



SACRAMENTO CITY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

Agenda Item# 10.1

Meeting Date: April 8, 2021

Subject: Public Hearing: First Reading of Revised Board Policy 3315, Relations with Vendors

- Information Item Only
- Approval on Consent Agenda
- Conference (for discussion only)
- Conference/First Reading (Action Anticipated: _____)
- Conference/Action
- Action
- Public Hearing

Division: Legal Services

Recommendation: Approve revision to Board Policy 3315.

Background/Rationale: 2 CFR 200.318(c)(1) states that LEAs are required to have written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award, and administration of contracts. The standards must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the LEAs. As provided by the California Department of Education during the 2020-21 FPM Findings and Resolutions, revisions to the policies concerning conflicts of interest are necessary. No prior updates to Board Policy 3315 have occurred since its first revision in 2001. Such updates have been reviewed by the CDE.

Documents Attached:

1. Executive Summary
2. BP 3315 (Redlines)


<p>Estimated Time of Presentation: 5 Minutes Submitted by: Raoul Bozio, In House Counsel Approved by: Jorge A. Aguilar, Superintendent</p>

Board of Education Executive Summary

Legal Department

Revision to Board Policy (BP) 3315: Relations with Vendors

April 8, 2021



and administration of contracts. The standards must provide for disciplinary actions to be

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III. Budget:

The proposed policy is intended to create practices that enable District employees and Board members appropriate engage in the selection, award, and administration of contracts and do not have engage in acts that violate its standards of conduct covering conflicts of interest.

IV. Goals, Objectives and Measures:

Pursuant to Board Policy 3000 concerning concepts and roles, the District's financial operations are monitored "so as to ensure the [D]istrict's fiscal integrity's". Each, the goal is for the District to establish sound policy that ensures its employees and Board members are apprised of the standards of conduct covering conflicts of interest and governing their actions when engaged in the selection, award, and administration of contracts, including disciplinary actions to be applied for related violations.

V. Major Initiatives:

This policy is critical to advise District employees and Board members of their obligations to refrain from participating in the selection, award, or administration of a contract if they have a real or apparent conflict of interest and the consequence(s) if they fail to do so.

VI. Results:

Approval of revision to Board Policy 3315. Ensure compliance with federal regulations

VII. Lessons Learned/Next Steps:

Next Steps include a second reading of revised Board Policy 3315 and thereafter, an adoption of the same. Information and correspondences concerning this matter have previously been shared with the District. Further updates will be provided as necessary.

Sacramento City USD

Board Policy

Relations With Vendors

BP 3315

Business and Noninstructional Operations

No district employee or Governing Board member shall accept personal gifts, commissions or expense-paid trips from individuals or companies selling equipment, materials or services required in the operation of district programs. Gifts include any gift purchased specifically for an employee which is not generally offered to other buyers.

This policy does not prohibit employees from accepting promotional or advertising items such as calendars, desk pads, notebooks and other office gadgets which are offered by business concerns free to all as part of their public relations programs.

District purchases of goods or non-employee services shall not be made from vendors with which district employees hold an economic interest. A district employee is considered to hold an economic interest in a vendor if they own, work for, serve as a consultant for, or have other financial interests with the vendor or if a member of an employee's immediate family has a direct financial interest in the potential vendor. A direct financial interest is defined as full or partial ownership, employment by, or existence of a consulting contract.

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)
(cf. 9270 - Conflict of Interest)

This policy does not prohibit the acceptance of materials and/or services which are of use and benefit to the district.

(cf. 3290 - Gifts, Grants and Bequests)

No district employee or Governing Board member shall participate in the selection, award, or administration of a contract if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the district employee or Governing Board member has a financial or other interest in or a tangible personal benefit for a firm considered for a contract. Any district employee or Governing Board member in violation of this policy shall be subject to disciplinary action consistent with 2 CFR 200.318(c)(1). The Superintendent or designee may take disciplinary action as he/she deems appropriate in light of the particular facts and circumstances involved.

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