

CONFLICT OF INTEREST POLICY

Adopted: May 7, 1999

Revised: June 28, 2006

It is the policy of FIRST 5 Siskiyou Children and Families Commission that all Commission members and other designated or covered persons, shall comply with all applicable state laws regarding conflict of interest of Commission members and such persons, including the Political Reform Act of 1974, California Government Code Section 81000, *et seq.*, and the implementing regulations in Title 2 California Code of Regulations Section 81110, *et seq.* (together, "PRA"), provisions regarding prohibited contracts and financial interests set forth in Government Code Section 1090, *et seq.* and related sections, and other applicable state laws, including common law, in each case as such provisions are applicable to Commission activities and as such provisions may be amended from time to time. It is the further the policy of the Commission that Commission members shall comply with all applicable requirements of the County of Siskiyou related to conflict of interest including the requirement for filing the form 700 Statement of Economic Interest.

Any other adopted policies of the Commission that are inconsistent with the policy set forth above shall be ineffective and of no further force and effect to the extent of such inconsistency.

SECTION 1: PURPOSE

The purpose of this policy is to define a conflict of interest and to establish a procedure for recognizing and reporting conflict of interest issues.

SECTION 2: POLICY

It is the policy of FIRST 5 Siskiyou to avoid even the appearance of impropriety where conflict of interest issues are concerned. FIRST 5 Siskiyou promotes business practices that comply with conflict of interest and disclosure requirements, including but not limited to, the California Political Reform Act of 1974 and California Government Code sections 1090-1097. When a Commissioner, executive staff member, or staff, contractor or agent in a position to influence a decision, or who has decision making power, identifies a conflict of interest, that person must not participate in or give consideration to the matter from that point forward. Once a potential conflict of interest is identified, legal counsel must be consulted to review the legal issues and advise what action should be taken.

Any FIRST 5 Siskiyou Commissioner, executive staff member, employee, contractor or agent is prohibited from negotiating a contract with or participating in the hiring of a prospective employee, or the supervising of an employee, if the contractor, prospective employee or employee is an immediate family member. For the purposes of this provision, an immediate family member is defined as: a spouse, mother, father, brother, sister, child, grandmother or grandfather, son-in-law, daughter-in-law, brother-in-law, sister-in-law, nephew, niece or grandchild, or any person living in the employee's household. The FIRST 5 Siskiyou employee related to the contractor or prospective employee may not discuss, make, participate in making, or use his or her official position to influence, directly or indirectly, the negotiations or employment process in favor of his or her immediate family member.

SECTION 3: DEFINITIONS

1. Conflict of Interest. A person is deemed to have a conflict of interest if he or she, or his or her spouse or dependent child, has an “economic interest” in or relationship with a potential party to a contract with FIRST 5 Siskiyou, or if he or she has other involvement with an individual or organization that could be perceived to impair his or her objectivity. A conflict of interest exists when:
 - a. The person involved makes, participates in, or uses his or her official position to influence a FIRST 5 decision;
 - b. It is foreseeable that the decision will have a material affect on the person’s “economic interest” (defined below); and,
 - c. The effect of the decision on the person’s economic interest will be distinguishable from its effect on the public generally.

Consult legal counsel if there is any question as to the application of these elements.

2. Decision Making Position. A person is in a decision making position or has the ability to influence a decision when he or she discusses, advises, or makes recommendations to the decision maker (e.g., a Commissioner, the Commission or the Executive Director) either directly or indirectly, that is, without significant intervening substantive review. Such discussion or advice may include conducting research or investigating, preparing or presenting any report, analysis or opinion, providing information orally or in writing which may be perceived as influencing the decision. This includes participating in a decision or using his or her official position to influence a decision if he or she contacts a Commissioner or an employee of FIRST 5 regarding the issue.
3. Economic Interest. An “economic interest” is defined as any fee, monetary or financial gain, or benefit directly or indirectly from or by reason of, any dealings with or service for FIRST 5. An “economic interest” includes, but is not limited to, specific types of investments, business positions, interests in real property, and reportable sources of income of the person, his or her spouse or dependent child.

