

COUNTY OF SAN DIEGO
BOARD OF SUPERVISORS

2010 AUG 20 PM 1 42

THOMAS J. PASTUSZKA
CLERK OF THE BOARD
OF SUPERVISORS

**2010 CONFLICT OF INTEREST CODE
BIENNIAL REVIEW REPLY FORM**

Contact Person: Dana Roderick Telephone Number: (760) 752-2941

Name of Agency: San Marcos Unified School District

Mailing Address 255 Pico Avenue, Ste. 250, San Marcos, CA 92069

This agency has reviewed its conflict of interest code and has determined that:

Amendments are necessary: (Attach Amended Code)
(Check all that applies)

- Include new positions (including consultants) which must be designated
- Revise the titles of existing positions
- Delete titles of positions that have been abolished
- Delete positions that manage public investments
- Revise disclosure categories
- Other adopt and incorporate FPPC Standard provisions

No amendments are necessary. Our agency's code accurately designates all positions which make or participate in the making of governmental decisions; the disclosure assigned to those positions accurately requires the disclosure of all investments, business positions, interests in real property and sources of income which may foresee-ably be affected materially by the decision made by those designated positions; and the code includes all other provisions required by Government Code Section 87302.

Signature of Chief Executive Officer: Kevin J. Hole Date: 8/18/2010

You must complete this report regardless of how recently your code was approved or amended. **Please return this report no later than August 31, 2010 to:**

**Clerk of the Board of Supervisors
(Conflict of Interest Code)
1600 Pacific Highway, Room 402
San Diego, CA 92101**

Approved and/or authorized by the Board
of Supervisors of the County of San Diego
Date 10/19/10 Minute Order No. 9
THOMAS J. PASTUSZKA
Clerk of the Board of Supervisors
Thomas J. Pastuszka
Deputy Clerk

2010 CONFLICT OF INTEREST CODE
BIENNIAL REVIEW REPLY FORM

COUNTY OF SAN DIEGO
BOARD OF SUPERVISORS
2010 AUG 3 PM 2 32
THOMAS J. PASTUSZKA
CLERK OF THE BOARD
OF SUPERVISORS

Contact Person: Rebecca Silva Telephone Number: (760) 752-1289

Name of Agency: San Marcos Unified School District

Mailing Address 255 Pico Avenue, Suite 250, San Marcos, CA 92069

This agency has reviewed its conflict of interest code and has determined that:

Amendments are necessary: (Attach Amended Code)
(Check all that applies)

- Include new positions (including consultants) which must be designated
- Revise the titles of existing positions
- Delete titles of positions that have been abolished
- Delete positions that manage public investments
- Revise disclosure categories
- Other - Adopt and incorporate FPPC Standard provisions

No amendments are necessary. Our agency's code accurately designates all positions which make or participate in the making of governmental decisions; the disclosure assigned to those positions accurately requires the disclosure of all investments, business positions, interests in real property and sources of income which may foresee-ably be affected materially by the decision made by those designated positions; and the code includes all other provisions required by Government Code Section 87302.

Signature of Chief Executive Officer: Kevin O'Hole Date: 7/29/10

You must complete this report regardless of how recently your code was approved or amended. **Please return this report no later than August 31, 2010 to:**

Clerk of the Board of Supervisors
(Conflict of Interest Code)
1600 Pacific Highway, Room 402
San Diego, CA 92101

CONFLICT OF INTEREST CODE
OF THE
SAN MARCOS
UNIFIED SCHOOL DISTRICT

CONFLICT OF INTEREST CODE OF THE SAN MARCOS UNIFIED SCHOOL DISTRICT

(Amended August 23, 2010)

The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted 2 Cal. Code of Regs. Section 18730 which contains the terms of a standard conflict of interest code which can be incorporated by reference in an agency's code. After public notice and hearing Section 18730 may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation (attached) and the attached Appendix designating officials and employees and establishing disclosure categories, shall constitute the conflict of interest code of the San Marcos Unified School District (the "District").

