

(check one)

- November 2017
- January 2018
- May 2018
- August 2017

Reporting Months

- July-Aug-Sept**
- Oct-Nov-Dec**
- Jan-Feb-Mar**
- April-May-June**

Date information will be reported publicly at governing board meeting: August 9, 2017.

Please check the box that applies:

- No complaints were filed with any school in the County during the quarter indicated above.
- Complaints were filed with schools in the district during the quarter indicated above. The following chart summarizes the nature and resolution of these complaints.

General Subject Area	Total Number of Complaints	Number Resolved	Number Unresolved
Textbooks & Instructional Materials	0	0	
Teacher Vacancies or Misassignments	0	0	
Facilities/Conditions	0	0	
TOTALS	0	0	

Visits were made at the Bridge Street Elementary, King Avenue Elementary, and Park Avenue Elementary Schools

Dr. Baljinder Dhillon
 PRINT NAME OF COUNTY SUPERINTENDENT

Dr. Baljinder Dhillon
 SIGNATURE OF COUNTY SUPERINTENDENT

Agenda Item No. 9.0

BOARD AGENDA ITEM: Review Conflict of Interest Code for the Sutter County Superintendent of Schools and Sutter County Board of Education

BOARD MEETING DATE: August 9, 2017

AGENDA ITEM SUBMITTED FOR:

Action

Reports/Presentation

Information

Public Hearing

Other (specify)

PREPARED BY:

Maggie Nicoletti

SUBMITTED BY:

Dr. Baljinder Dhillon

PRESENTING TO BOARD:

Dr. Baljinder Dhillon

BACKGROUND AND SUMMARY INFORMATION:

A biennial review of the Conflict of Interest Code is required by law. Amendments designate new positions and or title changes for positions that must file conflict of interest statements under current law. The amendments must be filed with the Sutter County Board of Supervisors by August 31, 2017. The current Conflict of Interest has been revised to include an attachment listing the designated positions and disclosure categories that are listed in the Conflict of Interest for Sutter County Superintendent of Schools.

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Conflict of Interest

The Sutter County Board of Education (Board) desires to maintain the highest ethical standards and help ensure that decisions are made in the best interest of the county and the public. In accordance with law, Board members and designated employees shall disclose any conflict of interest and, as necessary, shall abstain from participating in the decision.

(cf. 9005 - Governance Standards)

Upon direction by the code reviewing body (Sutter County Board of Supervisors), the Board shall review the Sutter County Superintendent of Schools (county) conflict of interest code and submit any changes to the code reviewing body.

When a change in the county's conflict of interest code is necessitated due to changed circumstances, such as the creation of new designated positions, changes to the duties assigned to existing positions, amendments, or revisions, the amended code shall be submitted to the code reviewing body within 90 days. (Government Code 87306)

When reviewing and preparing the county's conflict of interest code, the Superintendent or designee shall provide officers, employees, consultants, and members of the community adequate notice and a fair opportunity to present their views. (Government Code 87311)

(cf. 9320 - Meetings and Notices)

Board members and designated employees shall annually file a Statement of Economic Interest/Form 700 in accordance with the disclosure categories specified in the county's conflict of interest code. A Board member who leaves office or a designated employee who leaves county employment shall, within 30 days, file a revised statement covering the period of time between the closing date of the last statement and the date of leaving office or county employment. (Government Code 87302, 87500)

(cf. 4117.2/4217.2/4317.2 - Resignation)

(cf. 9222 - Resignation)

Conflict of Interest under the Political Reform Act

A Board member or designated employee shall not make, participate in making, or in any way use or attempt to use his/her official position to influence a governmental decision in which he/she knows or has reason to know that he/she has a disqualifying

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conflict of interest. A conflict of interest exists if the decision will have a "reasonably foreseeable material financial effect" on one or more of the Board member's or designated employee's "economic interests," unless the effect is indistinguishable from the effect on the public generally or the Board member's or designated employee's participation is legally required. (Government Code 87100, 87101, 87103; 2 CCR 18700-18709)

A Board member or designated employee makes a governmental decision when, acting within the authority of his/her office or position, he/she votes on a matter, appoints a person, obligates or commits the county to any course of action, or enters into any contractual agreement on behalf of the county. (2 CCR 18702.1)

A Board member who has a disqualifying conflict of interest on an agenda item that will be heard in an open meeting of the Board shall abstain from voting on the matter. He/she may remain on the dais, but his/her presence shall not be counted towards achieving a quorum for that matter. A Board member with a disqualifying conflict of interest shall not be present during a closed session meeting of the Board when the decision is considered and shall not obtain or review a recording or any other nonpublic information regarding the issue. (2 CCR 18702.1)

Additional Requirements for Boards that Manage Public Investments

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: (Government Code 87105; 2 CCR 18702.5)

1. Publicly identify each 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.
2. Recuse himself/herself from discussing and voting on the matter, or otherwise acting in violation of Government Code 87100. The Board member shall not be counted toward achieving a quorum while the item is discussed.

