

# 2016 Local Agency Biennial Notice



Name of Agency: Leggett Valley Unified School District

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Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.

This agency has reviewed its conflict of interest code and has determined that (check one BOX):

An amendment is required. The following amendments are necessary:

(Check all that apply.)

- Include new positions
- Revise disclosure categories
- Revise the titles of existing positions
- Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions
- Other (describe) \_\_\_\_\_

The code is currently under review by the code reviewing body.

No amendment is required. (If your code is over five years old, amendments may be necessary.)

## Verification (to be completed if no amendment is required)

*This agency's code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure assigned to those positions accurately requires that all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions are reported. The code includes all other provisions required by Government Code Section 87302.*

Brianna Parkinson  
Signature of Chief Executive Officer

9/28/16  
Date

All agencies must complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 3, 2016**, or by the date specified by your agency, if earlier, to:

(PLACE RETURN ADDRESS OF CODE REVIEWING BODY HERE)

**PLEASE DO NOT RETURN THIS FORM TO THE FPPC.**

**CONFLICT OF INTEREST**

**RESOLUTION ADOPTING A  
CONFLICT OF INTEREST CODE**

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 Board of Trustees of the Leggett Valley Unified School District 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 district'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 Leggett Valley Unified School District has recently reviewed its positions, and the duties of each position, and has determined that ~~(changes/no changes)~~ to the current conflict of interest code are necessary; and

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

NOW THEREFORE BE IT RESOLVED that the Leggett Valley Unified School District Board of Trustees adopts the following Conflict of Interest Code including its Appendix of Designated Employees and Disclosure Categories.

PASSED AND ADOPTED THIS \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ at a meeting, by the following vote:

AYES: \_\_\_\_\_ NOES: \_\_\_\_\_ ABSENT: \_\_\_\_\_

Attest:

\_\_\_\_\_  
Secretary/President

**CONFLICT OF INTEREST (continued)****Conflict of Interest Code of the  
Leggett Valley Unified School District**

The provisions of 2 CCR 18730 and any amendments to it adopted by the Fair Political Practices Commission, together with the attached Appendix specifying designated positions and disclosure categories, are incorporated by reference and shall constitute the district's conflict of interest code.

Board of Trustees members and designated employees shall file a Statement of Economic Interest/Form 700 in accordance with the disclosure categories listed in the attached Appendix. The Statement of Economic Interest shall be filed with the district's filing officer and/or, if so required, with the district's code reviewing body. The district's filing officer shall make the statements available for public review and inspection.

**APPENDIX****Disclosure Categories**

1. **Category 1:** A person designated Category 1 shall disclose:
  - 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.
  - b. Investments or business positions in or income from sources which are engaged in the acquisition or disposal of real property within the district, 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 manufacture or sell supplies, books, machinery, or equipment of the type used by the district.
2. **Category 2:** A person designated Category 2 shall disclose:
  - a. Investments or business positions in or income from sources which are contractors or subcontractors engaged in work or services of the type used by the department which the designated person manages or directs.
  - b. Investments or business positions in or income from sources which 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.

**CONFLICT OF INTEREST (continued)**

3. **Full Disclosure:** Because it has been determined that the district's Board members and/or Superintendent "manage public investments," they and other persons designated for "full disclosure" shall disclose, in accordance with Government Code 87200:
- 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.
  - b. Investments, business positions, and sources of income, including gifts, loans, and travel payments.

**Designated Positions**

<u>Designated Position</u>	<u>Disclosure Category</u>
Board of Trustees Members	1
Superintendent of Schools	1
Business Manager	1
Principal	2

**Disclosures for Consultants**

Consultants are designated employees who must disclose financial interests as determined on a case-by-case basis by the Superintendent/Principal or designee. The Superintendent/Principal 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)

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

**CONFLICT OF INTEREST (continued)**

5. Grant district approval to a contract that requires district approval and in which the district is a party, or to the specifications for such a contract
6. Grant district approval to a plan, design, report, study, or similar item
7. 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)

**LEGGETT VALLEY UNIFIED SCHOOL DISTRICT  
CONFLICT OF INTEREST CODE Adopted 081297**

**100. CONFLICT OF INTEREST CODE**

Designated Employees

Under provisions of this Code, designated employees shall file statements of economic interests. In the following paragraphs are examples of designated employees because their positions involve the making or participating in the making of decisions which could affect private financial interests materially. The financial effect of a government decision is material if the decision will have a significant effect on a person's or business entity's real property or sources of income held by the designated employee's spouse or dependent children and must be reported as though held by the designated employee personally.

