Bylaws of the Board
CONFLICT OF INTEREST: DESIGNATED EMPLOYEES

DESIGNATED EMPLOYEES

1. Persons occupying the following positions are designated employees and must disclose financial interests in Category I defined in Exhibit 9270(a).

Governing Board Members
Governing Board Candidates
Superintendent
Business Manager
Consultants

The Superintendent may determine in writing that a particular consultant, although in a "designated position," is hired to perform a limited range of duties and thus not required to fully comply with disclosure requirements. The Superintendent'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. This determination is a public record and shall be retained for public inspection along with this Conflict of Interest Code.

Designated persons in this category must report:

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. Such interests include any leasehold, beneficial or ownership interest or option to acquire such interest in real property.

b. Investments or business positions in or income from sources which:
(1) Are engaged in the acquisition or disposal of real property within the district;
(2) 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
(3) Manufacture or sell supplies, books, machinery or equipment of the type used by the district.

2. Persons occupying the following positions are designated employees and must disclose financial interests defined in Category 2 of Exhibit 9270(a).

~~Director of Transportation~~
~~Director of Maintenance and Operations~~ *Facilities Director*
Director of Special Programs
Director of Special Education *and Pupil Personnel Services*
Principals
Assistant Principals
Cafeteria Supervisor

Designated persons in this category must report investments or business positions in or income from sources which:

a. Are contractors or subcontractors engaged in work or services of the type used by the department which the designated person manages or directs; or

b. 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.

3. Consultants are designated employees who must disclose financial interests as determined on a case-by-case basis by the Superintendent or designee. The Superintendent 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 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 any of several specified governmental decisions or serves in a staff capacity with the district, performing the same or substantially 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. Consultants are individuals who decide whether to: (Code of Regulations, Title 2, Section 18700)

a. Approve a rate, rule or regulation;

b. Adopt or enforce a law;

c. Issue, deny, suspend or revoke a permit, license, application, certificate, approval, order or similar authorization or entitlement;

d. Authorize the district to enter into, modify or renew a contract that requires district approval;

e. Grant district approval to a contract or contract specifications which require district approval and in which the district is a party;

f. Grant district approval to a plan, design, report, study or similar item; or

g. Adopt or grant district approval of district policies, standards or guidelines.

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