

BEVERLY HILLS UNIFIED SCHOOL DISTRICT

CONFLICT OF INTEREST STATEMENT

Conflicts of interest arise whenever the personal or professional interest of a consultant is potentially at odds with the best interests of an organization. A conflict of interest or appearance of a conflict can arise whenever a transaction of the Beverly Hills Unified School District conflicts with the personal or financial interests of one of its consultants, or that person's immediate family member or employer.

Conflict of interest is also defined as an actual or perceived interest by a consultant in an action that results in personal, business or professional gain. Consultants and public officials of the District are obligated to always act in the best interest of the District, seeking only the furtherance of the District's mission. Consultants for the District are prohibited from using their job title or position for private profit or benefit.

In doing business with the District, I agree to follow the District's Conflict of Interest Bylaw. By initialing each point below, I affirm:

___To my knowledge, no member of my family, my partner, or any organization or person in which I have an affiliation is employed or being educated by the District or has any financial interest in the District.

___I agree to disclose any possible conflict of interest immediately should the situation arise during the course of my service as a consultant for the District.

___I have no conflict of interest to report.

I hereby disclose the following conflict(s) of interest:

By my signature below, I certify that the information set forth above is true and complete to the best of my knowledge. I have received a copy of Beverly Hills Unified School District's Conflict of Interest Bylaw, have read and understand the Bylaw and I agree to comply with it. I agree to disclose any conflict that should arise, as well as to disclose any situation that evolves that could result in a conflict of interest.

Signature

Company Name

Printed Name

Date

Financial Conflict Of Interest

Preamble

The members of the Board of Education desire to maintain the highest ethical standards and help ensure that decisions are made in the best interest of the district and the public. The decision-making affairs of the district by all personnel, consultants and members of the Board will be conducted in accordance with the highest standards of integrity. There can be no deviation from complete honesty in all financial, business and district transactions. Use of school district funds or internal business information for improper purposes is absolutely forbidden. In accordance with law, Board members and designated employees and consultants shall disclose any financial conflict of interest and, as necessary, shall abstain from participating in the decision involving the conflict. The members of the Board, designated employees and consultants will be accountable to the Conflict of Interest Code, Bylaws and policy related to disclosure of any personal or financial interest benefit and disqualification rules in accordance of law.

Conflict of Interest Code under the Political Reform Act

The district has adopted a Conflict of Interest Code (the "Code") pursuant to the requirements of the Political Reform Act of 1974, Government Code Section 81000 et seq. (the "Act"). The Code sets forth the required provisions for the disclosure of assets and income by the officials, employees and consultants designated in the Appendix to the Code, and lists and assigns the disclosure categories specifying the types of assets and income required to be disclosed by each of the designated officials, employees and consultants ("designated employees"), and the disqualification of designated employees from acting where a conflict of interest exists. The requirements of the Code are in addition to other requirements of the Political Reform Act and to other state and local laws pertaining to conflicts of interest and have the force and effect of law. Designated employees violating any provision of the Code are subject to the administrative, criminal and civil sanctions provided by the Act. Additionally, a decision in relation to which a violation of the disqualification provisions of the Code or Government Code 87100 has occurred may be set aside as void pursuant to Government Code 91003.

All officials, employees and consultants are directed to refer to the district's Conflict of Interest Code for these specific requirements. The Conflict of Interest Code is held in the office of the Administrative Assistant of the Superintendent of the district's filing officer/official, as the district's Filing Officer/Official.

At the direction by the code reviewing body, the district's conflict of interest code shall be reviewed in even-numbered years. If no change in the code is required, the district shall submit by October 1 a written statement to that effect to the code reviewing body. If a change in the code is necessitated by changed circumstances, the district shall submit an amended code to the code reviewing body. (Government Code 87306.5)

When a change in the district's conflict of interest code is necessitated by changed circumstances, such as the creation of new designated positions, the Code shall be amended and submitted to the code reviewing body in accordance with Government Code 87306-Code Amendments.

When reviewing and preparing conflict of interest codes, the district shall provide officers, employees, consultants and members of the community adequate notice and a fair opportunity to present their views. (Government Code 87311-Administrative Procedure)

Board members and designated employees shall annually file a Statement of Economic Interest as specified in the district's Code. A Board member or a designated employee shall, within 30 days after leaving office/employment, file a Leaving Office Statement as specified in the district's Code.

