



**Supplemental Ethics and Public Trust Policy  
Children and Families Commission Of  
Mariposa County  
(First 5 Mariposa County)  
*November 8, 2010***

**Article 1: Policy Purpose and Background**

**A. Purpose.** First 5 Commissions must adopt ethics policies that satisfy the requirements of the Political Reform Act and other state ethics laws. The Children and Families Commission of Mariposa County adopted such policies on November 8, 2010. This policy supplements those policies by setting The Children and Families Commission of Mariposa's sights higher than the minimum requirements of the law.

**B. Background.** The California Children and Families Act of 1998 authorizes each county to establish a commission dedicated to promoting, supporting, and improving the early development of children from the pre-natal stage to five years of age. This is accomplished through appropriate standards, resources, and integrated and comprehensive programs emphasizing community awareness, parent and caregiver education, child care and development, social services, health care and research.

**C. First 5 Commission Composition.** The county board of supervisors appoints commission members. Under the Children and Families Act, each county's First 5 Commission must be comprised of a combination of county officials and community representatives. County representatives must include, at least:

1. A member of the county board of supervisors;
2. Two individuals selected from among the following: a) the county health officer and b) persons responsible for management of one the following county functions: children's services, public health services, behavior health services, social services, and tobacco and other substance abuse prevention and treatment services.

The remaining commission members must be selected from among representatives of:

1. Other county officials described in #2 above;
2. Recipients of project services included in the county First 5 strategic plan;
3. Educators specializing in early childhood development;
4. Local child care resource or referral agencies or local child care coordinating groups;
5. Local organizations focusing on prevention or early intervention for families at risk;
6. Community-based organizations that have the goal of promoting nurturing and early childhood development;
7. Local school districts; and

8. Local medical, pediatric, or obstetric associations or societies.

**D. Policy Goal and Mechanisms.** The composition of First 5 Commissions means that, from time to time, commission members may be from agencies that seek or receive First 5 funding. As a result, a key goal of this policy is to promote public confidence and trust in the decision-making processes of the Children and Families Commission of Mariposa County. Such public confidence and trust is a function of a number of factors:

1. Decision-makers' experience, knowledge and competence;
2. Their commitment to putting the interests of children under five before any personal or organizational interests;
3. Transparent and inclusive decision-making processes; and
4. Accountability mechanisms that assure the public that worthy public purposes are being achieved as the result of the expenditure of public resources on First 5 programs.

There are a number of state and federal laws that are designed to promote public trust and confidence in both local agency decisions and specifically First 5 Commission decisions. These laws create minimum standards for public agency decision-makers that are important to satisfy. A key goal of this policy is to set the sights of the Children and Families Commission of Mariposa County higher than the minimum standards of the law.

## **Article 2**

### **The Commission's Additional Practices to Protect Public Trust and Confidence in the Commission**

The Children and Families Commission of Mariposa County believes that public trust and confidence in Commission decisions and actions is vital to the accomplishment of the Commission's mission. Accordingly, the Commission will engage in the following practices to promote the public's trust and confidence in the Commission's activities.

#### **Recruitment and Appointment Process**

- Broad-based Recruitment.** When the Mariposa County Board of Supervisors request help from the Commission in recruiting potential candidates for the Commission, the Commission will do so from a broad cross section of the community. It will publicize openings on the Commission through the Mariposa Gazette, other county newspapers and on the Mariposa County First 5 website.
- Advance Disclosure of Appointee Affiliations.** The Mariposa County First 5 Commission will develop and use a form that asks prospective appointees to the Commission to disclose organizations with which they or their family members are affiliated. Mariposa County First 5 Commissioners are expected to update this disclosure as their affiliations change.
- Advance Notice to Potential Appointees.** Working with Mariposa County, the Commission will alert people being considered for appointment to the Mariposa County First 5 Commission of the requirement to 1) timely and accurately filing state-required personal financial interest disclosure forms (Form 700); 2) timely complying with the Commission's ethics training requirements; and 3) stepping aside from any decision-making process that could benefit organizations with which they are affiliated.

## After Appointment

- **Public Information about Decision-makers.** The Mariposa County First 5 Commission will publicly disclose (including on its website) who serves on the Commission, the qualifications they bring to their service (including their organizational affiliations), and the process by which they are appointed.
- **Orientation Materials.** The Mariposa County First 5 Commission will provide appointees to the Commission the local Commission's policies and practices related to avoiding even the appearance of conflicts of interest and other information related to public service ethics. New Commissioners will be asked to sign Form 700.
- **Financial Interest Disclosure.** New Mariposa County first 5 Commission members must file Form 700 within the statutory deadline of one month following the Board of Supervisors' appointment.
- **Ongoing Disclosure of Appointee Affiliations.** Appointees to Mariposa County First 5 Commission must update their affiliations disclosure form as their affiliations change. To ensure additional accountability, the Mariposa County First 5 Executive Director will provide an affiliation form at the beginning of each fiscal year (July 1<sup>st</sup>).