A Commissioner must recuse him or herself from making, participating in making, or in any way attempting to use his or her official position to influence a decision involving a grant or contract which financially benefits the Commissioner or the entity the Commissioner represents.

Government salaries, per diem expenses and reimbursement for travel from a non-profit entity, are all specifically excluded from the definition of income under the Fair Political Practices Act. Salaries from a non-profit agency are considered an “economic interest”.

The following applies to the permanent members of the Commission:

A Government salary also does not constitute an interest in a contract (under Government Code section 1090) unless the contract directly involves the department of the entity that employs a Commissioner, in which case the Commissioner discloses the

interest on the record and does not participate in the decision. The member of the Board of Supervisors does not have an economic interest in a contract with the County based upon the Government salary received.

SECTION 4: REPORTING A CONFLICT OF INTEREST

When a Commissioner first becomes aware of a conflict of interest, or potential conflict of interest, regarding a matter before the Commission or Committee, he or she must notify the Chairperson of the Commission or Committee. This notification shall include a description of the material facts relating to the conflict of interest. The chairperson and/or legal counsel will determine if a conflict of interest or potential conflict of interest exists and the appropriate action to take.

When a Commissioner has a conflict with a matter before the Commission or Committee, as the issue is called, the Commissioner must state on the record that he or she has or may have an interest in the matter that he or she has not participated in any discussions, and he or she will not be participating in the matter. The Commissioner should then leave the dais while the matter is considered.

The facts of the conflict of interest and the Commissioner's abstention from the matter will be recorded in the minutes of the Commission or Committee meeting.

Each Commissioner is personally responsible for his or her conduct and can be prosecuted civilly and criminally for violations under the California Political Reform Act of 1974.

Commissioners may contact the Fair Political Practices Commission, the State enforcement agency, directly to discuss their individual issues. Resources available from the Fair Political Practices Commission include www.fppc.ca.gov and 1-866 ASK-FPPC.

Employees, contractors, consultants, or agents who identify a conflict of interest or potential conflict of interest, must notify the Executive Director immediately.

SECTION 5: REPORTING REQUIREMENTS

All persons identified in Exhibit A of the Commission's Conflict of Interest policy adopted by the Commission must file a Form 700 in accordance with the California Political Reform Act of 1976. Other persons not listed on Exhibit A may be required to file a Form 700 if the individual's involvement with FIRST 5 fits the definition of a person with decision-making power as defined by this policy or as determined by the Executive Director. The County Clerk in Siskiyou County notifies the Commission in each even-numbered year, no later than July 1, to review its Conflict of Interest Code and make any necessary changes. The Executive Director performs the review and notifies the County Clerk of any changes. When new Commissioner appointments are made, the County Clerk is responsible for obtaining the Form 700 from that individual.

SECTION 6: GRANT ELIGIBILITY REQUIREMENTS

Commissioners and organizations with which they are affiliated are eligible to receive grant funds if the following requirements are adhered to:

A Commissioner is required to recuse him or herself from any participation or consideration of the grant or contract before the Commission; and the Commissioner may not participate in any way in the presentation of the matter, in discussing the issue with other Commissioners or employees of FIRST 5, or participate in the vote on the grant. The recusal requirement applies to Committee meetings, as well as Commission meetings.

This provision also applies if the Commissioner or an organization the Commissioner is affiliated with has a subcontract with a FIRST 5 grantee. In such a case, the Commissioner is required to recuse him or herself when the major grant is considered by the Commission since there is a financial benefit that may result from the grant award.