The requirements of the Code are in addition to other requirements of the Act and to other state and local laws pertaining to the conflicts of interest and have the force and effect of law. Board members and designated employees violating any provision of the Code are subject to the administrative, civil and criminal sanctions provided by the Act. Additionally, court injunctive relief may set the official action aside as void pursuant to Government Code 91003 where a Board member or designated employee fails to comply with a disqualification provision of the district's Conflict of Interest Code.

Disqualification Based on Economic Interests under the Political Reform Act

If a Board member determines that he or she has a financial interest in a decision, as described in Government Code 87103, this determination shall be disclosed. The basic rule is that a Board member or designated employee may not make, participate in, or influence a governmental decision that will have a reasonably foreseeable and material financial effect on the Board member or designated employee or their immediate family or any of their economic interests as described in Government Code 87103. This determination shall be disclosed and made part of the Board's official minutes. The member shall be disqualified from voting unless his/her participation is legally required. (2 CCR 18700)

A Board member shall, upon identifying a financial conflict or potential financial conflict of interest and immediately prior to consideration of the matter, do all of the following:
(Government Code 87105; 2 CCR 18702.5)

1. Publicly identify each financial interest that gives rise to the conflict or potential conflict of interest in detail sufficient to be understood by the public, except that disclosure of the exact street address of a residence is not required.
2. Recuse himself or herself from discussing and voting on the matter, or otherwise acting in violation of financial conflicts of interest pursuant to Government Code 87100. The Board member with the conflict shall not be counted toward achieving a quorum while the item is before the Board.
3. The conflicted Board member must leave the room until the matter is concluded, unless it has been placed on the consent agenda for uncontested matters.
4. If the Board's decision is made during closed session, the Board member with the conflict of interest must disclose his or her interest orally during the open session preceding the closed

session. This disclosure shall be limited to a declaration that his or her recusal is because of a financial conflict of interest pursuant to Government Code 87100. The Board member shall not be present when the item is considered in closed session and shall not knowingly obtain or review a recording or any other nonpublic information or confidential information regarding the Board's decision.

Financial Interests in Contracts (Education Code 35233 and Government Code 1090)

Board members, employees, or district consultants shall not be financially interested in any contract made by them in their official capacity, or by any body or Board of which they are members. The prohibition may apply to employees who do not file statements of economic interest under the Political Reform Act. The prohibition may apply even though the dollars involved would not trigger a conflict under the Political Reform Act and even where the official will not receive any direct financial benefit from the transaction. Pursuant to Education Code 35233 members of Board of Education of School districts and to members of citizens' oversight committees appointed by those Board of Education are subject to the prohibitions of Government Code 1090.

A district officer, employee or elected official may not make a contract in his or her official capacity in which he or she is financially interested. Any participation or influence in the process by which the contract is developed, negotiated and/or executed is a violation of Government Code 1090.

If one of the district Board members has a financial interest even if the interested member does not participate and abstains from the decision and vote, the entire Board is precluded from entering the contract in question.

Transactions not involving written contracts, such as sales, payment authorizations, purchases or the making or receipt of a grant, can be contracts covered under Government Code 1090.

When a school employee is financially interested in a contract, the district will be prohibited from making the contract only if the employee is involved in the contract-making process. If the employee plays no role whatsoever in the contracting process, either because it is outside the scope of his/her employment, or because the employee had disqualified himself or her herself from participation, the district is not prohibited from contracting with the employee or the business entity in which the employee is interested.

Any contract made in violation of Government Code 1090 is void and unenforceable and the Board member or employee is subject to: (1) criminal and/or civil penalties; and (2) potential disgorgement of any consideration received or any property acquired in the transaction.

"Remote Interests" in Contracts (Government Code 1091). Certain "remote" financial interests of Board members in contracts do not create a conflict of interest if the Board member follows required statutory procedures. Financial interests which are considered "remote interests" under these circumstances are specifically identified in Government Code 1091. (See Exhibit 1) There are 16 defined "remote interest" exceptions, as shown in Exhibit 1. Financial interests of employees cannot be considered "remote."

