

## **ORANGE COUNTY AB 1234 ETHICS TRAINING POLICY**

### ***Every two year training requirement:***

AB 1234, effective January 1, 2006, requires that specified officials complete ethics training the year in which they begin service and every two years thereafter. To simplify the process and to avoid tracking numerous different expiration dates, Orange County requires that specified officials take the ethics training the year in which they are elected or appointed and every even numbered year thereafter.

### ***County officials required to take ethics training:***

1. All County Elected Officials.
2. Members of all boards, commissions & committees (BCCs) under the jurisdiction of the Board of Supervisors that are subject to the Brown Act (i.e., the BCC was created by a legislative body, such as the Board of Supervisors) and who either receive compensation for their service or are reimbursed for their expenses (i.e., receive a stipend or per diem; reimbursement for mileage, meals, or transportation; parking validation; or workshop, training or conference costs paid by the County, etc.).
3. Members of all BCCs under the jurisdiction of the Board of Supervisors who are designated filers under the County's Conflict of Interest Code.

### ***When officials must take the ethics training:***

- Prior to December 31<sup>st</sup> of the year in which they are elected or appointed.
- Prior to December 31<sup>st</sup> of every even numbered year thereafter.

### ***Examples:***

1. If an official is appointed to a BCC on October 16, 2009, that official would take the ethics training prior to December 31, 2009 and then again the following year prior to December 31, 2010 (to get on the even year cycle).
2. If an official is appointed to a BCC on June 10, 2010, that official would take the ethics training prior to December 31, 2010 and again during 2012, prior to December 31, 2012.

### ***How officials take the ethics training:***

- The Fair Political Practices Commission (FPPC) has established an online training program that allows local officials to satisfy the requirements of AB 1234 on a cost-free basis. When the official has completed the program, they must print the certificate of completion provided at the end of the course and submit the certificate to the Clerk of the Board. The course can be accessed on the FPPC's website: <http://localethics.fppc.ca.gov/login.aspx>.

- Ethics trainings are also offered by a variety of organizations, and other online sources. An ethics training certificate of completion from any qualified provider will satisfy the ethics requirement.

***Where officials file their certificate of completion:***

- Officials listed in 1 & 3 of “*County officials required to take Ethics Training*” section, file their certificates with the Clerk of the Board of Supervisors.
- Officials listed in 2 of “*County officials required to take Ethics Training*” section, file their certificates with the County Department that supports the BCC.
- An official who is required to file their certificate of completion with various agencies (i.e., because they hold a County elected position and serve on a BCC not under the jurisdiction of the Board of Supervisors) may submit a copy of the original certificate to the County.

***Failure/refusal to take the ethics training:***

- The Clerk of the Board shall be responsible for providing three (3) written notices to elected officials and officials listed in 2 or 3 of “*County officials required to take ethics training*” section who have failed to complete the ethics training. In the case of written notices to a member of a BCC, the Clerk of the Board shall provide a copy of the second and third written notices to the Supervisor who nominated that BCC member for appointment by the Board of Supervisors. Thereafter, the Clerk of the Board is relieved of providing any further notification of non-compliance with the ethics training requirement.
- Non-completion of this mandatory requirement by an official who is listed in 2 or 3 of “*County officials required to take ethics training*” section, will result in the official’s removal from their BCC position. Upon appointment, such official will sign a “Consent to Removal and Forfeiture of Appointment Due to Non-Compliance with AB 1234 Ethics Training” which memorializes his/her agreement and understanding that failure to complete ethics training when required (i.e., upon appointment and every numbered year thereafter) will result in his/her automatic removal and forfeiture of position without further action of the Board of Supervisors or the pertinent BCC. An official’s non-compliance will be reported by the Clerk of the Board to the Chairperson of the pertinent BCC and/or Department contact. The automatic removal and forfeiture of position shall occur 31 days from the date the training is to be completed as provided above. Signed consent forms shall be forwarded to the Clerk of the Board. Failure of an official to sign the consent form or failure of the Clerk to Board to receive an official’s signed consent form shall not preclude the automatic removal and forfeiture of position for non-compliance.

***Record retention:***

- The Clerk of the Board of Supervisors will maintain original or copies of original certificates of completion of elected officials and officials who are designated filers under the County Conflict of Interest Code, i.e., officials who file Statements of Economic Interests (Form 700s).

- Department contacts will maintain original certificates of completion of officials who are not designated filers under the County Conflict of Interest Code.
- Certificates of completion must be retained as public records for at least five years.