

**Brad Mendenhall**  
Superintendent



**Evergreen Union School District**  
19500 Learning Way  
Cottonwood, CA 96022-9602  
(530) 347-3411  
(530) 347-7954-fax  
eusdweb@evergreenusd.org  
www.evergreenusd.org

September 11, 2024

Sean Houghtby  
Clerk of the Board  
Tehama County Board of Supervisors  
P.O. Box 250  
Red Bluff, CA 96080

RE: 2024 Local Agency Biennial Notice for Conflict of Interest Codes

Dear Board Clerk Houghtby:

At our board meeting held last night, the Board of Trustees approved the revised Conflict of Interest Code for the Evergreen Union School District and attach the following:

2024 Local Agency Biennial Notice  
Conflict of Interest Code for Evergreen Union School District  
Appendix  
Attachment A  
Attachment B  
Attachment C  
Board Bylaw 9270 & Exhibit 9270-E Conflict of Interest

Please call should you have any questions. Thank you in advance.

Sincerely,

A handwritten signature in blue ink, appearing to read "Brad Mendenhall", is written over a white background.

Brad Mendenhall  
Superintendent

Attachments

**SAFETY \* KINDNESS \* RESPONSIBILITY \* RESPECT**

Board of Trustees: Brad Constant Christine Flood Lester Grade Michael Mitchell Jim Tomasini

# 2024 Local Agency Biennial Notice

Name of Agency: Evergreen Union School District  
Mailing Address: 19500 Learning Way, Cottonwood, CA 96022  
Contact Person: Brad Mendenhall Phone No. 530/347-3411  
Email: bmendenhall@evergreenusd.org Alternate Email: dswank@evergreenusd.org

**Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.**

This agency has reviewed its conflict of interest code and has determined that (check one BOX):

**An amendment is required. The following amendments are necessary:**

(Check all that apply.)

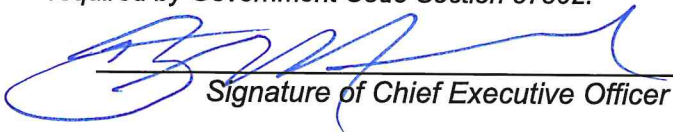
- Include new positions
- Revise disclosure categories
- Revise the titles of existing positions
- Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions
- Other (describe) Per Board Bylaw BR 9270 & Exh 9270-E Updates (see att)  
2018 2021

The code is currently under review by the code reviewing body.

No amendment is required. (If your code is over five years old, amendments may be necessary.)

## Verification (to be completed if no amendment is required)

*This agency's code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure assigned to those positions accurately requires that all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions are reported. The code includes all other provisions required by Government Code Section 87302.*

  
\_\_\_\_\_  
Signature of Chief Executive Officer

9/10/24  
\_\_\_\_\_  
Date

All agencies must complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 1, 2024**, or by the date specified by your agency, if earlier, to:

(PLACE RETURN ADDRESS OF CODE REVIEWING BODY HERE)

**PLEASE DO NOT RETURN THIS FORM TO THE FPPC.**

## **CONFLICT OF INTEREST CODE FOR EVERGREEN UNION 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.

The Board of Education 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 statements available for public review and inspection.

# APPENDIX

**ATTACHMENT A**

**EVERGREEN UNION SCHOOL DISTRICT  
CONFLICT OF INTEREST CODE  
DESIGNATED EMPLOYEES**

Under provisions of the Code, Designated Employees shall file statements of economic interests. Listed below are the designated positions for Evergreen Union School District and the appropriate disclosure category for filing the statement of economic interests:

**DESIGNATED POSITIONS**

<u>Designated Position</u>	<u>Disclosure Category</u>
Board of Education Members	I
Superintendent of Schools	I
Assistant/Associate Superintendent	I
Business Manager	I
Consultants	I

**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 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: (2CCR 18700.3)

1. Approve a rate, rule or regulation
2. Adopt or enforce a law
3. Issue, deny, suspend, or revoke any 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 18704, subsections (a) and (b), 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.

## ATTACHMENT B

### EVERGREEN UNION SCHOOL DISTRICT CONFLICT OF INTEREST CODE DISCLOSURE CATEGORIES FOR DESIGNATED POSITIONS

1. **Category I:** A person designated as Category I 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 which are engaged in the acquisition or disposal of real property within the district, 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 manufacture or sell supplies, books, machinery or equipment of the type used by the district.
  
2. **Category II:** A person designated as Category 2 shall disclose:
  - a. Investments or business positions in or income from sources which are contractors or subcontractors engaged in work or services of the type used by the department which the designated person manages or directs.
  - b. Investments or business positions in or income from sources which manufacture or sell supplies, books, machinery or equipment of the type used by the department which the designated person manages or directs. For the purpose of this category, a principal's department is his/her entire school.