All officials and designated employees required to submit a statement of economic interests shall file their statements with the Administrative Assistant to the Superintendent as the District's Filing Officer. The Filing Officer shall make and retain a copy of all statements filed by Members of the Governing Board and the Superintendent, and forward the originals of such statements to the Clerk of the San Diego County Board of Supervisors. The Filing Officer shall retain the originals of the statements of all other Designated Employees. The Filing Officer will make all retained statements available for public inspection and reproduction during regular business hours. (Gov. Code Section 81008)

APPENDIX

CONFLICT OF INTEREST CODE OF THE SAN MARCOS UNIFIED SCHOOL DISTRICT

(Amended August 23, 2010)

EXHIBIT "A"

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

District Officials who manage public investments, as defined by 2 Cal. Code of Regs. § 18701(b), are NOT subject to the District's Code, but are subject to the disclosure requirements of the Act. (Government Code Section 87200 et seq.). [Regs. § 18730(b)(3)] These positions are listed here for informational purposes only.

It has been determined that the positions listed below are officials who manage public investments¹:

Members of the Governing Board

Superintendent

Financial Consultants

¹ Individuals holding one of the above-listed positions may contact the FPPC for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The FPPC makes the final determination whether a position is covered by § 87200.

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>
Assistant Principal (ALL)	5
Assistant Superintendent, Business Services	1, 2
Assistant Superintendent, Human Resources & Development	5
Assistant Superintendent, Instructional Services	5
Buyer	4
Coordinator, Transportation	2, 5
Director, Child Nutrition Services	5
Director, Curriculum (All)	5
Director, Maintenance & Operations	3, 5
Director, Purchasing	4
Director, Secondary Education	5
Director, Special Education	5
Director, Special Programs	5
Director, Technology	5
Director, Transportation	2, 5
Executive Director, Facilities	2,3,5
Executive Director, Finance	4
Executive Director, Maintenance & Operations and Transportation	2, 5
Executive Director, Technology	3, 5
General Counsel	1, 2
Grounds Supervisor	3, 5
Maintenance Supervisor	5
Principal	5
Purchasing Technician	4

DESIGNATED EMPLOYEES'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
ASSIGNED

Consultant²

²

Consultants shall be included in the list of Designated Employees and shall disclose pursuant to the broadest 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.

EXHIBIT "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 positions and sources of income, including gifts, loans and travel payments, located in, that do business in or own real property within the jurisdiction of the District

Category 2: All interests 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 and sources of income, including gifts, loans and travel payments, 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 positions and sources of income, including gifts, loans and travel payments, that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the District

Category 5: All investments and business positions and sources of income, including gifts, loans and travel payments, that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the Designated Employee's department, unit or division.

RESOLUTION #12-10/11

RESOLUTION OF THE GOVERNING BOARD OF THE SAN MARCOS UNIFIED SCHOOL DISTRICT ADOPTING AN AMENDED CONFLICT OF INTEREST CODE PURSUANT TO THE POLITICAL REFORM ACT OF 1974

On motion of Member Petrek, seconded by Member Jenkins, the following Resolution is adopted by the Governing Board of the San Marcos Unified School District, of San Diego County, California, effective July 1, 2010 through June 30, 2011,

WHEREAS, the Legislature of the State of California enacted the Political Reform Act of 1974, Government Code Section 81000 et seq. (the "Act"), which contains provisions relating to conflicts of interest which potentially affect all officers, employees and consultants of the San Marcos Unified School District (the "District") and requires all public agencies to adopt and promulgate a conflict of interest code; and

WHEREAS, the Governing Board adopted a Conflict of Interest Code (the "Code") in compliance with the Act; and

WHEREAS, subsequent changed circumstances within the District have made it advisable and necessary pursuant to Sections 87306 and 87307 of the Act to amend and update the District's Conflicts of Interest Code; and

WHEREAS, the potential penalties for violation of the provisions of the Act are substantial and may include criminal and civil liability, as well as equitable relief which could result in the District being restrained or prevented from acting in cases where the provisions of the Act may have been violated; and

WHEREAS, notice of the time and place of a public meeting on, and of consideration by the Governing Board of, the proposed amended Code was provided each affected designated employee and publicly posted for review at the offices of the District; and

WHEREAS, a public meeting was held upon the proposed amended Code at a regular meeting of the Governing Board on August 23, 2010, at which all present were given an opportunity to be heard on the proposed amended Code.