## Ethics Training (Section 8.4 Compliance with Assembly Bill 1234: Expense Reimbursement and Ethics Training)

- **Tailored Ethics Training.** Mariposa County Counsel or the California Department of Justice/Office of the Attorney General will provide the Mariposa County First 5 Commission with ethics training that meets the specific information needs and legal obligations of Mariposa First 5 Commissioners (decision makers). Mariposa County First 5 Commissioners (decision makers) will complete an ethics training course on-line or by the training provided by County Counsel and receive a certificate of completion.
- **Timing for Ethics Training.** Mariposa County First 5 Commissioners will be required to participate in two hours of training in ethics principles and laws every two years. The Executive Director must ensure that Commissioners are offered a list of options, at least once a year, for satisfying the requirement. Each Mariposa County First 5 Commissioner who has been appointed must receive ethics training. Newly appointed Commissioners must receive their first training within one year of appointment. Records of participation must be kept as part of the public record for at least five years.
- **Staff Training.** The Mariposa County First 5 Executive Director must also participate in this training.
- **Documentation.** The Mariposa County First 5 Commission will post certificates of completing ethics training requirements on the commission's website.

## When Making Funding Decisions

- **Broad-based Public Input Sought.** The Mariposa County First 5 Commission will document use of inclusive processes to seek broadly-based community input on strategic plan updates, including funding priorities, in addition to the public hearing required by law (Commission meeting). An opportunity to participate in reviewing the Mariposa County First 5 Strategic Plan will be posted in the Mariposa Gazette.

- **Publicity for Funding Opportunities.** In the past, the Mariposa County First 5 Commission has widely publicized the opportunity to compete for contracts and grants (through website, mailings and the Mariposa Gazette), allowing a generous timeframe for interested organizations and agencies to respond.
- **Process for Funding Decisions.** As a general practice, the Mariposa County First 5 Commission has used a merit-based, competitive process for grant and contract awards. When the Commission determined in March, 2008, that a competitive process did not best serve the interests of the populations funded by Mariposa County First 5 programs, it documented that determination with specific findings as to why the Commission reached that conclusion. The reasons were publicized on the Mariposa County First 5 website.
- **Special Procedures for Funding County Programs.** To address concerns about any decisions to fund any Mariposa County programs given statutory requirements concerning the composition of local Commissions, the Mariposa County Commission will require all decisions relating to county program funding be reviewed by County Counsel. The Commission will provide ample notice and opportunity to have input at the Commission meeting(s) during which the Mariposa County First 5 Commission will determine First 5 grant funding. County members of the First 5 Commission will not participate in the decision on funding county programs.
- **Anti-Nepotism Policies.** If a Mariposa County First 5 Commissioner’s family member (including parent, grandparent, child, sibling, relation by marriage or civil union, aunt, uncle or cousin) works for an organization being considered for funding, that Commissioner is prohibited from participating in or influencing the decision on whether that organization receives funding. “Influencing” includes not only voting on a matter, but discussing it with staff, other Commissioners or other decision-makers.

**At Each Meeting (When Making Decisions about Funding)**

- **Alerting Decision-Makers to Potential Conflict Issues.** The Mariposa County First 5 Commission will state during public comments the “conflict of interest advisory” when funding decisions are on the agenda explaining: 1) the circumstances under which the Mariposa County First 5 Commissioner needs to step aside from the decision-making process, and 2) which organizations are being considered for funding in that meeting (to minimize the likelihood a Commissioner is unaware of his or her organization’s involvement).
- **Disqualification Item on Agenda (Grant Funding Discussed).** When grant funding is being discussed, the Mariposa County First 5 Commission will have on the Commission agenda the opportunity for the Commissioner (decision maker) who will not be participating on an agenda item to announce that fact and why. Mariposa County First 5 Commissioners (decision-makers) must include as part of the announcement that a) the Commissioner (decision-maker) will not be voting or participating in a discussion on that item; and b) the Commissioner (decision-maker) has not discussed that item with other Commissioners (decision makers) and/or staff.
- **Leave the Room Requirement.** Anyone who is disqualified from participating in a decision because of a conflict of interest must leave the room when that agenda item is called.
- **Public Notice and Comment Opportunities.** The Mariposa County First 5 Commission will maximize the public’s knowledge and opportunity to comment on proposed funding decisions including any proposed decision and findings relating to not using a competitive process for awarding grants/contracts by posting them a week in advance at the Mariposa County Government Center, the Mariposa County Library and the Commission Office.

**In General**

- **First 5 Legal Framework Explanations.** To enhance public understanding of the legal framework within which First 5 Commissions operate, the Mariposa County First 5 Commission will include a plain language explanation of the law relating to First 5 Commission membership and conflicts of interest policies and requirements on its website.
  
- **Commitment to Ethics Demonstration.** The Mariposa County First 5 Commission will include a section on its website relating to decision-making ethics that explains and includes: a) the local Mariposa County First 5 Commission’s conflict of interest code (policy); b) the practices the Mariposa County Commissioners employ to assure that decisions-relating to funding and funding priorities are motivated solely by the interests of the populations served by First 5 programs; and c) who has filed a Form 700 along with the county agency that holds these forms as a matter of public record.
  
- **Accountability Mechanism Explanations.** The Mariposa County First 5 Commission will include plain language materials on its website: 1) to help the public understand the accountability practices for contracts and grants provided for in the California Children and Families Act; and 2) share the results of audits, annual reports and State First 5 annual reports to help the public understand how contractors and grant recipients performed under their agreements with the Commission. All Mariposa County First 5 grant budget and program quarterly reports will be posted on the First 5 website. In addition, all Mariposa County First 5 Commission policies will be posted on the website.

Adoption by Resolution of the Mariposa County First 5 Commission on the 8<sup>th</sup> day of November 2010.

Jeane Hetland  
(Print Name)

Nancy Damm  
(Print Name)

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(Signature)

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(Signature)

Jeane Hetland  
Executive Director

Nancy Damm  
First 5 Commission Chair

Approved As To Form by County Counsel