However, the Board member may speak on the issue during the time that the general public speaks on it and may 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.

3. Leave the room until after the discussion, vote, and any other disposition of the

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matter is concluded, unless the matter has been placed on the portion of the agenda reserved for uncontested matters.

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 consideration of the consent calendar.

4. If the Board's decision is made during closed session, disclose his/her interest orally during the open session preceding the closed session. This disclosure shall be limited to a declaration that his/her recusal is because of a conflict of interest pursuant to Government Code 87100. He/she shall not be present when the item is considered in closed session and shall not knowingly obtain or review a recording or any other nonpublic information regarding the Board's decision.

(cf. 3430 - Investing)

Conflict of Interest under Government Code 1090

Board members, employees, or county consultants shall not be financially interested in any contract made by the Board on behalf of the county, including in the development, preliminary discussions, negotiations, compromises, planning, reasoning, and specifications and solicitations for bids. If a Board member has such a financial interest, the county is barred from entering into the contract. (Government Code 1090; *Klistoff v. Superior Court*, (2007) 157 Cal.App. 4th 469)

A Board member shall not be considered to be financially interested in a contract if his/her interest is a "noninterest" as defined in Government Code 1091.5. One such noninterest is when a Board member's spouse/registered domestic partner has been a county employee for at least one year prior to the Board member's election or appointment. (Government Code 1091.5)

A Board member shall not be considered to be financially interested in a contract if he/she has only a "remote interest" in the contract as specified in Government Code 1091 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. (Government Code 1091)

Common Law Doctrine Against Conflict of Interest

A Board member shall abstain from any official action in which his/her private or

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personal interest may conflict with his/her official duties.

Rule of Necessity or Legally Required Participation

On a case-by-case basis and upon advice of legal counsel, a Board member with a financial interest in a contract may participate in the making of the contract if the rule of necessity or legally required participation applies pursuant to Government Code 87101 and 2 CCR 18708.

Incompatible Offices and Activities

Board members shall not engage in any employment or activity or hold any office which is inconsistent with, incompatible with, in conflict with, or inimical to the Board member's duties as an officer of the county. (Government Code 1099, 1126)

(cf. 4136/4236/4336 - Non-school Employment)

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 limitation on gifts does 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 current gift limitation except as described in Government Code 89506.

A gift of travel does not include travel provided by the county 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)

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

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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 county 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, especially:

35233 Prohibitions applicable to members of governing boards

41000-41003 Moneys received by school districts

FAMILY CODE

297.5 Rights, protections, and benefits of registered domestic partners

GOVERNMENT CODE

1090-1099 Prohibitions applicable to specified officers

1125-1129 Incompatible activities

81000-91014 Political Reform Act of 1974, especially:

82011 Code reviewing body

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

PENAL CODE

85-88 Bribes

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

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

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

92 Ops.Cal.Atty.Gen. 26 (2009)

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92 Ops.Cal.Atty.Gen. 19 (2009)
89 Ops.Cal.Atty.Gen. 217 (2006)
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)
63 Ops.Cal.Atty.Gen. 868 (1980)

Management Resources:

CSBA PUBLICATIONS

Conflict of Interest: Overview of Key Issues for Governing Board Members, Fact Sheet, July 2010

FAIR POLITICAL PRACTICES COMMISSION PUBLICATIONS

Can I Vote? A Basic Overview of Public Officials' Obligations Under the Conflict-of-Interest Rules, 2005

INSTITUTE FOR LOCAL GOVERNMENT PUBLICATIONS

Understanding the Basics of Public Service Ethics: Personal Financial Gain Laws, 2009

Understanding the Basics of Public Service Ethics: Transparency Laws, 2009

WEB SITES

CSBA: <http://www.csba.org>

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

Institute of Local Government: <http://www.ca-ilg.org>

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**Attachment A
Designated Positions**

The Government Code requires the conflict of interest code to identify positions which involve making or participating in decisions which may affect financial interests. For each position so designated, the code also must specify what category or categories of financial interests are to be reported.