A Board member who has a remote interest in a contract being considered before the Board shall publicly disclose his or her interest to the Board during the Board meeting. The Board member's disclosure and disqualification shall be noted in the official Board minutes. The affected Board member shall not influence, or participate in any way with any other Board member in negotiating or approving the contract. Participation in the making of a contract is defined broadly as any act involving preliminary discussions, negotiations, compromises, reasoning, planning, and drawing of plans and specifications, and solicitation for bids. Where a Board member has a publicly disclosed and duly noted remote interest in a contract, the Board may approve the contract by a vote of its membership excluding the vote of the interested Board member. (Government Code 1091)

Financial "Non-interests" in Contracts (Government Code 1091.5).

The Legislature has determined as a matter of policy certain financial interests of Board members and employees are exempt from the provisions of Government Code 1090. A non-interest exemption does not require abstention. There are 13 defined "non-interests" in Government Code 1091.5. (See Exhibit 2) A Board member or employee shall not be considered to be financially interested in a contract if his or her interest is any of the "non-interests" listed in Government Code 1091.5, as shown in Exhibit 2.

Board Member Vote Affecting "Relative" (Education Code 35107)

Even if there is not a prohibited financial conflict of interest, a Board member shall abstain from voting on personnel matters that uniquely affect his or her relatives. However, a Board

member may vote on collective bargaining agreements and personnel matters that affect a class of employees to which his or 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.

Incompatible Offices and Activities

A Board member shall not simultaneously hold two public offices that are incompatible. If a Board member is sworn into an incompatible office, then his or her position in the prior office is automatically terminated.

Pursuant to Education Code 35107, an employee of the district may not be sworn into office as an elected or appointed member of the Board unless he or she resigns as an employee. If the employee does not resign, the employment automatically terminates when he or she is sworn into office.

Board members shall not engage in any employment or activity or hold any office which is inconsistent with, incompatible with, in conflict with, or inimical to the Board member's duties as an officer of the district.

No officer or employee of the district shall engage in any employment activity, or enterprise for compensation that is inconsistent, incompatible, in conflict with, or inimical to his or her duties

as an officer or employee of the district. No officer or employee shall perform any work, service, or counsel for compensation outside of the district where any part of his or her efforts will be subject to approval by any other officer, employee, Board or commission of this district, unless otherwise approved in the manner prescribed by this policy. (Government Code 1099, 1126)

Gifts

The Political Reform Act broadly defines "gift" to include any payment or other benefit received by a public official unless the official provided something of equal or greater value in return. (Government Code 82028(a))

Board members and other officials who manage public investments shall not accept from any single source in any calendar year any gifts in excess of the prevailing gift limitation specified by law.

Designated employees shall not accept from any single source in any calendar year any gifts in excess of the prevailing gift limitation specified in law if the employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests.

The limitation on gifts does not apply to wedding gifts and gifts exchanged between individuals on birthdays, holidays, and other similar occasions, provided that the gifts exchanged are not substantially disproportionate in value. (Government Code 89503)

Gifts of travel and related lodging and subsistence shall be subject to the current gift limitation except as described in Government Code 89506.

A gift of travel does not include travel provided by the district for Board members and designated employees. (Government Code 89506)

Honoraria

Board members and designated employees shall not accept any honorarium from any source that would be reportable on his or her statement of economic interests. (Government Code 89501, 89502)

Legal Reference:

EDUCATION CODE

- 1006 Qualifications for holding office
- 35107 School district employees
- 35230-35240 Corrupt practices, especially:
- 35233 Prohibitions applicable to members of governing boards
- 41000-41003 Moneys received by school districts

FAMILY CODE

- 297.5 Rights, protections, and benefits of registered domestic partners

GOVERNMENT CODE

1090-1099 Prohibitions applicable to specified officers
1125-1129 Incompatible activities
81000-91014 Political Reform Act of 1974, especially:
82011 Code reviewing body
87100-87103.6 General prohibitions
87200-87210 Disclosure
87300-87313 Conflict of interest code
87500 Statements of economic interests
89501-89503 Honoraria and gifts
91000-91014 Enforcement

PENAL CODE

85-88 Bribes

CODE OF REGULATIONS, TITLE 2

18110-18997 Regulations of the Fair Political Practices Commission, especially:
18702.5 Public identification of a conflict of interest for Section 87200 filers

COURT DECISIONS

Klistoff v. Superior Court, (2007) 157 Cal.App.4th 469
Thorpe v. Long Beach Community College District, (2000) 83 Cal.App.4th 655
Kunec v. Brea Redevelopment Agency, (1997) 55 Cal.App.4th 511