**ATTACHMENT C**

**EVERGREEN UNION SCHOOL DISTRICT  
CONFLICT OF INTEREST CODE  
PLACE OF FILING**

Pursuant to Government Code section 87500, subdivisions (k) and (o), the Tehama County Board of Supervisors, as the code reviewing body for Evergreen Union School District, has determined that the original Form 700 - Statement of Economic Interests for each Designated Employee shall be filed with the Evergreen District Office. The District shall provide a Form 700 - Statement of Economic Interests to each Designated Employee annually and when that employee assumes or leaves any designated position. The employee shall complete and file the form with the District at the address below within the time required by law.

WHERE:       Evergreen Union School District  
                  19500 Learning Way  
                  Cottonwood, CA 96022

Business Manager, Assistant/Associate Superintendent, Superintendent, and Governing Board Members shall file TWO original Form 700 – Statement of Economic Interests. One is to be filed with the District and one with the Clerk of the Board/Elections at the address below within the time required by law.

WHERE:       Clerk of the Board/Elections  
                  633 Washington St. Room 12  
                  PO Box 250  
                  Red Bluff, CA 96080



**Bylaw 9270: Conflict Of Interest**

Status: ADOPTED

Original Adopted Date: 11/12/2019

The Board of Education desires to maintain the highest ethical standards and help ensure that decisions are made in the best interest of the district and the public. Accordingly, no Board member, district employee, or other person in a designated position shall participate in the making of any decision for the district when the decision will or may be affected by his/her financial, family, or other personal interest or consideration.

(cf. 9005 - Governance Standards)

Even if a prohibited conflict of interest does not exist, a Board member shall abstain from voting on personnel matters that uniquely affect his/her relatives. However, a Board member may vote on collective bargaining agreements and personnel matters that affect a class of employees to which his/her relative belongs. Relative means an adult who is related to the Board member by blood or affinity within the third degree, as determined by the common law, or an individual in an adoptive relationship within the third degree. (Education Code 35107)

A relationship within the third degree includes an individual's parents, grandparents, great-grandparents, children, grandchildren, great-grandchildren, brothers, sisters, aunts, uncles, nieces, nephews, and the similar family of the individual's spouse/registered domestic partner unless the individual is widowed or divorced.

The Board shall adopt for the district a conflict of interest code that incorporates the provisions of 2 CCR 18730 by reference, specifies the district's designated positions, and provides the disclosure categories required for each position. The conflict of interest code shall be submitted to the district's code reviewing body for approval, in accordance with Government Code 87303 and within the deadline for submission established by the code reviewing body. (Government Code 87303)

Upon direction by the code reviewing body, the Board shall review the district's conflict of interest code and submit any changes to the code reviewing body or, if no change is required, the Board shall submit a written statement to that effect. (Government Code 87306.5)

When a change in the district's conflict of interest code is necessitated due to changed circumstances, such as the creation of new designated positions, changes to the duties assigned to existing positions, amendments, or revisions, the amended code shall be submitted to the code reviewing body within 90 days after the changed circumstances necessitating the amendments have become apparent. (Government Code 87306)

When reviewing and preparing the district's conflict of interest code, the Superintendent or designee shall provide officers, employees, consultants, and members of the community adequate notice and a fair opportunity to present their views. (Government Code 87311)

(cf. 9320 - Meetings and Notices)

Board members and designated employees shall annually file a Statement of Economic Interest/Form 700 in accordance with the disclosure categories specified in the district's conflict of interest code. A Board member who leaves office or a designated employee who leaves district employment shall, within 30 days, file a revised statement covering the period of time between the closing date of the last required statement and the date of leaving office or district employment. (Government Code 87302, 87302.6)

(cf. 4117.2/4217.2/4317.2 - Resignation)

(cf. 9222 - Resignation)

**Conflict of Interest under the Political Reform Act**

A Board member, designated employee, or other person in a designated position shall not make, participate in making, or in any way use or attempt to use his/her official position to influence a governmental decision in which he/she knows or has reason to know that he/she has a disqualifying conflict of interest. A disqualifying conflict of interest exists if the decision will have a "reasonably foreseeable material financial effect," which is distinguishable from the effect on the public generally, on the Board member, designated employee, or other person in a designated position, his/her immediate family, or any financial interest described in 2 CCR 18700. (Government Code 87100, 87101, 87103; 2 CCR 18700-18707)

**Management Resources References**

Website

**Description**Fair Political Practices Commission

Website

CSBA**Cross References****Description**

1340

Access To District Records

1340

Access To District Records

3230

Federal Grant Funds

3230

Federal Grant Funds

3300

Expenditures And Purchases

3311

Bids

3400

Management Of District Assets/Accounts

3400

Management Of District Assets/Accounts

3430

Investing

3430

Investing

3470

Debt Issuance And Management

3600

Consultants

4136

Nonschool Employment

4236

Nonschool Employment

4336

Nonschool Employment

6161.1

Selection And Evaluation Of Instructional Materials

6161.1

Selection And Evaluation Of Instructional Materials

6161.1-E PDF(1)