1. Persons occupying the following positions are designated employees and must disclose financial interests in Category 1, Category 2, Category 3 and Category 4 defined in Attachment B.

Governing Board Members
Superintendent of Schools
Assistant Superintendents
Directors
Principals

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Attachment B
Disclosure Categories

Category 1

Persons in this category shall disclose all interests in real property within the jurisdiction. Real property shall be deemed to be within the jurisdiction if the property or any part of it is located within or not more than two miles outside the boundaries of the jurisdiction or within two miles of any land owned or used by the local government agency.

(Government Code § 82035)

Persons shall not be required to disclose property used primarily as their residence.

(Government Code § 87206(f))

Category 2

Persons in this category shall disclose all investments. “Investment” means any financial interest in or security issued by a business entity, including but not limited to common stock, preferred stock, rights, warrants, options, debt instruments, and any partnership or other ownership interest owned directly, indirectly, or beneficially by the officer or employee, or his or her immediate family, if the business entity or any parent, subsidiary, or otherwise related business entity has an interest in real property in the jurisdiction, or does business or plans to do business in the jurisdiction, or has done business within the jurisdiction at any time during the two years prior to the time any disclosure statement is required under this Code. No asset shall be deemed an investment unless its fair market value equals or exceeds two thousand dollars (\$2,000). The term “investment” does not include a time or demand deposit in a financial institution, shares in a credit union, any insurance policy, interest in a diversified mutual fund registered with the Securities and Exchange Commission under the Investment Company Act of 1940 or a common trust fund which is created pursuant to Section 1564 of the Financial Code, or any bond or debt instrument issued by any government or government agency. Investments of an individual include, a pro rata share of investments of any business entity, mutual fund, or trust in which the individual or immediate family owns, directly, indirectly, or beneficially, a ten percent (10%) interest or greater. (Government Code § 82034)

Category 3

Persons in this category shall disclose all income except as provided in subsection (b).

(a) “Income” means, except as provided in subdivision (b), as payment received, including but not limited to any salary, wage, advance, dividend, interest, rent, proceeds from any sale, gift, including any gift of food or beverages, loan, forgiveness or payment of indebtedness received by the officer or employee, reimbursement for expenses, per diem, or contribution to an insurance or pension program paid by any person other than an employer, and including any community property interest in the income of a spouse.

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Income also includes an outstanding loan. Income of an individual also includes a pro rata share of any income of any business entity or trust in which the individual or spouse owns, directly, indirectly, or beneficially, a ten percent (10%) interest or greater. “Income,” other than a gift, does not include income received from any source outside the jurisdiction and not doing business within the jurisdiction, not planning to do business within the jurisdiction, or not having done business within the jurisdiction during the two years prior to the time a disclosure statement is required.

(b) “Income” also does not include:

(1) Campaign contributions required to be reported under Chapter 4 of Title 9 [of the Government Code], commencing with § 84100.

(2) Salary and reimbursement for expenses or per diem received from a state, local, or federal government agency, and reimbursement for travel expenses and per diem received from a bona fide nonprofit entity exempt from taxation under § 501(c)(3) of the Internal Revenue Code.

(3) Any devise or inheritance.

(4) Interest, dividends, or premiums on a time or demand deposit in a financial institution, shares in a credit union or any insurance policy, payments received under any insurance policy, or any bond or other debt instrument issued by any government or governmental agency.

(5) Dividends, interest, or any other return on a security which is registered with the Securities and Exchange Commission of the United States government or a commodity future registered with the Commodity Futures Trading Commission of the United States government, except proceeds from the sale of these securities and commodities futures.

(6) Redemption of a mutual fund.

(7) Alimony or child support payments.

(8) Any loan or loans from a commercial lending institution which are made in the lender’s regular course of business on terms available to members of the public without regard to official status.

(9) Any loan from or payments received on a loan made to an individual’s spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law,

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sister-in-law, nephew, niece, uncle, aunt, or first cousin, or the spouse of any such person, provided that a loan or loan payment received from any such person shall be considered income if he or she is acting as an agent or intermediary for any person not covered by this paragraph.

(10) Any indebtedness created as part of a retail installment or credit card transaction if made in the lender's regular course of business on terms available to members of the public without regard to official status.

(11) Payments received under a defined benefit pension plan qualified under Internal Revenue Code § 401(a).