ATTORNEY GENERAL OPINIONS

92 Ops.Cal.Atty.Gen. 26 (2009)
92 Ops.Cal.Atty.Gen. 19 (2009)
89 Ops.Cal.Atty.Gen. 217 (2006)
86 Ops.Cal.Atty.Gen. 138(2003)
85 Ops.Cal.Atty.Gen. 60 (2002)
82 Ops.Cal.Atty.Gen. 83 (1999)
81 Ops.Cal.Atty.Gen. 327 (1998)
80 Ops.Cal.Atty.Gen. 320 (1997)
69 Ops.Cal.Atty.Gen. 255 (1986)
68 Ops.Cal.Atty.Gen. 171 (1985)
65 Ops.Cal.Atty.Gen. 606 (1982)
63 Ops.Cal.Atty.Gen. 868 (1980)

Management Resources:

CSBA PUBLICATIONS

Conflict of Interest: Overview of Key Issues for Governing Board Members, Fact Sheet, July 2010

FAIR POLITICAL PRACTICES COMMISSION PUBLICATIONS

Can I Vote? A Basic Overview of Public Officials' Obligations Under the Conflict-of-Interest Rules, 2005

INSTITUTE FOR LOCAL GOVERNMENT PUBLICATIONS

Understanding the Basics of Public Service Ethics: Personal Financial Gain Laws, 2009
Understanding the Basics of Public Service Ethics: Transparency Laws, 2009

WEB SITES

CSBA: <http://www.csba.org>
Fair Political Practices Commission: <http://www.fppc.ca.gov>
Institute of Local Government: <http://www.ca-ilg.org>

Financial Conflict Of Interest

"REMOTE INTERESTS" UNDER GOVERNMENT CODE 1091

A "remote interest" is any of the following:

1. Officer or Employee of Nonprofit. That of an officer or employee of a nonprofit entity exempt from taxation pursuant to Section 501(c)(3) of the Internal Revenue Code (26 USC 501(c)(3)) or a nonprofit corporation, except as provided in paragraph (8) of subdivision (a) of Section 1091.5.
2. Officer or Agent of Contracting Party - Certain Private Contracts. That of an employee or agent of the contracting party, if the contracting party has 10 or more other employees and if the officer was an employee or agent of that contracting party for at least three years prior to the officer initially accepting his or her office and the officer owns less than 3 percent of the shares of stock of the contracting party; and the employee or agent is not an officer or director of the contracting party and did not directly participate in formulating the bid of the contracting party. For purposes of this paragraph, time of employment with the contracting party by the officer shall be counted in computing the three-year period specified in this paragraph even though the contracting party has been converted from one form of business organization to a different form of business organization within three years of the initial taking of office by the officer. Time of employment in that case shall be counted only if, after the transfer or change in organization, the real or ultimate ownership of the contracting party is the same or substantially similar to that which existed before the transfer or change in organization. For purposes of this paragraph, stockholders, bondholders, partners, or other persons holding an interest in the contracting party are regarded as having the "real or ultimate ownership" of the contracting party.
3. Officer or Agent of Contracting Party - Certain Public Contracts. That of an employee or agent of the contracting party, if all of the following conditions are met:
 - a. The agency of which the person is an officer is a local public agency located in a county with a population of less than 4,000,000.
 - b. The contract is competitively bid and is not for personal services.
 - c. The employee or agent is not in a primary management capacity with the contracting party, is not an officer or director of the contracting party, and holds no ownership interest in the contracting party.
 - d. The contracting party has 10 or more other employees.
 - e. The employee or agent did not directly participate in formulating the bid of the contracting party.
 - f. The contracting party is the lowest responsible bidder.

