



# CAREER TECHNICAL EDUCATION CHARTER

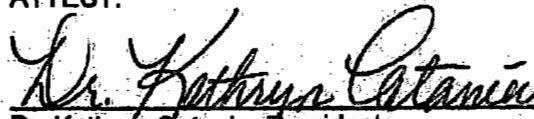
## CONFLICT OF INTEREST CODE

The Political Reform Act (Government Code section 81000, *et seq.*) requires local government agencies to adopt and promulgate conflict-of-interest codes. The Fair Political Practices Commission (FPPC) has adopted Title 2 of the California Code of Regulations (CCR), section 18730, which contains the terms of a standard conflict-of-interest code and may be incorporated by reference in an agency's conflict of interest code. Therefore, the terms of 2 CCR section 18730 and any amendments to it adopted by the FPCC are hereby incorporated by reference in this Conflict of Interest Code and together with the attached appendices designating positions and establishing disclosure requirements shall constitute the Conflict of Interest Code of the Career Technical Education Charter (CTEC).

The members of the Governing Board, the Fresno County Superintendent of Schools, and designated members of the Administrative Team for CTEC shall file a Statement of Economic Interest/Form 700 in accordance with the disclosure categories listed in the attached Appendix B. The Statements of Economic Interest (Statements) for designated positions, except members of the Governing Board and the Fresno County Superintendent of Schools, shall be filed with the filing officer, General Counsel, Office of the Fresno County Superintendent of Schools. Governing Board members and the Fresno County Superintendent of Schools shall file their original Statements electronically directly with their filing officer, Fresno County Board of Supervisors, Clerk of the Board. General Counsel shall retain a copy of the Governing Board members' and the Fresno County Superintendent of School's electronically filed Statements and the original Statements of the other designated filers and consultants in the Fresno County Superintendent of Schools Legal Services department and shall make the Statements available for public review, inspection, and reproduction. (Gov. Code section 81008.)

Adopted by the Governing Board of the Career Technical Education Charter at its duly called meeting on May 21, 2018.

ATTEST:

  
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Dr. Kathryn Catania, President  
Governing Board of Career Technical Education Charter  
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Approved and/or authorized by the  
Board of Supervisors of the County of Fresno  
Meeting Date: 12.4.18 Agenda Item No. 37  
By: Kelley Hanwick Date: 12.4.18  
Deputy Clerk

**APPENDIX A  
DESIGNATED POSITIONS**

<u>Title/Designated Position</u>	<u>Disclosure Category</u>
Fresno County Superintendent of Schools	1
Governing Board Members	1
Senior Administrative Team Members Deputy Superintendent, Educational Services, Office of Fresno County Superintendent of Schools	1
Administrative Team Members Administrator, CTE/ROP, Office of Fresno County Superintendent of Schools  Director, CTEC, Office of Fresno County Superintendent of Schools	2
Newly Created Positions	*
Third Party Consultants	*

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### **Disclosures for Third Party Consultants**

On a case-by-case basis, the Fresno County Superintendent of Schools (FCSS) or designee shall determine if a third party consultant is a "designated employee" who must disclose financial interests. When so identified, FCSS or designee shall provide, in writing, 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.

For purposes of this section and for compliance with the Political Reform Act and 2 CCR section 18701, a consultant is defined as an individual who, pursuant to a contract with FCSS in which the consultant provides goods and/or services to CTEC, makes a governmental decision whether to:

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 FCSS to enter into, modify, or renew a contract that requires FCSS approval;
5. Grant FCSS approval to a contract that requires FCSS approval and in which FCSS is a party, or to the specifications for such a contract;
6. Grant FCSS approval to a plan, design, report, study, or similar item; or
7. Adopt or grant FCSS approval of FCSS or CTEC policies, standards, or guidelines.

A consultant also means an individual who, pursuant to a contract with FCSS in which the consultant provides goods and/or services to CTEC, serves in an employee capacity with FCSS and in that capacity participates in making a governmental decision as defined in 2 CCR section 18702.2 or performs the same or substantially the same duties for FCSS that would otherwise be performed by an individual holding a position specified in this Conflict of Interest Code. (2 CCR section 18701.)

### **Disclosures by Employees in Newly Created Positions**

A newly created position that makes or participates in the making of decisions that may foreseeably have a material effect on any financial interest of the position-holder, and which specific position title is not yet listed in this Conflict of Interest Code, is included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in this Conflict of Interest Code subject to the following limitation: FCSS or designee may determine in writing that a particular newly created position, 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 broadest disclosure requirements but instead must comply with more tailored disclosure requirements specific to that newly created position. Such written determination shall include a

**description of the newly created position's duties and, based upon that description, a statement of the extent of disclosure requirements. The FCSS' determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code. (Gov. Code section 81008.)**

**Within 90 days of creating the newly created position that must file a Statement of Economic Interest, CTEC shall update this Conflict of Interest Code to add the actual position title in its list of designated positions and submit the amended Conflict of Interest Code to the Fresno County Board of Supervisors, the code reviewing body of CTEC. (Gov. Code section 87306.)**

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**APPENDIX B  
DISCLOSURE CATEGORIES**

1. Category 1. A person designated Category 1 shall disclose:
  - a. Interests in real property located entirely or partly within county boundaries, or within two miles of county boundaries or of any land owned or used by the Fresno County Board of Education or FCSS for CTEC (such interests include any leasehold, beneficial or ownership interest, or option to acquire such interest in real property); and
  - b. Investments, or business position, or income, including loans, gifts, and travel payments, from sources which are engaged in the disposal of real property within the county, are contractors or subcontractors which are or have been engaged in work or services of the type used by FCSS for CTEC, or manufacture or sell supplies, books, machinery, or equipment of the type used by FCSS for CTEC.
  
2. Category 2. A person designated Category 2 shall disclose:
  - a. Investments, business positions, or income, including loans, gifts, and travel payments, from sources which 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 department or program that the employee manages, directs, or is assigned; and
  - b. Investments, business positions, or income, including loans, gifts, and travel payments, from sources which manufacture or sell supplies, books, machinery or equipment of the type used by the department or program that the employee manages, directs, or is assigned.

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