SECTION 7: POLICY REVIEW

The Executive Director shall review this policy on an annual basis to insure compliance with legal requirements

CHILDREN & FAMILIES COMMISSION
 COMMISSION CONFLICT OF INTEREST POSITIONS
 June 2006

Name	Position	Affiliation	Address
Kathy Roselli	Chair	CBO	9332 N. Old Stage Weed, CA 96094
Nadine Della Bitta	Vice Chair	Dept. of Human Services	818 S. Main St. Yreka, CA 96097
Marcia Armstrong	Commissioner	Board of Supervisors	9216 Smokey Ln. Ft. Jones, CA 96032
Barbara Dillmann	Commissioner	Dept. of Education	609 S. Gold St. Yreka, CA 96097
David Herfindahl	Commissioner	Dept. of Public Health	806 S. Main St. Yreka, CA 96097
Lauri Hunner	Commissioner	Dept. of Behavioral Health	2060 Campus Dr. Yreka, CA 96097
Rick Rhoades	Commissioner	Siskiyou Childcare Council	PO Box 500 Weed, CA 96097
Jill Phillips-McLane	Executive Director	Pautz-McLane Consulting	310 N.Mt. Shasta Blvd., #7 Mt. Shasta, CA 96067
Karen Pautz	Executive Director	Pautz-McLane Consulting	310 N. Mt. Shasta Blvd., #7 Mt. Shasta, CA 96067

CONTRACTING AND PROCUREMENT POLICY

Adopted: _____

Revised: _____

It is the policy of FIRST 5 Siskiyou Children and Families Commission to comply with state law on all matters regarding Commission contracting and procurement, including requirement of the Children and Families Act of 1998 (California Health and Safety Code Section 130100, *et seq.*), Public Contracts Code (California Public Contracts Code), prevailing wage laws (California Labor Code Section 1771, *et seq.*), California Environmental Quality Act (California Public Resources Code Section 21000, *et seq.* and the implementing guidelines promulgated by the State Office of Planning & Research in Title 14 California Code of Regulations Section 15000, *et seq.* (together, "CEQA"), California Relocation Assistance Law (California Government Code Section 8260, *et seq.*), and the implementing regulations promulgated by the California Department of Housing and Community Development in Title 25, (California Code of Regulations Section 6000 *et seq.*), provisions of the State Constitution, and other laws regarding rights of persons, applicable nondiscrimination laws and limitations on funding to particular religious or other organizations, in each case as such provisions are applicable to Commission activities.

Any other adopted policies of the Commission that are inconsistent with the policy set forth above shall be ineffective and of no further force and effect to the extent of such inconsistency.

SECTION 1: PURPOSE

The purpose of this purchasing policy is to provide a process to procure goods and services that insures fairness and accountability while affording the flexibility necessary to efficiently conduct the business affairs of FIRST 5 Siskiyou Children and Families Commission.

SECTION 2: POLICY

Pursuant to Health and Safety Code Sections 130100 *et seq.*, FIRST 5 Siskiyou Children and Families Commission (Commission) has the power to employ personnel, contract for personnel, and enter into contracts necessary or appropriate to carry out the provisions of the California Children and Families Act (Act). No individual may contract on behalf of FIRST 5 Siskiyou unless he or she has been specifically delegated authority by this policy, state law, or other act of the Commission.

SECTION 3: PURCHASE OF GOODS

The Executive Director, or his or her designee, has the authority to purchase supplies, materials, equipment or other personal property (Goods) required by the Commission if the total amount of the purchases falls within the budgeted amount for the current year. Any purchase which would increase the budget would need the approval of the Commission.

SECTION 4: PURCHASE OF SERVICES

The Executive Director, or his or her designee, has the authority to negotiate and amend contracts required by the Commission. Final approval of any such contracts will be determined by the Commission with signatory responsibilities to the Chair or Vice Chair.

SECTION 5: REQUEST FOR PROPOSALS (RFP)

FIRST 5 Siskiyou's current Strategic Plan requires that it support its Family and Community Resource Centers through fiscal year 2010-2011. FRC/CRC Proposals are submitted to the Commission in May of each year in a format set forth in the Strategic Plan. Annual Memorandums of Agreement (MOA) are executed with each FRC/CRC and funding under the MOA is disbursed monthly on a predetermined schedule.

