* The California Department of Education has illustrated changes to the original text in the following manner: text originally proposed to be added is underlined; text proposed to be deleted is displayed in ~~strikeout~~.

# Title 5. EDUCATION Division 1. California Department of Education

## Chapter 1. General Provisions Subchapter 6. California Department of Education—Conflict of Interest Code

#### § 70. General Provisions

The Political Reform Act, Government Code sections 81000, et seq., requires state and local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission (FPPC) has adopted a regulation, 2 Cal. Code of Regulations section 18730, which contains the terms of a standard Conflict of Interest Code, which can be incorporated by reference, and which may be amended by the FPPC to conform to amendments in the Political Reform Act after public notice and hearings. Therefore, the terms of 2 Cal. Code of Regulations section 18730 and any amendments to it duly adopted by the FPPC, along with the attached Appendix in which officials and employees are designated and disclosure categories are set forth, are hereby incorporated by reference and constitute the Conflict of Interest Code of the California Department of Education (CDE), except as provided below.

Designated employees shall file statements of economic interests with the agency. The statement of economic interest for the State Superintendent of Public Instruction shall be filed electronically with the FPPC.

Exception: As provided in title 2 of the ~~Cal.~~ California Code of Regulations section 18730(b)(1), the definitions contained in the Political Reform Act of 1974 shall apply to the terms used in this Code except that neither the term “investment” nor the term “business entity” shall operate to exclude any private school in California, whether or not such school is operated for profit.

NOTE: Authority cited: Sections 87300 and 87304, Government Code. Reference: Sections 87300, et seq., Government Code.

**Appendix**

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| ***Designated Employees*** | ***Disclosure Categories*** |
| *Headquarters Offices:* |  |
| Chief Deputy Superintendent | I, II, VI |
| Deputy Superintendent | I, II, VI |
| All Career Executive Assignment ~~classes~~ positions (All levels) | I, II, VI |
| All exempt positions, including those authorized for boards and commissions | I, II, VI |
| Accounting Administrator (All levels) | III, IV, V |
| ~~Agricultural Education Consultant~~ | ~~III, IV, V~~ |
| American Indian Education Consultant | III, IV, V |
| Associate Governmental Program Analyst | III, IV, V |
| Associate Governmental Program Analyst (CFIRD\*) | III, IV, V, VI |
| Associate Management Auditor | I, II |
| Associate Editor of Publications | III, IV, V, VI |
| Associate Personnel Analyst | IV, |
| Attorney (All levels) | I, II, VI |
| Automotive Equipment Operator | IV |
| ~~Bilingual/Migrant Consultant~~ | ~~III, IV, V~~ |
| Business Services Officer (All levels) | III, IV, V |
| Child Development Assistant | III, IV, V |
| Child Development Consultant | III, IV, V |
| Child Nutrition Assistant | III, IV, V |
| Child Nutrition Consultant | III, IV, V |
| Child Nutrition Supervisor (All levels) | III, IV, V |
| Departmental Construction and Maintenance Supervisor | I, III, IV, V |
| Digital Composition Specialist I, II, III | ~~II III,~~ IV, V, VI |
| Education Administrator (All levels) | III, IV, V |
| Education ~~Programs~~ Administrator (CFIRD\*; all levels) | III, IV, V, VI |
| Education Fiscal Services Administrator | III, IV, V |
| Education Fiscal Services Assistant | III, IV, V |
| Education Fiscal Services Consultant | III, IV, V |
| Education Programs Assistant | III, IV, V |
| Education Programs Assistant (CFIRD\*) | III, IV, V, VI |
| Education Programs Consultant | III, IV, V |
| Education Programs Consultant (CFIRD\*) | III, IV, V, VI |
| Education Research and Evaluation Administrator | III, IV, V |
| Education Research and Evaluation Consultant | III, IV, V |
| Education Research and Evaluation Assistant | III, IV, V |
| Field Representative Classification in School Facilities | I, II, III |
| Graphic Designer (All levels) | ~~III,~~ IV, V, VI |
| Health Careers Education Consultant | III, IV, V |
| Information Technology Associate | ~~III,~~ IV |
| Information Technology Manager (All levels) | III, IV |
| Information Technology Specialist (All levels) | ~~III,~~ IV |
| Information Technology Supervisor (All levels) | ~~III,~~ IV |
| ~~Labor Relations Officer~~ | ~~III, IV~~ |
| Labor Relations Manager II | III, IV |
| Labor Relations Specialist | III, IV |
| Legislative Representative | I, II, VI |
| Nurse Consultant III Specialist | III, IV, V |
| Nutrition Education Administrator | III, IV, V |
| Nutrition Education Assistant | III, IV, V |
| Nutrition Education Consultant | III, IV, V |
| School Administration Field Representative | I, III, IV, V |
| School Administration Representative (Specialist) | I, III, IV, V |
| School Health Education Consultant | III, IV, V |
| ~~Senior Architect~~ | ~~I, III, IV, V~~ |
| Senior Legal Analyst | III, IV, V |
| Senior Management Auditor | I, II |
| Staff Services Analyst | III, IV, V |
| Staff Services Analyst (CFIRD\*) | III, IV, V, VI |
| Staff Services Management Auditor | I, II |
| Staff Services Manager (All levels) | III, IV, V |
| Staff Services Manager (CFIRD\*; all levels) | III, IV, V, VI |
| ~~Supervising Field Representative~~ | ~~I, III, IV, V~~ |
| Supervising Management Auditor | I, II |
| Training Officer (All levels) | IV |
| Transportation Program Consultant | III, IV, V |
| State Special Schools: |  |
| Site Superintendent or Director of a Special School or Center | I, III, IV, V, VI |
| All Director of Dietetics positions | IV |
| All Physician positions | IV |
| Associate Governmental Program Analyst | III, IV, V |
| Associate Personnel Analyst | III, IV, V |
| Athletic Director | IV |
| Automotive Equipment Operator | IV |
| Building Maintenance Worker | IV |
| Business Manager I, II | ~~II~~ IV, VI |
| Business Services Officer I (Supervisor) | IV, VI |
| Business Services Officer III (Supervisor) | IV, VI |
| Carpenter | IV |
| Chief Engineer | IV |
| Chief of Plant Operations | IV |
| Custodian Supervisor | IV |
| Electrician | IV |
| Executive Secretary | IV, VI |
| Locksmith I | ~~I~~ IV |
| Maintenance Mechanic | IV |
| Painter I, II | ~~I~~ IV |
| Registered Nurse | IV |
| Senior Accounting Officer/Supervisor | IV, VI |
| Staff Services Analyst | III, IV, V |
| Staff Services Manager (~~State Special Schools; a~~All levels) | IV, VI |
| Stationary Engineer | IV |
| Supervising Cook (All levels) | IV |
| Supervising Counselor | IV, VI |
| Supervising Registered Nurse | IV |
| Supervising Teacher | IV, VI |
| Supervisor Groundskeeper | IV |
| Supervisor of Building Trades | IV |
| Supervisor of Residence Programs | IV, VI |
| Consultants/New Positions | \*\* |