(12) Proceeds from the sale of securities registered with the Securities and Exchange Commission of the United States government or from the sale of commodities futures registered with the Commodity Futures Trading Commission of the United States government if the officer or employee sells the securities or the commodities futures on a stock or commodities exchange and does not know or have reason to know the identity of the purchaser. (Government Code § 82030)

Category 4

Persons in this category shall disclose the name and address of each business entity in which he or she is a director, officer, partner, trustee, employee, in which he or she holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's or officer's position with the business entity. (2 California Code Regulations § 18730(b)(7)(D))

Agenda Item No. 10.0

BOARD AGENDA ITEM: Resolution No. 17-18-I Adopting Conflict of Interest Code

BOARD MEETING DATE: August 9, 2017

AGENDA ITEM SUBMITTED FOR:

- Action
- Reports/Presentation
- Information
- Public Hearing
- Other (specify)

PREPARED BY:

Maggie Nicoletti

SUBMITTED BY:

Dr. Baljinder Dhillon

PRESENTING TO BOARD:

Dr. Baljinder Dhillon

BACKGROUND AND SUMMARY INFORMATION:

After the biennial review of the Conflict of Interest Code, the Board must adopt a Resolution determining if there were changes/no changes to the current Conflict of Interest Code.

Sutter County Superintendent of Schools
RESOLUTION NO. 17-18-I

RESOLUTION ADOPTING A CONFLICT OF INTEREST CODE

Exhibit

Board Bylaw E 9270

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 Sutter County Board of Education 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 County Board'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 County Board has recently reviewed its positions, and the duties of each position, and has determined that changes to the current conflict of interest code are necessary; and

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

NOW THEREFORE BE IT RESOLVED that the Sutter County Board of Education adopts the following Conflict of Interest Code including its Appendix of Designated Positions and Disclosure Categories.

PASSED AND ADOPTED THIS 9th day of August, 2017 at a meeting, by the following vote:

AYES : _____ NOES: _____ ABSENT: _____

Victoria Lachance, President
Sutter County Board of Education

Dr. Baljinder Dhillon, Ex-Officio Secretary
Sutter County Board of Education

BOARD AGENDA ITEM: Facilities Goals

BOARD MEETING DATE: August 9, 2017

AGENDA ITEM SUBMITTED FOR:

- Action
- Reports/Presentation
- Information
- Public Hearing
- Other (specify)

PREPARED BY:

James Peters

SUBMITTED BY:

James Peters

PRESENTING TO BOARD:

James Peters

BACKGROUND AND SUMMARY INFORMATION:

Director of Facilities, Maintenance and Operations will share and discuss facilities goals with the Board.

BOARD AGENDA ITEM: Business Services Report

BOARD MEETING DATE: August 9, 2017

AGENDA ITEM SUBMITTED FOR:

- Action
- Reports/Presentation
- Information
- Public Hearing
- Other (specify)

PREPARED BY:

Yosa Figueroa

SUBMITTED BY:

Barbara Henderson

PRESENTING TO BOARD:

Barbara Henderson

BACKGROUND AND SUMMARY INFORMATION:

The monthly financial report for July will be reviewed.

**Summary Report of Revenues, Expenditures and Changes in Fund Balance
(Unrestricted and Restricted Combined)
July 2017**