Funds are set aside in the Long Range Financial Plan to support some countywide services. Applicants for countywide funds must submit a written proposal explaining how the applicant plans to meet FIRST 5's requirements. Innovative ideas and techniques are encouraged. Awards will be based on the applicant's ability to provide services as defined in the Commission's Strategic Plan for countywide funding. A proposal may cover multiple years, however contracts will not exceed one year and must be approved for renewal by the Commission annually.

In order to develop consistency in the preparation of the RFPs, a standardized format is provided in the Strategic Plan. Use of this format helps ensure that adequate information is provided about the project and what is required in the RFP.

Countywide proposals must be received in the Commission office by the 10th of the month to be considered at the regularly scheduled Commission meeting for that month. Countywide proposals covering a complete fiscal year are scheduled to be heard at the June meeting each year. Other proposals can be presented throughout the year, but must be received in the Commission office by the 10th of the respective month.

ADMINISTRATIVE COST POLICY

Adopted _____

Revised: _____

SECTION 1: PURPOSE

Pursuant to subdivision (d)(5) of Health and Safety Code Section 130140, the FIRST 5 Siskiyou Commission hereby adopts a fifteen (15%) limit on the percentage of the Commission's annual operating budget that may be spent on administrative functions. FIRST 5 Siskiyou reserves the right to amend these guidelines any time economic conditions impact or change FIRST 5 Siskiyou's strategic direction.

SECTION 2: DEFINITIONS OF ADMINISTRATIVE COSTS AND FUNCTIONS

Administrative costs are defined as costs incurred in support of the general management and administration of a County Commission, for a common or joint purpose that benefits more than one cost objective (other than evaluation activities), and/or those costs not readily assignable to a specifically benefited cost objective.

Typical administrative costs include, but are not limited to, the following functions:

1. General Accounting/Financial Reporting
2. Financial Planning
3. Procurement
4. Commission Travel
5. Payroll/Benefits/HR
6. Legal/Consulting
7. Contract Compliance
8. Audit
9. Strategic Planning
10. Rent
11. Maintenance
12. Office Supplies
13. Insurance
14. Utilities
15. Janitorial

AUDIT OF FINANCIAL CONDITION

Adopted: _____

Revised: _____

SECTION 1: PURPOSE

First 5 Siskiyou Children and Families Commission shall have a financial audit of its accounts and transactions performed on an annual basis by an independent Certified Public Accountant in accordance with California’s Health and Safety Code 130150, the State of California’s audit requirements, First 5 California audit requirements, and generally accepted auditing standards. The results of the audit shall be communicated to the public in a public hearing and submitted to the First 5 California Commission and the California State Controller.

SECTION 2: POLICY

Following the close of the County’s fiscal year (July – June), the Commission shall have an independent audit conducted to assess the appropriateness and completeness of its revenue and expenditure transactions for the fiscal year just ended. Bids will be solicited for audit services for a three (3) or four (4) year period at the discretion of the Commission. Selection will be based on a firm’s experience with and qualifications for auditing governmental fund accounting as well as the amount of the bid. Contracts will be executed annually.

Any annual audit conducted shall use audit guidelines issued by the State Controllers Office. (The most recent guidelines are entitled, “Standards and Procedures for Audits of California Counties Participating in the California Children and Families Program.”

Within two months of receipt of the audit, the Commission shall hold a public hearing on the audit to discuss the report and any response to the findings. Within two weeks of the public hearing, the Commission shall submit a response to the audit findings to the California State Controller.

By November 1st of each year, the Commission shall submit the audit report to the State of California First 5 Commission and the California State Controller.

FUNDED PROGRAM EVALUATION POLICY

Adopted _____

Revised: _____

SECTION 1: PURPOSE

Pursuant to subdivision (a)(1) of Health and Safety Code Section 130140, the FIRST 5 Siskiyou Commission hereby adopts a provision to measure the outcomes of its funded programs through the use of applicable, reliable indicators and review that information on a periodic basis as part of the public review of its county Strategic Plan.