\* Curriculum Frameworks & Instructional Resources Division

\*\* Consultants/new positions shall be included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation:

The Chief Deputy Superintendent may determine in writing that a particular consultant or new position, although a “designated position,” is hired to perform a range of duties that is limited in scope and thus is not required to comply with the disclosure requirements described in this section. Such determination shall include a description of the consultant's or new position's duties and, based upon that description, a statement of the extent of disclosure requirements. The Chief Deputy Superintendent's 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, § 81008.)

Disclosure Categories:

Category I.

Positions designated in this category shall report interests in real property located in California.

Category II.

Positions designated in this category shall report investments, business positions, and sources of income (including receipt of gifts, loans and travel payments) that:

a. Are subject to, or be of the type to be subject to, approval, monitoring, or certification by CDE.

b. Provide, or is likely to provide, goods, leased facilities, equipment, machines, vehicles or services, including consulting or training services, to CDE.

c. Receive, or is likely to receive, grant funding or other money from CDE.

Category III.

Positions designated in this category shall report investments, business positions, and sources of income (including receipt of gifts, loans and travel payments) subject to, or be of the type to be subject to, approval, monitoring, or certification by the employee's division or organizational unit.

Category IV.

Positions designated in this category shall report investments, business positions, and sources of income (including receipt of gifts, loans and travel payments) that provide, or of the type that provide goods, leased facilities, equipment, machines, vehicles or services, including consulting or training services, to the employee's division or organizational unit.

Category V.

Positions designated in this category shall report investments and business positions in business entities and sources of income (including receipt of gifts, loans and travel payments) if the business entity or source is of the type to receive grants or other funding from or through the designated position's division or organizational unit.

Category VI.

Positions designated in this category shall report investments, business positions and sources of income (including receipt of gifts, loans and travel payments) are educational publishers, or vendors of instructional materials that are, or may be, utilized by public schools in California.

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