Consultants to this District hold designated positions under this Conflict of Interest Code and are required to comply with the disclosure requirements described below. The Board of Trustees may determine, in writing, that a particular consultant is hired to perform a range of duties that are limited in scope and thus not required to comply with the disclosure requirements described in these categories. Such 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 shall forward a copy of his or her recommendations to the Board of Trustees for their determination.

Designated Positions

Disclosure Category

Members of the Board of Trustees  
Superintendent

1,2,3  
1,2,3

Administrative Assistant	1,2,3
Business Manager	1,2,3
Attorney for District	1,2,3
Consultants	1,2,3 subject to the limitations listed above.
Principals, Head Teachers	2,3
Director of Food Services	3

### Disclosure Categories

1. Investments in any business entity which, within the last two years, has contracted, or in the future foreseeably may contract with the District to provide services, supplies, materials, machinery or equipment. (See Government Code Sections 82034, 78103, 87206)
2. Income from any source which, within the last 12 months, has contracted, or in the future foreseeably may contract with the District to provide services, supplies, materials, machinery or equipment to the District. (See Government Code Sections 82030, 78103, 87207)
3. Interest in Real Property located in whole or in part either within the boundaries of the District, including any leasehold, beneficial or ownership interest or option to acquire such interest in real property. (See Government Code Sections 82033, 87103, 87206.) (See Appendix #1)

**LEGGETT VALLEY UNIFIED SCHOOL DISTRICT  
CONFLICT OF INTEREST CODE  
EXHIBIT A**

Disclosure Categories

Category 1

(a) Interests in real property which is located in whole or in part either (1) within the boundaries of the school districts of the county, or (2) within two miles of those boundaries, including any leasehold, beneficial or ownership interest or option to acquire such interest in real property, if the fair market value of the interest is greater than \$1,000.

(Interests in real property of an individual include a business entity's share of interest in real property of any business entity or trust in which the designated employee or his or her spouse owns, directly, indirectly, or beneficially, a ten percent interest or greater.)

(b) Investments in or income from business entities which are contractors or sub-contractors which are or have been within the previous two-year period engaged in the performance of building construction or design within the District.

(c) Investments in or income from persons or business entities engaged in the acquisition or disposal of real property within the jurisdiction.

(Investment includes any financial interest in or security issued by a business entity, including but not limited to common stock, preferred stock, rights, warrants, options, debt instrument and any partnership interest or other ownership interest.)

(Investments of any individual include a pro rate share of investments of any business entity or trust in which the designated employee or his or her spouse owns, directly, indirectly or beneficially, a ten percent interest or greater.)

(Investment does not include a time or demand deposit in a financial institution, shares in a credit union, any insurance policy, or any bond or other debt instrument issued by any government or government agency.)

(No investment or interest in real property is reportable unless its fair market value exceeds \$1,000. No source of income is reportable unless the income received by or promised to the public official aggregates \$250 in value during the preceding 12-month reporting period.)

(d) Investments in or income from business entities holding interests in real property with a value in excess of \$250 within the jurisdiction.

Category 2

Investments in or income from business entities which manufacture or sell supplies, books, machinery or equipment of the type utilized by the department for which the designated employee is Manager or Director. Investments include interests described in Category 1.

Category 3

Investments in or income from business entities which are contractors or sub-contractors engaged in the performance of work or services of the type utilized by the department for which the designated employee is Manager or Director. Investments include the interests described in Category 1.