Selection And Evaluation Of Instructional Materials

7140

Architectural And Engineering Services

7140

Architectural And Engineering Services

7214

General Obligation Bonds

7214

General Obligation Bonds

9000

Role Of The Board

9005

Governance Standards

9140

Board Representatives

9200

Limits Of Board Member Authority

9220

Governing Board Elections

9222

Resignation

9230

Orientation

9320

Meetings And Notices

9321

Closed Session

9321-E PDF(1)

Closed Session

9323

Meeting Conduct

**Exhibit (PDF) 9270-E PDF(1): Conflict Of Interest**

**Status:** ADOPTED

**Original Adopted Date:** 03/11/2021

*See PDF on the next page.*

## 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 which are engaged in the acquisition or disposal of real property within the district, 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 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 which are contractors or subcontractors engaged in work or services of the type used by the department which the designated person manages or directs.

b. Investments or business positions in or income from sources which 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.

### Designated Positions

#### Designated Position Disclosure Category

Board of Education Members 1

Superintendent of Schools 1

Assistant/Associate Superintendent 1

Business manager 1

Consultants 1

#### 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 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 18700.3)

1. Approve a rate, rule, or regulation

**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

<b>State References</b>	<b>Description</b>
2 CCR 18110-18997	Regulations of the Fair Political Practices Commission
2 CCR 18438.1-18438.8	Campaign contribution-based conflicts of interest
2 CCR 18700-18760	Conflicts of Interest
2 CCR 18722-18740	Disclosure of interests
2 CCR 18753-18756	Conflict of interest codes
Ed. Code 1006	<u>Prohibition against school district employees serving on county board of education</u>
Ed. Code 35107	<u>School district employees</u>
Ed. Code 35230-35240	<u>Corrupt practices</u>
Ed. Code 35233	<u>Prohibitions applicable to members of governing boards</u>
Ed. Code 41000-41003	<u>Moneys received by school districts</u>
Ed. Code 41015	<u>Investments</u>
Fam. Code 297.5	<u>Rights, protections, and benefits of registered domestic partners</u>
Gov. Code 1090-1099	<u>Prohibitions applicable to specified officers</u>
Gov. Code 1125-1129	<u>Incompatible activities</u>
Gov. Code 53234-53235.2	<u>Ethics training</u>
Gov. Code 81000-91014	<u>Political Reform Act</u>
Gov. Code 82011	<u>Code reviewing body</u>
Gov. Code 82019	<u>Definition; designated employee</u>
Gov. Code 82028	<u>Definition; gift</u>
Gov. Code 82030	<u>Definition; income</u>
Gov. Code 82033	<u>Definition; interest in real property</u>
Gov. Code 82034	<u>Definition; investment</u>
Gov. Code 84308	<u>Campaign Disclosure</u>
Gov. Code 87100-87103.6	<u>General prohibitions</u>
Gov. Code 87200-87210	<u>Disclosure</u>
Gov. Code 87300-87313	<u>Conflict of interest code</u>
Gov. Code 87500	<u>Statement of economic interests</u>
Gov. Code 89501-89503	<u>Honoraria and gifts</u>
Gov. Code 89506	<u>Ethics; travel</u>
Gov. Code 91000-91014	<u>Enforcement</u>
Pen. Code 85-88	<u>Bribes</u>
Pub. Cont. Code 6102	<u>Bribery of public official; voidable contract</u>
Rev. & Tax Code 203	<u>Taxable and exempt property - colleges</u>

**Cross References****Description**

3300	<u>Expenditures And Purchases</u>
3311	<u>Bids</u>
3400	<u>Management Of District Assets/Accounts</u>
3400	<u>Management Of District Assets/Accounts</u>
3430	<u>Investing</u>
3430	<u>Investing</u>
3470	<u>Debt Issuance And Management</u>
3600	<u>Consultants</u>
4136	<u>Nonschool Employment</u>
4236	<u>Nonschool Employment</u>
4336	<u>Nonschool Employment</u>
6161.1	<u>Selection And Evaluation Of Instructional Materials</u>
6161.1	<u>Selection And Evaluation Of Instructional Materials</u>
6161.1-E PDF(1)	<u>Selection And Evaluation Of Instructional Materials</u>
7140	<u>Architectural And Engineering Services</u>
7140	<u>Architectural And Engineering Services</u>
7214	<u>General Obligation Bonds</u>
7214	<u>General Obligation Bonds</u>
9000	<u>Role Of The Board</u>
9005	<u>Governance Standards</u>
9140	<u>Board Representatives</u>
9200	<u>Limits Of Board Member Authority</u>
9220	<u>Governing Board Elections</u>
9222	<u>Resignation</u>
9230	<u>Orientation</u>
9320	<u>Meetings And Notices</u>
9321	<u>Closed Session</u>
9321-E PDF(1)	<u>Closed Session</u>
9323	<u>Meeting Conduct</u>