SECTION 2: DEFINITIONS OF ADMINISTRATIVE COSTS AND FUNCTIONS

Applicable, reliable indicators have been set forth in First 5 Siskiyou's Strategic Plan for FY 2006-2007. Each funded program must be committed to one or more of those indicators and include measurable outcomes in their bi-annual reports.

In addition, all funded programs are required to provide input to the State's PEDS database quarterly. At this time First 5 Siskiyou depends on the outcomes reported from the PEDS program, which is reviewed prior to inclusion in the Strategic Plan revisions for the following year.

SALARY AND BENEFITS POLICY

Adopted: _____

Revised: _____

POLICY STATEMENT – SALARY AND BENEFITS

FIRST 5 Siskiyou Children and Families Commission has elected to contract for services, including staffing, and has no employees of its own. However, the Commission’s personnel contracting policies are as follows:

Executive Director

The Executive Director is a contracted position covering a specific Scope of Work. Each year, in June, the Scope of Work is updated and the contract is reviewed by the Commission. Any change in the contract and/or amount is determined at that time.

At such time as it becomes necessary to replace the Executive Director position, solicitation is advertised in both local and regional publications and interviews conducted publicly at a regularly scheduled Commission meeting.

Administrative Staff

The Commission has one staff member. The Administrative Services Coordinator handles all functions of office administration (see attached position description) and functions as an employee reporting to the Executive Director and the Commission. Salary administration is contracted for this .75 FTE position. Benefits include 15 days of paid time off (including vacation and sick days). Time off for jury duty follows County of Siskiyou guidelines. (See attached for salary structure, hiring and review policies and jury duty.)

First 5 Siskiyou

ADMINISTRATIVE SERVICES COORDINATOR

Salary Range: \$14.51 - \$17.64

Definition

Adjunct position to Executive Director(s) to serve as primary coordinator, performing a variety of contractual, administrative and office support functions; to perform difficult, complex and specialized office and fiscal support information gathering, information preparation and public relations assignments; and to do related work as required.

Distinguishing Characteristics

This is a specialized administrative support classification. Incumbents direct and provide a variety of administrative, accounting and office management functions. They report directly to the Executive Director(s) or designee. Successful performance of responsibilities requires detailed and specialized knowledge of the operations and policies of First 5 Siskiyou and First 5 California.

Essential Functions

Serves as primary administrative staff support for First 5 Siskiyou; plans, organizes, and coordinates a variety of contractual, administrative and office support functions; acts as recording secretary for the Commission meetings and prepares minutes; maintains Commission records; working with Executive Director(s) and Commission Chair prepares the agenda for the Commission meetings; arranges Commission meetings and public hearings and posts agendas as appropriate; assists with development and administration of the budget; monitors expenditures and initiates budget transfers; prepares various financial reports; prepares and processes vendor claims; prepares various contracts with grantees and others; assists with State First 5 reporting including annual report; gathers, organizes and summarizes a variety of data and information; performs special projects and prepares reports; prepares correspondence and informational materials; attends meetings and/or conferences as appropriate related to program support services; operates computers, maintaining and updating files and databases and using on-line information systems; maintains and updates First 5 Siskiyou website; monitors time sensitive issues; arranges travel as necessary for Commissioners and Executive Director(s); works with County Counsel on legal issues – contract and litigation; maintains communication between Family/Community Resource Centers (FRCs/CRCs) and countywide projects providing information as requested; and represents First 5 Siskiyou in a variety of situations as delegated.

Physical Requirements

Sit for extended periods; frequently stand and walk; normal manual dexterity and eye-hand coordination; lift and move objects weighing up to 25 pounds; corrected hearing and vision to normal range; verbal communication; use of office equipment including computer, telephone, calculator, copiers and FAX.

