

1 KENDALL L.D. BONEBRAKE
Assistant Chief of Enforcement
2 THERESA GILBERTSON
Attorney Supervisor
3 Fair Political Practices Commission
1102 Q Street, Suite 3050
4 Sacramento, CA 95811

5 Telephone: (279) 237-5960
6 Email: tgilbertson@fppc.ca.gov

7 Attorneys for Complainant

8
9 BEFORE THE FAIR POLITICAL PRACTICES COMMISSION
10 STATE OF CALIFORNIA

11 In the Matter of:

12 JENEÉ LITTRELL,

13 Respondents.

FPPC Case No. 2023-00386

STIPULATION, DECISION AND ORDER

Date Submitted to Commission: March 2026

14
15 **INTRODUCTION**

16 At all relevant times, Jeneé Littrell (“Littrell”) was the Deputy Superintendent with the San Mateo
17 County Office of Education (“SMCOE”). Littrell left that position on April 15, 2022.

18 This case arose from an anonymous complaint.

19 The Political Reform Act¹ (“Act”) prohibits officials from making, participating in making, or
20 attempting to influence governmental decisions in which the official knows or has reason to know they
21 have a financial interest. Littrell had a conflict of interest when Littrell participated in and influenced or
22 attempted to influence a governmental decision in which Littrell had a financial interest. Further, Littrell
23 failed to report an economic interest on several Statements of Economic Interests (“SEI.”)

24
25 //

26
27
28 ¹ The Political Reform Act—sometimes simply referred to as the Act—is contained in Government Code sections 81000 through 91014. All statutory references are to this code. The regulations of the Fair Political Practices Commission are contained in Sections 18104 through 18998 of Title 2 of the California Code of Regulations. All regulatory references are to this source.

1 **SUMMARY OF THE LAW**

2 The Act and its regulations are amended from time to time. All legal references and discussions
3 of law are intended to be citations to statutes and regulations as they existed at the time of the violations
4 in this case.

5 **Need for Liberal Construction and Vigorous Enforcement of the Political Reform Act**

6 When enacting the Political Reform Act, the people of California found and declared that
7 previous laws regulating political practices suffered from inadequate enforcement by state and local
8 authorities.² Thus, it was decreed that the Act “should be liberally construed to accomplish its
9 purposes.”³

10 One purpose of the Act is to ensure that public officials perform their duties in an impartial
11 manner, free from bias caused by their own financial interests or the financial interests of persons who
12 have supported them.⁴ Along these lines, the Act requires that public officials' assets and income be
13 disclosed.⁵ Further, in appropriate circumstances, the officials should be disqualified from acting in order
14 that conflicts of interest may be avoided.⁶

15 Another purpose of the Act is to provide adequate enforcement mechanisms so that the Act will
16 be “vigorously enforced.”⁷

17 **Section 87100: Conflicts of Interest**

18 A public official may not make, participate in making, or attempt to use their official position to
19 influence a governmental decision in which they know or have reason to know they have a financial
20 interest.⁸ A public official has a financial interest in a governmental decision if it is reasonably
21 foreseeable that the decision will have a material financial effect, distinguishable from its impact on the
22 public generally, on the official, a member of the official’s immediate family, or other financial
23 interests. Financial interests can include 1) any source of income aggregating five hundred dollars
24 (\$500) or more in value provided to the public official within 12 months prior to the time when the
25

26 ² Section 81001, subdivision (h).

27 ³ Section 81003.

28 ⁴ Section 81001, subdivision (b).

⁵ Section 81002, subdivision (c), Section 87100, and Sections 87200 *et seq.*

⁶ Sections 87100, *et seq.*

⁷ Section 81002, subdivision (f).

⁸ Section 87100.

1 decision was made, 2) any business in which the official is a director, officer, employee, or holds any
2 position of management, and 3) any business entity in which the public official has a direct or indirect
3 investment worth two thousand dollars or more.⁹

4 To determine whether a public official has a prohibited conflict of interest under the Act, the first
5 step is to determine whether it is reasonably foreseeable for the governmental decision to have a financial
6 effect on the public official's financial interests.¹⁰ When the financial interest is explicitly involved, such
7 as when the financial interest is a named party in, or the subject of, a governmental decision before the
8 official's agency, a financial effect is presumed to be reasonably foreseeable.

9 The second step is to determine if the reasonably foreseeable financial effect will be material.¹¹
10 When the financial interest is a business entity and the financial interest is explicitly involved, the
11 financial effect is material.¹²

12 A public official is considered to have participated in a decision if the official provides
13 information, an opinion, or a recommendation for the purpose of affecting the decision without
14 significant intervening substantive review. A public official uses their official position to attempt to
15 influence a decision when they 1) contact or appear before the agency for the purpose of affecting a
16 decision.

