



Subject:	Ethics (AB 1234) Training Policy
Authority:	Board of Supervisors
Policy Owner:	Office of Campaign Finance & Ethics Commission: Signature <i>Heard</i>
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A. Policy

The California Government Code requires specific County officials to complete at least two (2) hours of Ethics (AB 1234) Training within one (1) year of appointment and every two (2) years thereafter. To simplify the tracking and notification process, the County of Orange requires that specified officials take qualifying Ethics (AB 1234) Training by December 31st in the year s/he is appointed and in every even year thereafter.

B. Purpose

This policy is intended to identify Ethics (AB 1234) Training responsibilities for County officials, members of boards, commissions and committees (BCCs), BCC/Department contacts, Clerk of the Board of Supervisors (COB) and the Executive Director of the Campaign Finance and Ethics Commission (OCEthics). It also identifies how ethics training can be successfully completed.

C. Authority

Assembly Bill No. 1234 (AB 1234) (Chapter 700, Statutes of 2005) imposes requirements on specific public officials to complete ethics training every two (2) years. These requirements are codified in California *Government Code* §§53234 through 53235.2. Orange County Codified Ordinances §1-2-359 places the responsibility of Ethics (AB 1234) Training on the Executive Director of the Campaign Finance and Ethics Commission.

D. Scope

This training policy applies to the following officials:

1. All County Elected Officials;
2. BCCs under the jurisdiction of the Board of Supervisors that are subject to the Brown Act



- whose members are authorized to receive compensation or reimbursement; and
3. Members of all BCCs under the jurisdiction of the Board of Supervisors who are designated filers (Form 700) under the County's Conflict of Interest Code.
 4. This policy also applies to COB, OCEthics and the BCC/Department contacts for each BCC member who are subject to this policy.

E. Procedure

1. Who takes the Ethics (AB 1234) Training?
 - a. All County Elected Officials;
 - b. Members of BCCs under the jurisdiction of the Board of Supervisors who are subject to the Brown Act and are authorized to receive compensation or reimbursement; and
 - c. Members of all BCCs under the jurisdiction of the Board of Supervisors who are designated filers (Form 700) under the County's Conflict of Interest Code.

2. When is Ethics (AB 1234) Training required?
 - a. Prior to December 31st of the year in which the Official or Member is elected or appointed; and
 - b. Prior to December 31st of every even numbered year thereafter.

Examples:

 - 1) If an official or member is appointed to a BCC on June 16, 2017, that official or member would take the ethics training prior to December 31, 2017 and then again the following year prior to December 31, 2018 (to get on the even year cycle).
 - 2) If an official or member is appointed to a BCC on June 10, 2018, that official or member would take the ethics training prior to December 31, 2018 and then again during 2020, prior to December 31, 2020 (to meet the even year every two (2) year requirement).

3. How to complete Ethics (AB 1234) Training:
 - a. The Fair Political Practices Commission (FPPC) has established a free online training program that allows County officials to satisfy the requirements of Ethics (AB 1234) Training. The course can be accessed on the FPPC's website:
<http://localethics.fppc.ca.gov/login.aspx>.
 - b. Ethics (AB 1234) Training is also offered by a variety of organizations, and other online sources. Generally there is a cost associated with these programs. One of these courses can be found at: www.ca-ilg.org/ethics-education-and-training-ab-1234. OCEthics shall not be responsible for reimbursement of any costs associated with Ethics (AB 1234) Training to any BCC members other than Campaign Finance and Ethics Commissioners.
 - c. A certificate of completion for at least two (2) hours of local official Ethics (AB 1234) Training from a course that meets the Attorney General's AB 1234 training guidelines found at https://oag.ca.gov/sites/all/files/agweb/pdfs/ethics/eth_loc_guide_final.pdf will satisfy this Policy.