Typical Working Conditions

Work is performed in a one-person office environment; contact with Executive Director(s), Commissioners, FRC/CRC personnel and the public.

Desirable Qualifications

Knowledge of:

- Brown Act rules and regulations affecting Commission Meetings
- Modern office management methods and procedures
- Budget development and control
- Public and community relations
- Purchasing methods and procedures
- Accounting and statistical record keeping
- Proper English usage, spelling, grammar and punctuation
- Personal computers and software applications including Word, Excel, Publisher, PowerPoint, Access, Adobe, Outlook Express and Ipswitch (website maintenance)

Ability to:

- Plan, organize, coordinate and perform a wide variety of complex and specialized support work
- Interpret, explain and apply a variety of state, county and First 5 policies, rules and regulations
- Work with considerable independence and initiative while exercising good judgment in recognizing scope of authority
- Gather, organize, analyze and present a variety of data and information
- Provide support for maintenance and control of First 5 Siskiyou's budget
- Prepare clear, concise and accurate records and reports
- Prepare public relations and informational material
- Take and transcribe notes of dictation
- Use a personal computer at 45 corrected wpm or more and use software for word processing, accounting and administrative support work and work with specialized computer systems
- Deal tactfully and courteously with the public, Commissioners, representatives of other agencies and FRC/CRC representatives
- Establish and maintain cooperative working relationships

Training and Experience

- High school diploma
- Any combination of training, education and experience which would likely provide the required knowledge and abilities is qualifying.
- At least five years of responsible work experience performing a variety of legal, administrative and office support work, including substantial experience in a public contact position, preferably including experience in a lead or supervisory capacity.
- An Associates degree and/or classroom training could be used in combination with work experience.

Special Requirements

None, although shorthand is helpful.

Administrative Services Coordinator

Position Salary Range*

Step 1:	\$14.51
Step 2:	\$15.24
Step 3:	\$16.00
Step 4:	\$16.80
Step 5:	\$17.64

*Salary step increases are dependent on a current-year satisfactory performance review.

Merit Pay Increases

For new employees, an informal review will be performed after the probation period of three (3) months. An additional informal review will be conducted after six months. A formal performance evaluation will be conducted in the 11th month of the contract and is based on the following ratings:

1-2	Below Standard
3-4	Meets Standard
5	Exceeds Standard

If total performance is judged to be Standard or above, the next pay grade will be awarded. If one or more performance categories is judged to be Below Standard, no increase will be granted, however the individual will be given a 90-day period in which to raise performance up to Standard. If judged Standard after the 90 day period, individual will receive the appropriate pay grade increase. If performance is still below Standard, the termination process will begin.

JURY DUTY

The Administrative Services Coordinator position is a permanent, part-time (30 hours per week) salaried position with salary administration outsourced to a third party, which at the time of this writing is Klamath Health Services, Inc.

Statement of Policy:

Any regular full-time employee or regular part-time employee who is required to serve on a jury, or as a result of official First 5 Siskiyou duties is required to appear before a court, legislative committee, or quasi-judicial body as a witness in response to a subpoena or other directive shall be allowed authorized leave with pay. An employee who receives notice of jury duty or witness service must notify his/her supervisor immediately in order that arrangements may be made to provide services to the public.

Jury duty will not affect personal paid time off.

Employees who appear in court as the plaintiff or defendant in any action not related to their official duties shall not be paid for time away from work unless that time is accrued vacation or other paid leave. Court payments for travel expenses are to be retained by the employee.

Employees are to report to work before and after jury duty although no more than the regularly scheduled number of hours for both jury duty and work shall be required. If excused as a juror on any given day, the employee is expected to report to work as instructed. When an employee is subpoenaed to appear in court as a witness in his or her official capacity as a First 5 employee, he/she shall be paid the full salary with no leave deductions. A subpoenaed employee is to contact the County Counsel's office upon receipt of such a subpoena.

Extra help employees are not eligible for wages paid by First 5 when required to serve on jury duty or witness duty.