

BOARD BYLAWS

CONFLICT OF INTEREST CODE

**Conflict of Interest Code of the  
Moraga Elementary 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.

Governing Board 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.

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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 that are engaged in the acquisition or disposal of real property within the district, are contractors or subcontractors who 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 that are contractors or subcontractors engaged in work or services of the type used by the department that the designated person manages or directs.
  - b) Investments or business positions in or income from sources that manufacture or sell supplies, books, machinery, or equipment of the type used by the department that the designated person manages or directs. For the purposes of this category, a principal's department is his/her entire school.

Designated Positions and Disclosure Category

Governing Board Members 1  
Superintendent of Schools 1  
Chief Business Official 1  
Purchasing Agent 1  
Payroll Accountant 1  
Director 2  
Principal 2  
Assistant Principal 2  
Maintenance and Operations Director 2

Disclosures for Consultants

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

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Disclosures for Consultants continued

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
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)