

COUNTY OF SAN DIEGO
BOARD OF SUPERVISORS

**2012 CONFLICT OF INTEREST CODE
BIENNIAL REVIEW REPLY FORM**

2012 SEP 21 PM 4 05

Contact Person: RAYLENE VELOZ, EXECUTIVE ASST Telephone Number: 760 726-2170 x2219
THOMAS J. PASIENSKI

C Name of Agency: Vista Unified School District

OF SUPERVISORS
Mailing Address 1234 Arcadia Avenue, Vista, CA 92084

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 _____

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: *R. Veloz* Date: 9/17/12

You must complete this report regardless of how recently your code was approved or amended. **Please return this report no later than October 1, 2012 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.	
Meeting Date: <u>12/4/12</u>	Minute Order No <u>20</u>
By: <u><i>Nancy Dineen</i></u>	Date: <u>12/17/12</u>
Deputy Clerk of the Board Supervisors	



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October 29, 2010

Teresa Zurita, Deputy
Clerk of the Board of Supervisors
County of San Diego
1600 Pacific Highway, Room 402
San Diego, CA 92101-2471

COUNTY OF SAN DIEGO
BOARD OF SUPERVISORS
2012 NOV 2 PM 9 20
THOMAS J. ...
CLERK OF THE BOARD
OF SUPERVISORS

Re: Vista Unified School District – Amendment of Conflict of Interest Code and Request for Notice

Dear Teresa:

Enclosed for review and approval by the San Diego County Board of Supervisors is the amended Conflict of Interest Code of the Vista Unified School District (the "District") which was adopted by the District Board of Trustees by Resolution No. 13-08 on October 11, 2012. As you can see by the enclosed legislative version of the Code, this amendment was done to add new positions that must be designated, and to include clarifying language as provided by the Fair Political Practices Commission.

The District hereby requests approval by the San Diego County Board of Supervisors of these amendments to the District's Conflict of Interest Code. Please let me know me when this amendment is submitted to the Board for approval. I would also appreciate it if you would send me a copy of the Resolution or Minute Order approving the District's amended Code.



BEST BEST & KRIEGER
ATTORNEYS AT LAW

Teresa Zurita, Deputy
Clerk of the Board of Supervisors
County of San Diego
October 29, 2012
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As always, please feel free to call or email me if you or County Counsel have any questions regarding the enclosed or this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Valdez', written over the word 'Sincerely,'.

Dianna Marie Valdez
Conflicts of Interests & Ethics Coordinator
for BEST BEST & KRIEGER LLP
General Counsel
Vista Unified School District

Encls:
Amended Conflict of Interest Code and Adopting Resolution
Legislative Version of the amended Code (showing changes made)

BOARD OF TRUSTEES OF THE
VISTA UNIFIED SCHOOL DISTRICT

RESOLUTION NO. 13-08

RESOLUTION ADOPTING AN AMENDED
CONFLICT OF INTEREST CODE PURSUANT TO THE
POLITICAL REFORM ACT OF 1974

WHEREAS, 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 Vista Unified School District (the "District") and requires all public agencies to adopt and promulgate a conflict of interest code; and

WHEREAS, the Board of Trustees adopted a Conflict of Interest Code (the "Code") which was amended on September 9, 2010, 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 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 Board of Trustees 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 Board of Trustees on October 11, 2012, at which all present were given an opportunity to be heard on the proposed amended Code.

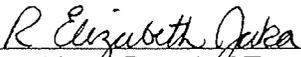
NOW, THEREFORE, THE BOARD OF TRUSTEES OF THE VISTA UNIFIED SCHOOL DISTRICT DOES HEREBY RESOLVE AND ORDER AS FOLLOWS:

Section 1. Adoption. The Board of Trustees does hereby adopt the proposed amended Conflict of Interest Code, a copy of which is attached hereto and shall be on file with the Executive Assistant to the Superintendent and available to the public for inspection and copying;

Section 2. Effective Date. The said amended Code shall be submitted to the Board of Supervisors of the County of San Diego for approval and said Code shall

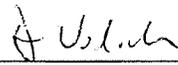
become effective 30 days after the Board of Supervisors approves the proposed amended Code as submitted.

PASSED AND ADOPTED by the Board of Trustees of the Vista Unified School District this 11th day of October, 2012.



President, Board of Trustees
VISTA UNIFIED SCHOOL DISTRICT

ATTEST:



Secretary, Board of Trustees
VISTA UNIFIED SCHOOL DISTRICT

STATE OF CALIFORNIA)
)
COUNTY OF SAN DIEGO) ss.