NOW, THEREFORE, BE IT RESOLVED by the Governing Board of the San Marcos Unified School District that the Governing Board does hereby adopt the proposed amended Conflict of Interest Code, a copy of which is attached hereto and shall be on file with the Administrative Assistant to the Superintendent and available to the public for inspection and copying;

BE IT FURTHER RESOLVED that the said amended Code shall be submitted to the Board of Supervisors of the County of San Diego for approval and said Code shall become effective 30 days after the Board of Supervisors approves the proposed amended Code as submitted;

BE IT FURTHER RESOLVED that any previous Conflict of Interest Codes of the San Marcos Unified School District shall be rescinded upon the effective date of said amended Code as approved by the Board of Supervisors.

APPROVED AND ADOPTED this 23rd day of August, 2010.

AYES: Garrett, Horacek, Jenkins, Petrek, Walton

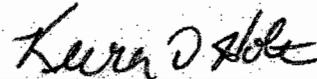
NOES: None

ABSENT: None

ABSTAIN: None

STATE OF CALIFORNIA
COUNTY OF SAN DIEGO

I, Kevin D. Holt, Secretary of the Governing Board, San Marcos Unified School District, San Diego County, do hereby certify that the foregoing is full, true and correct copy of a resolution duly passed and adopted by said Board at a regularly called and conducted meeting held on said date.



Kevin D. Holt Ed.D.
Secretary of the Governing Board

CONFLICT OF INTEREST CODE
OF THE
SAN MARCOS
UNIFIED SCHOOL DISTRICT

CONFLICT OF INTEREST CODE OF THE SAN MARCOS UNIFIED SCHOOL DISTRICT

(Amended August 23, 2010)

The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted 2 Cal. Code of Regs. Section 18730 which contains the terms of a standard conflict of interest code which can be incorporated by reference in an agency's code. After public notice and hearing Section 18730 may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation (attached) and the attached Appendix designating officials and employees and establishing disclosure categories, shall constitute the conflict of interest code of the San Marcos Unified School District (the "District").

All officials and designated employees required to submit a statement of economic interests shall file their statements with the Administrative Assistant to the Superintendent as the District's Filing Officer. The Filing Officer shall make and retain a copy of all statements filed by Members of the Governing Board and the Superintendent, and forward the originals of such statements to the Clerk of the San Diego County Board of Supervisors. The Filing Officer shall retain the originals of the statements of all other Designated Employees. The Filing Officer will make all retained statements available for public inspection and reproduction during regular business hours. (Gov. Code Section 81008)

APPENDIX

CONFLICT OF INTEREST CODE OF THE

SAN MARCOS UNIFIED SCHOOL DISTRICT

(Amended August 23, 2010)

EXHIBIT "A"

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

District Officials who manage public investments, as defined by 2 Cal. Code of Regs. § 18701(b), are NOT subject to the District's Code, but are subject to the disclosure requirements of the Act. (Government Code Section 87200 et seq.). [Regs. § 18730(b)(3)] These positions are listed here for informational purposes only.

It has been determined that the positions listed below are officials who manage public investments¹:

Members of the Governing Board

Superintendent

Financial Consultants

¹ Individuals holding one of the above-listed positions may contact the FPPC for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The FPPC makes the final determination whether a position is covered by § 87200.

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>
Assistant Principal (ALL)	5
Assistant Superintendent, Business Services	1, 2
Assistant Superintendent, Human Resources & Development	5
Assistant Superintendent, Instructional Services	5
Buyer	4
Coordinator, Transportation	2, 5
Director, Child Nutrition Services	5
Director, Curriculum (All)	5
Director, Maintenance & Operations	3, 5
Director, Purchasing	4
Director, Secondary Education	5
Director, Special Education	5
Director, Special Programs	5
Director, Technology	5
Director, Transportation	2, 5
Executive Director, Facilities	2,3,5
Executive Director, Finance	4
Executive Director, Maintenance & Operations and Transportation	2, 5
Executive Director, Technology	3, 5
General Counsel	1, 2
Grounds Supervisor	3, 5
Maintenance Supervisor	5
Principal	5
Purchasing Technician	4

DESIGNATED EMPLOYEES'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
ASSIGNED

Consultant²

² Consultants shall be included in the list of Designated Employees and shall disclose pursuant to the broadest 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.

