



MT. DIABLO UNIFIED SCHOOL DISTRICT GOVERNING BOARD  
RESOLUTION 21/22-30  
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 Governing Board of the Mt. Diablo 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 Mt. Diablo School District has reviewed its positions, and the duties of each position, and has determined that 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any earlier resolutions, bylaws, and/or appendices containing the district's conflict of interest code shall be rescinded and superseded by this resolution and Appendix; and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 Mt. Diablo School District Governing Board adopts the following Conflict of Interest Code including its Appendix of Designated Employees and Disclosure Categories.

AYES:    NOES:    ABSENCES:    ABSTENTIONS :

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Cherise Khaund, Board President

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Debra Mason, Board Vice President

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Linda Mayo, Board Member

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Erin McFerrin, Board Member

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Keisha Nzewi, Board Member

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Dr. Adam Clark, Superintendent

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*Resolution 21/22-30*

*Adopted at the meeting of the MDUSD Governing Board of Education on 10/27/2021*

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Conflict of Interest Code of the  
Mt. Diablo 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.

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.

APPENDIX  
DESIGNATED POSITIONS/DISCLOSURE CATEGORIES

1. Persons occupying the following positions are designated employees in Category 1:

Governing Board Members  
Superintendent of Schools  
Chief Business Officer  
Chief, Educational Services  
Chief, Human Resources  
Chief, Pupil Services and Special Education  
Chief Accountant  
Director, Fiscal Services  
General Counsel  
Purchasing Director  
Director of Maintenance and Operations  
Director of Facilities and Bonds  
Director of Food Services

Designated persons in Category 1 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 positions with the following designations as part of their title are designated employees in Category 2:

Administrator  
Director  
Manager  
Principal  
Program Coordinator  
Program Specialist  
Supervisor

Designated persons in Category 2 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 determinations are public records and shall be retained for public inspection along with this conflict of interest code.

- 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
- g. 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](#))

4. Designated persons in Category 3 must report:

Investments in any business entity, income from any source and status as a director, officer, partner, trustee, employee, or holder of a position of management 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 which are related to the following areas:

- a. Special Education
- b. Physical Education
- c. Medicine and Health
- d. Buildings and Grounds Equipment and Supplies
- e. Buildings and Grounds Maintenance Services
- f. Data Processing and Computers
- g. Office Management
- h. Motor Vehicles
- i. Food and Food Service
- j. Books and Other Publications
- k. Pedagogical Supplies and Equipment
- l. Foreign Language Training
- m. Musical Instruments and Music Training
- n. Employment Agencies
- o. Vocational Training