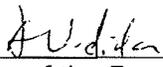
I, Devin Vodicka, Secretary of the Board of Trustees of the Vista Unified School District, County of San Diego, California, do hereby certify that the foregoing Resolution was duly adopted by the Board of Trustees of said District at a regular meeting of said Board held on the 11th day of October, 2012, and that it was adopted by the following vote:

AYES: Lilly, Gibson, Herrera, Chunka, Jaka

NOES: 0

ABSTAIN: 0

ABSENT: 0



Secretary of the Board of Trustees of the
Vista Unified School District

LAW OFFICES OF
BEST BEST & KRIEGER LLP

LEGISLATIVE VERSION
(SHOWS CHANGES MADE)

CONFLICT OF INTEREST CODE

OF THE

VISTA UNIFIED SCHOOL DISTRICT

CONFLICT OF INTEREST CODE
OF THE
VISTA UNIFIED SCHOOL DISTRICT

(~~Adopted~~Amended November 16, 2006~~October 11, 2012~~)

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 a regulation (2 Cal. Code of Regs. ~~§~~ 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 ~~it~~ 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 incorporation page, rRegulation 18730 (~~attached~~) and the attached Appendix designating ~~officials and employees~~ positions and establishing disclosure categories, shall constitute the conflict of interest code of the **Vista Unified School District** (the "**District**").

All ~~O~~ Officials and ~~D~~ designated Employees ~~positions~~ required to submit a statement of economic interests shall file their statements with the Superintendent's Secretary Executive Assistant as the District's Filing Officer. The ~~Filing Officer~~ Executive Assistant shall make and retain a copy of all statements filed by Members of the Board of Trustees and the Superintendent, and forward the originals of such statements to the Clerk of the Board of Supervisors. The ~~Filing Officer~~ Executive Assistant shall retain the originals of the statements of all other ~~D~~ designated Employees ~~positions~~. The ~~Filing Officer~~ will and 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

VISTA UNIFIED SCHOOL DISTRICT

(Amended September 9, 2010 October 11, 2012)

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. (must file disclosure statements under 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 Board of Trustees

Superintendent

Financial Consultants

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

DESIGNATED POSITIONS

GOVERNED BY THE CONFLICT OF INTEREST CODE

<u>DESIGNATED EMPLOYEES' POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Assistant Superintendent, Administrative Services	4
Assistant Superintendent, Business Services	1, 2
Assistant Superintendent, Curriculum & Instruction	5
Assistant Superintendent, Human Resources	5
Associate Superintendent, Educational Services	5
Central Kitchen & Catering Supervisor	5
Chief Academic Officer	5
Chief Business Officer	1
Chief Facilities Officer	2, 3, 5
Chief Operations Officer	4
Coordinator, Categorical Programs	5
Coordinator, Curriculum & Staff Development	5
Coordinator, ELD	5
Coordinator, Instructional Media Center	5
Coordinator, Safe Schools-Tobacco/Substance Use	5
Coordinator, Special Programs & Curriculum	5
Coordinator, Special Programs/Elementary Education	5
Deputy Superintendent	4

<u>DESIGNATED EMPLOYEES'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Director of Construction	3, 5
Director, Certificated Human Resources	5
Director, Child Nutrition Services	5
Director, Classified Human Resources	5
<u>Director, Curriculum & Instruction (ALL)</u>	<u>5</u>
Director, Education Services	5
Director, Facilities, Maintenance & Operation	5
Director, Fiscal Services	4
Director, Information Systems	5
Director, Land & Facilities Planning	2, 3, 5
Director, Purchasing	4
Director, Special Education	5
Director, Student Academic Achievement	5
Director, Student Support Services	5
Director, Transportation	5
Executive Director, BTSA, PAR, University Intern Program and Admin Prof. Dev.	5
Executive Director, Curriculum & Instruction <u>(ALL)</u>	5
Executive Director, Facilities/Planning & Construction	2, 3, 5
<u>Executive Director, Fiscal Services</u>	<u>4</u>
Facilities Coordinator/Developer Fees	2, 3, 5

DESIGNATED EMPLOYEES'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
ASSIGNED

Facilities Planner	2, 3, 5
General Counsel	1, 2
Grants Administrator	1
<u>Grounds Supervisor</u>	<u>5</u>
Maintenance Manager <u>Supervisor</u>	5
Network Analyst	5
Operations Supervisor	5
Principals	5
Print Shop Supervisor	5
<u>Special Education Supervisor</u>	<u>5</u>
Vehicle Maintenance Supervisor	5

MEMBERS OF BOARDS,
COMMITTEES AND COMMISSIONS

Citizens' Bond Oversight Committee	1, 2
Real Property Advisory Committee	1, 2

Consultant and New Positions²

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: Individuals serving as a consultant as defined in FPPC Reg 18701 or in a new position must file under the broadest disclosure set forth 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. The Superintendent may determine that due to the range of duties or contractual obligations, it is more appropriate to designate a limited disclosure requirement. A clear explanation of the duties and a statement of the extent of the disclosure requirements must be in a written document. 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~~ economic interests that the ~~Designated Employee position~~ must disclose for each disclosure category to which he or she is assigned.

Category 1: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are located in, 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 in business entities, 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 in business entities, and sources of income, including gifts, loans and travel payments, that provide services, supplies products, materials, machinery, vehicles or equipment of a type purchased or leased by the District.

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