4. Earnings of Child. That of a parent in the earnings of his or her minor child for personal services.
5. Landlord or Tenant. That of a landlord or tenant of the contracting party.
6. Attorney, Stockbroker, Insurance or Real Estate Agent/Broker. That of an attorney of the contracting party or that of an owner, officer, employee, or agent of a firm that renders, or has rendered, service to the contracting party in the capacity of stockbroker, insurance agent, insurance broker, real estate agent, or real estate broker, if these individuals have not received and will not receive remuneration, consideration, or a commission as a result of the contract and if these individuals have an ownership interest of 10 percent or more in the law practice or firm, stock brokerage firm, insurance firm, or real estate firm.
7. Member of Nonprofit Engaged in Merchandising Agricultural Products or Supplying Water. That of a member of a nonprofit corporation formed under the Food and Agricultural Code or a nonprofit corporation formed under the Corporations Code for the sole purpose of engaging in the merchandising of agricultural products or the supplying of water.
8. Established Supplier of Goods or Services. That of a supplier of goods or services when those goods or services have been supplied to the contracting party by the officer for at least five years prior to his or her election or appointment to office.
9. California Land Conservation Act. That of a person subject to the provisions of Section 1090 in any contract or agreement entered into pursuant to the provisions of the California Land Conservation Act of 1965.
10. Director or Owner of 10 Percent or More in Bank or Savings and Loan. Except as provided in subdivision (b) of Section 1091.5, that of a director of, or a person having an ownership interest of, 10 percent or more in a bank, bank holding company, or savings and loan association with which a party to the contract has a relationship of borrower or depositor, debtor or creditor.
11. Employee of Engineer, Geologist or Architect Firms. That of an engineer, geologist, or architect employed by a consulting engineering or architectural firm. This paragraph applies only to an employee of a consulting firm who does not serve in a primary management capacity, and does not apply to an officer or director of a consulting firm.
12. Housing Assistance Payment Contract. That of an elected officer otherwise subject to Section 1090, in any housing assistance payment contract entered into pursuant to Section 8 of the United States Housing Act of 1937 (42 USC 1437f) as amended, provided that the housing assistance payment contract was in existence before Section 1090 became applicable to the officer and will be renewed or extended only as to the existing tenant, or, in a jurisdiction in which the rental vacancy rate is less than 5 percent, as to new tenants in a unit previously under a Section 8 contract. This section applies to any person who became a public official on or after November 1, 1986.

13. Government Entity Salary. That of a person receiving salary, per diem, or reimbursement for expenses from a government entity.

14. Ownership in for-profit Corporation. That of a person owning less than 3 percent of the shares of a contracting party that is a for-profit corporation, provided that the ownership of the shares derived from the person's employment with that corporation.

15. Settlement Agreement. That of a party to litigation involving the body or board of which the officer is a member in connection with an agreement in which all of the following apply:

a. The agreement is entered into as part of a settlement of litigation in which the body or board is represented by legal counsel.

b. After a review of the merits of the agreement and other relevant facts and circumstances, a court of competent jurisdiction finds that the agreement serves the public interest.

c. The interested member has recused himself or herself from all participation, direct or indirect, in the making of the agreement on behalf of the body or board.

16. Officer or Employee of Investor-Owned Utility. That of a person who is an officer or employee of an investor-owned utility that is regulated by the Public Utilities Commission with respect to a contract between the investor-owned utility and a state, county, district, judicial district, or city body or board of which the person is a member, if the contract requires the investor-owned utility to provide energy efficiency rebates or other type of program to encourage energy efficiency that benefits the public when all of the following apply:

a. The contract is funded by utility consumers pursuant to regulations of the Public Utilities Commission.

b. The contract provides no individual benefit to the person that is not also provided to the public, and the investor-owned utility receives no direct financial profit from the contract.

c. The person has recused himself or herself from all participation in making the contract on behalf of the state, county, district, judicial district, or city body or board of which he or she is a member.

d. The contract implements a program authorized by the Public Utilities Commission.

Financial Conflict Of Interest

"NON-INTERESTS" GOVERNMENT CODE 1091.5

A "non-interest" is any of the following:

1. Corporate Ownership and Income. The ownership of less than 3 percent of the shares of a corporation for profit, provided that the total annual in-come to him or her from dividends, including the value of stock dividends, from the corporation does not exceed 5 per-cent of his or her total annual income, and any other payments made to him or her by the corporation do not exceed 5 percent of his or her total annual income.
2. Reimbursement of Expenses. That of an officer in being reimbursed for his or her actual and necessary expenses incurred in the performance of official duties.
3. Public Services. That of a recipient of public services generally provided by the public body or board of which he or she is a member, on the same terms and conditions as if he or she were not a member of the body or board.
4. Landlords and Tenants of Government. That of a landlord or tenant of the contracting party if the contracting party is the federal government or any federal department or agency, this state or an adjoining state, any department or agency of this state or an adjoining state, any county or city of this state or an adjoining state, or any public corporation or special, judicial, or other public district of this state or an adjoining state unless the subject matter of the contract is the property in which the officer or employee has the interest as landlord or tenant in which event his or her interest shall be deemed a remote interest within the meaning of, and subject to, the provisions of Section 1091.
5. Public Housing Tenants. That of a tenant in a public housing authority created pursuant to Part 2 (commencing with Section 34200) of Division 24 of the Health and Safety Code in which he or she serves as a member of the board of commissioners of the authority or of a community development commission created pursuant to Part 1.7 (commencing with Section 34100) of Division 24 of the Health and Safety Code.
6. Spouses. That of a spouse of an officer or employee of a public agency in his or her spouse's employment or officeholding if his or her spouse's employment or officeholding has existed for at least one year prior to his or her election or appointment.
7. Unsalariated Members of Nonprofit Corporations. That of a nonsalariated member of a nonprofit corporation, provided that this interest is disclosed to the body or board at the time of the first consideration of the contract, and provided further that this interest is noted in its official records.
8. Non-compensated Officers of Tax-Exempt Corporations. That of a noncompensated officer of a nonprofit, tax-exempt corporation, which, as one of its primary purposes, supports

the functions of the body or board or to which the body or board has a legal obligation to give particular consideration, and provided further that this interest is noted in its official records. For purposes of this paragraph, an officer is "noncompensated" even though he or she receives reimbursement from the nonprofit, tax-exempt corporation for necessary travel and other actual expenses incurred in performing the duties of his or her office.

9. **Contracts Between Government Agencies.** That of a person receiving salary, per diem, or reimbursement for expenses from a government entity, unless the contract directly involves the department of the government entity that employs the officer or employee, provided that the interest is disclosed to the body or board at the time of consideration of the contract, and provided further that the interest is noted in its official record.

10. **Attorney, Stockbroker, Insurance or Real Estate Broker/Agent.** That of an attorney of the contracting party or that of an owner, officer, employee, or agent of a firm which renders, or has rendered, service to the contracting party in the capacity of stockbroker, insurance agent, insurance broker, real estate agent, or real estate broker, if these individuals have not received and will not receive remuneration, consideration, or a commission as a result of the contract and if these individuals have an ownership interest of less than 10 percent in the law practice or firm, stock brokerage firm, insurance firm, or real estate firm.

11. **Officers, Employees and Owners of Less Than 10 Percent of a Bank or Savings and Loan.** That of an officer or employee of, or a person having less than a 10-percent ownership interest in, a bank, bank holding company, or savings and loan association with which a party to the contract has a relationship of borrower, depositor, debtor, or creditor. However, an officer or employee shall not be deemed to be interested in a contract made pursuant to competitive bidding under a procedure established by law if his or her sole interest is that of an officer, director, or employee of a bank or savings and loan association with which a party to the contract has the relationship of borrower or depositor, debtor or creditor.

12. **Nonprofit Organization Supporting Public Resources.** That of (A) a bona fide nonprofit, tax-exempt corporation having among its primary purposes the conservation, preservation, or restoration of park and natural lands or historical resources for public benefit, which corporation enters into an agreement with a public agency to provide services related to park and natural lands or historical resources and which services are found by the public agency, prior to entering into the agreement or as part of the agreement, to be necessary to the public interest to plan for, acquire, protect, conserve, improve, or restore park and natural lands or historical resources for public purposes and (B) any officer, director, or employee acting pursuant to the agreement on behalf of the nonprofit corporation. For purposes of this paragraph, "agreement" includes contracts and grants, and "park," "natural lands," and "historical resources" shall have the meanings set forth in subdivisions (d), (g), and (i) of Section 5902 of the Public Resources Code. Services to be provided to the public agency may include those studies and related services, acquisitions of property and property interests, and any activities related to those studies and acquisitions necessary for the conservation, preservation, improvement, or restoration of park and natural lands or historical resources.

13. **California Housing Finance Agency Product or Program.** That of an officer, employee,

or member of the Board of Directors of the California Housing Finance Agency with respect to a loan product or programs if the officer, employee, or member participated in the planning, discussions, development, or approval of the loan product or program and both of the following two conditions exist:

- a. The loan product or program is or may be originated by any lender approved by the agency.
- b. The loan product or program is generally available to qualifying borrowers on terms and conditions that are substantially the same for all qualifying borrowers at the time the loan is made.

Exhibit
version: April 26, 2011

BEVERLY HILLS UNIFIED SCHOOL DISTRICT
Beverly Hills, California