EXHIBIT "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 positions and sources of income, including gifts, loans and travel payments, located in, that do business in or own real property within the jurisdiction of the District

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Category 3: All investments and business positions and sources of income, including gifts, loans and travel payments, 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 positions and sources of income, including gifts, loans and travel payments, that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the District

Category 5: All investments and business positions and sources of income, including gifts, loans and travel payments, that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the Designated Employee's department, unit or division.

LEGISLATIVE VERSION
(SHOWS CHANGES MADE)
CONFLICT OF INTEREST CODE
OF THE
SAN MARCOS UNIFIED SCHOOL DISTRICT

(Amended August 23, 2010)

~~**** The District Conflict of Interest Code shall comprise the terms of the California Code of Regulations, Title 2, 18730, and any amendments to it duly adopted by the Fair Political Practices Commission, together with District attachments specifying designated positions and specific types of disclosure statements required for each position. ****~~ The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted 2 Cal. Code of Regs. Section 18730 which contains the terms of a standard conflict of interest code which can be incorporated by reference in an agency's code. After public notice and hearing Section 18730 may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation (attached) and the attached Appendix designating officials and employees and establishing disclosure categories, shall constitute the conflict of interest code of the San Marcos Unified School District (the "District").

~~Board Members~~ All officials and designated employees required to shall submit a statements of economic interests shall file their statements with the Administrative Assistant to the Superintendent as the District's Filing Officer. ~~in accordance with requirements of the Conflict of Interest Code. Upon receipt of the~~ The Filing Officer shall make and retain a copy of all statements filed by Members of the Governing Board and the Superintendent, ~~the District shall make and retain a copy and~~

forward the originals of such statements to the Clerk of the San Diego County Board of Supervisors. ~~Statements for all other designated employees will be retained by the District. 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. These statements shall be filed pursuant to Government Code 87300. The Filing Officer shall retain the originals of the statements of all other Designated Employees. The Filing Officer will make all retained statements available for public inspection and reproduction during regular business hours. (Gov. Code Section 81008)~~

~~Designated employees required to file statements of economic interests are as follows:~~

~~Administrators
Assistant Principals
Assistant Superintendents [Specified below]
Candidates (voluntarily) [Deleted; outside authority]
Coordinators [Specified below]
Directors [Specified below]
Principals [see below]
Purchasing Agent [Title change; see below]
Superintendent of Schools [deleted; declared as official who manages public investments]~~

APPENDIX

CONFLICT OF INTEREST CODE

OF THE

SAN MARCOS UNIFIED SCHOOL DISTRICT

(Amended August 23, 2010)

EXHIBIT "A"

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Superintendent

Financial Consultants

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>
Assistant Principal (ALL)	5
Assistant Superintendent, Business Services	1, 2 full disclosure
Assistant Superintendent, Human Resources & Development	5
Assistant Superintendent, Instructional Services	5
Buyer	4 expanded
Coordinator, Transportation	2, 5 expanded
Director, Child Nutrition Services	5
Director, Curriculum (All)	5
Director, Maintenance & Operations	3, 5 expanded
Director, Purchasing	4 expanded
Director, Secondary Education	5
Director, Special Education	5
Director, Special Programs	5
Director, Technology	5
Director, Transportation	2, 5 expanded
Executive Director, Facilities	2,3,5 new
Executive Director, Finance	4 new
Executive Director, Maintenance & Operations and Transportation	2, 5 new
Executive Director, Technology	3, 5 new
General Counsel	1, 2 new
Grounds Supervisor	3, 5 new
Maintenance Supervisor	5 new
Principal	5
Purchasing Agent/Technician	4 expanded

DESIGNATED EMPLOYEES'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
ASSIGNED

Consultant²

new

²

Consultants shall be included in the list of Designated Employees and shall disclose pursuant to the broadest 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.

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