Description	Account Codes	Original Budget	Operating Budget	Actuals to Date	Projected Yr Totals	Difference (Col D - B)	2017-18 % Actuals as a % of Budget
		7/1/17 (A)	7/1/17 (B)	7/15/17 (C)	7/15/17 (D)	(E)	
A. Revenues							
1) Local Control Funding Formula	8010-8099	\$ 9,496,131	\$ 9,496,131	\$ -	\$ 9,496,131	-	A 0.0%
2) Federal Revenues	8100-8299	\$ 4,740,118	\$ 4,740,118	\$ 576,956	\$ 4,740,118	-	B 12.2%
3) Other State Revenues	8300-8599	\$ 9,541,116	\$ 9,541,116	\$ -	\$ 9,541,116	-	C 0.0%
4) Other Local Revenues	8600-8799	\$ 12,109,699	\$ 12,109,699	\$ 6,130	\$ 12,109,699	-	D 0.1%
TOTAL REVENUES		\$ 35,887,064	\$ 35,887,064	\$ 583,086	\$ 35,887,064	\$ -	1.6%
B. Expenditures							
1. Certificated Salaries	1000-1999	\$ 8,385,290	\$ 8,385,290	\$ -	\$ 8,385,290	-	E 0.0%
2. Classified Salaries	2000-2999	\$ 11,670,530	\$ 11,670,530	\$ (11,031)	\$ 11,670,530	-	F -0.1%
3. Employee Benefits	3000-3999	\$ 6,799,575	\$ 6,799,575	\$ (1,175)	\$ 6,799,575	-	G 0.0%
4. Books and Supplies	4000-4999	\$ 939,371	\$ 939,371	\$ 1,982	\$ 964,271	24,900	H 0.2%
5. Services, Other Operation	5000-5999	\$ 5,108,842	\$ 5,108,842	\$ 16,716	\$ 5,127,988	19,146	I 0.3%
6. Capital Outlay	6000-6999	\$ 407,282	\$ 407,282	\$ -	\$ 407,282	-	J 0.0%
7. Other Outgo	7100-7299	\$ 205,669	\$ 205,669	\$ -	\$ 205,669	-	K 0.0%
8. Direct Support/Indirect	7300-7399	\$ (91,919)	\$ (91,919)	\$ -	\$ (91,919)	-	L 0.0%
9. Debt Service	7400-7499	\$ -	\$ -	\$ -	\$ -	-	M 0.0%
TOTAL EXPENDITURES		\$ 33,424,640	\$ 33,424,640	\$ 6,492	\$ 33,468,686	44,046	0.0%
Excess (Deficiency) of Revenues Over Expenditures Before Other Financing Sources and Uses (A5-B9)		\$ 2,462,424	\$ 2,462,424	\$ 576,594	\$ 2,418,378	\$ (44,046)	23.8%
D. Other Financing Sources/Uses							
1. Transfers In	8910-8979	\$ 120,463	\$ 120,463	\$ -	\$ 120,463	-	N 0.0%
2. Transfer Out	7610-7629	\$ 2,520,846	\$ 2,520,846	\$ -	\$ 2,520,846	-	O 0.0%
3. Contributions	8980-8999	\$ -	\$ -	\$ -	\$ -	-	P 0.0%
Total, Other Fin Sources/Uses		\$ (2,400,383)	\$ (2,400,383)	\$ -	\$ (2,400,383)	\$ -	0.0%
E. Net Change to Fund Balance		\$ 62,041	\$ 62,041	\$ 576,594	\$ 17,995	\$ (44,046)	
F. Fund Balance (Fund 01 only)							
1. Beginning Balance		\$ 7,114,507	\$ 7,114,507	\$ 7,114,507	\$ 7,114,507	-	
2. Adjustments/Restatements		\$ -	\$ -	\$ -	\$ -	-	
Ending Balance		\$ 7,176,548	\$ 7,176,548	\$ 7,691,101	\$ 7,132,502	\$ (44,046)	
G. Components of Ending Fund Balance							
Designated Amounts	9711-9730	\$ 13,247	\$ 13,247		\$ 13,247	\$ -	
Legally Restricted	9740-9760	\$ 2,670,033	\$ 2,670,033		\$ 3,147,371	\$ -	
Assigned	9780	\$ 2,189,623	\$ 2,189,623		\$ 2,269,141	\$ -	
Restricted Economic Uncertainty	9789	\$ 2,241,604	\$ 2,241,604		\$ 1,702,743	\$ -	
Unassigned/Unappropriated	9790	\$ -	\$ -		\$ -	\$ -	

Explanation of Differences
 Net Change in Current Year Budget July Board Report 07/01 - 07/15 2017

	<u>Amount</u>	<u>Explanation of Differences</u>
A Local Control Funding Formula (8010-8099)	\$ -	
B Federal Revenues (8100-8299)	\$ -	
C Other State Revenues (8300-8599)	\$ -	
D Other Local Revenues (8600-8799)	\$ -	
E Certificated Salaries (1000-1999)	\$ -	
F Classified Salaries (2000-2999)	\$ -	
G Employee Benefits (3000-3999)	\$ -	
H Books and Supplies (4000-4999)		
Special Education	\$ 24,900	<i>Increasing budget to cover set up of new classroom using ending fund balance</i>
	\$ 24,900	
I Services, Other Operations (5000-5999)		
Special Education Local Plan Area (SELPA)	\$ 19,146	<i>Increasing Mental Health Services budget to cover professional development trainings using ending fund balance</i>
	\$ 19,146	
J Capital Outlay (6000-6999)	\$ -	
K Other Outgo (7100 - 7299)	\$ -	
L Direct Support / Indirect (7300-7399)	\$ -	
M Debt Services (7400 - 7499)	\$ -	
N Transfers In (8910-8979)	\$ -	
O Transfers Out (7610-7629)	\$ -	
P Contributions (8980-8999)	\$ -	
Net Change in Current Year Budget	\$ (44,046)	