4. Where to file the Ethics (AB 1234) Training certificate:

To complete the training process and be deemed in compliance officials must provide a certificate of completion for Ethics (AB 1234) Training as follows:

- a. Elected officials and officials who are designated filers (Form 700) under the County Conflict of Interest Code file their original or the copy of the original certificate with OCEthics. This may be done via email (info@ocethics.com).
- b. BCC members who are not designated filers (Form 700) under the County Conflict of Interest Code file their certificates with their BCC/Department contact person.
- c. Officials who are required to take Ethics (AB 1234) Training for multiple agencies may file their certificates with OCEthics (i.e., County elected official who serves on a BCC not under the Board of Supervisors jurisdiction).

5. Additional Requirements related to BCC Members who are appointed by the Board of Supervisors:

Due to the importance and mandatory nature of Ethics (AB 1234) Training, a BCC member's failure to complete qualifying Ethics (AB 1234) Training when required will result in his/her automatic removal and forfeiture of his/her position without further action of the Board of Supervisors or the pertinent BCC.

- a. Upon appointment BCC members shall sign an acknowledgment that a failure to timely complete Ethics (AB 1234) Training will be cause for their appointment to be forfeited and s/he will be immediately removed from office.
- b. The acknowledgment - Consent to Removal and Forfeiture of Appointment Due to Non-compliance with AB 1234 Ethics Training - shall be provided by the COB to the BCC member upon appointment.
- c. Failure of a BCC member to sign the acknowledgment or failure of COB to receive the signed acknowledgment shall not preclude automatic removal and forfeiture.
- d. An official's non-compliance with Ethics (AB 1234) Training will be reported by OCEthics to the Board of Supervisors, COB, Chairperson of the pertinent BCC and the BCC/Department contact.
- e. The automatic removal and forfeiture of the position shall occur thirty-one (31) days from the date the Ethics (AB 1234) Training was to be completed.
- f. If an appointment is made in the last six (6) months of a year or a BCC member is on an extended/approved leave of absence, reasonable extensions will be provided to allow completion.

6. Notices

OCEthics shall be responsible for providing the following written notices:

- a. An annual Ethics (AB 1234) Training reminder per *Government Code* section 53235 to all individuals subject to the requirement. This notice shall be sent in January of each year. BCC members shall be notified through the BCC/Department contact.



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- b. A second reminder to complete Ethics (AB 1234) Training shall be sent to individuals who are not in compliance with this Training Policy. This notice shall be sent in the month of June in even years. The second reminder shall be copied to the Supervisor who nominated the BCC member.
 - c. A final reminder to complete Ethics (AB 1234) Training shall be sent to individuals who are not in compliance with this Training Policy. This notice shall be sent in the month of October in even years. Final reminders to a BCC member shall be copied to the BCC/Department contact, the Supervisor who nominated the BCC member and the COB.
 - d. A "Removal and Forfeiture of Appointment" letter shall be sent to any BCC member who fails to timely comply with Ethics (AB 1234) Training. "Removal and Forfeiture" notices to a BCC member shall be copied to the BCC/Department contact, the Supervisor who nominated the BCC member and the COB. This notice shall be sent on January 31st of each year absent special circumstances.
 - e. Any BCC members appointed in odd years or members on extended/approved leaves shall receive no less than two (2) training reminders prior to the "Removal and Forfeiture of Appointment" letter.
7. Documentation Retention
- a. OCEthics shall be responsible for maintaining the following documents for a period of five (5) years:
 - (1) The original or copies of the original certificates of completion for Ethics (AB 1234) Training for elected officials and officials who are designated filers (Form 700) under the County Conflict of Interest Code.
 - (2) The original or copies of the original certificates of completion for Ethics (AB 1234) Training for Officials who are required to take Ethics (AB 1234) Training for multiple agencies who have filed their certificates with OCEthics.
 - (3) Written notices regarding Ethics (AB 1234) Training.
 - b. BCC/Department contacts are responsible for maintaining the original or copies of the certificates of completion for Ethics (AB 1234) Training of officials who are not designated filers (Form 700) under the County Conflict of Interest Code for a period of five (5) years.

F. Attachments

#	Title	Description
A	Consent to Removal and Forfeiture of Appointment Due to Non- Compliance with AB 1234 Ethics Training	Document for signature by member of the BCC upon appointment.