17 **Statements of Economic Interest**

18 The Act requires every state and local agency to develop a conflict of interest code.¹³ These codes
19 must designate those officials who participate in making decisions that may foreseeably have a material
20 financial effect on any financial interest belonging to that official and require those designated officials to
21 disclose all reportable interests on SEIs.¹⁴ The requirements of an agency's Conflict of Interest Code
22 have the force of law, and any violations of those requirements are deemed a violation of the Act.¹⁵

23 For all relevant periods, the SMCOE Conflict of Interest Code states that a Deputy
24 Superintendent is a designated position and must periodically file Statements of Economic Interests,
25

26 ⁹ Section 87103 and Regulation 18700.

27 ¹⁰ Regulation 18700, subdivision (d)(1).

28 ¹¹ Regulation 18700, subdivision (d)(2).

¹² Regulation 18702.1, subdivision (a)(1).

¹³ Section 87300.

¹⁴ Section 87302, subdivision (a).

¹⁵ 87300.

1 including annually on April 1 and within 30 days of leaving office.¹⁶ The code specifies that the position
2 of Deputy Superintendent shall disclose investments which may foreseeably be materially affected by
3 any decision made or participated in by the designated employee; income which may be materially
4 affected by any decision made or participated in by the designated employee, and any business entity in
5 which the designated employee is a director, officer, partner, trustee, or holds any position of
6 management which may be materially affected by any decision made or participated in by the designated
7 employee.¹⁷

8 Failure to timely file an SEI and failure to timely disclose an interest are considered violations of
9 Section 87300.¹⁸

10 SUMMARY OF THE FACTS

11 **Disclosure of Economic Interests**

12 At all relevant times, Littrell was the SMCOE Deputy Superintendent. Littrell was subject to the
13 conflict of interest provisions of the Act and was required to file SEIs. Littrell was required to disclose
14 investments, sources of income, and any business entity in which Littrell held a position of management,
15 if Littrell could make decisions or participate in decisions that would materially affect those interests.

16 At all relevant times, Littrell had a financial interest in the company, Real Matters Inc., dba Camp
17 LEAD. Littrell is the sole officer for the company, holding the positions of Chief Executive Officer,
18 Secretary, and Chief Financial Officer. Real Matters, Inc. was established in 2016 and offers educational
19 programming, including after-school and summer camps for school-aged children. Real Matters, Inc.
20 contracted with school districts to provide services and educational materials, including school districts
21 in San Mateo County and at least one other county. It is reasonably foreseeable that Real Matters, Inc., in
22 conducting business related to educational programming offered to school districts and schools, could be
23 materially affected by decisions made by the Deputy Superintendent. At all times, Littrell had a position
24 of management with Real Matters, Inc., had an investment interest, and received income from Real
25

27 ¹⁶ Conflict of Interest Code of the San Mateo Board of Education and Superintendent of Schools, County of San
28 Mateo, State of California, incorporating Regulation 18730.

¹⁷ *Id.*

¹⁸ See 87300.

1 Matters, Inc. Therefore, Littrell had a duty to report Real Matters., Inc. on SEIs during the period of time
2 that Littrell served as a designated employee.

3 Littrell has filed SEIs since 2016 but has only reported Real Matters, Inc., as a financial interest in
4 2016 and in 2022. On the statement filed for 2022, Littrell reports that Real Matters, Inc., was a source of
5 income totaling between \$10,000 and \$100,000. Littrell failed to report Real Matters, Inc. on the
6 following SEIs: Annual 2019, filed May 31, 2020; Annual 2020, filed March 29, 2021; Annual 2021,
7 filed March 29, 2022; and a Leaving Office statement filed June 6, 2022. In addition, the Leaving Office
8 statement was filed 22 days after the due date of May 15, 2022.

9 **Participating in Governmental Decisions**

10 On October 13, 2021, Littrell authored and initialed a memorandum entitled, “Elementary and
11 Secondary School Emergency Relief (ESSER) III Expenditure Plan” (“ESSER Plan.”) The memo was
12 directed to Superintendent Nancy Magee. The memo stated, in part:

13 “County Offices of Education (CO Es) that receive Elementary and Secondary School
14 Emergency Relief (ESSER) funds under the American Rescue Plan (ARP) Act, referred
15 to as ESSER III funds, are required to develop a plan for how they will use these funds to
16 address students’ academic, social, emotional, and mental health needs, as well as the
17 opportunity gaps that existed before, and were exacerbated by, the COVID-19 pandemic.
18 Additionally, the plan may include how funds will be used to implement strategies for
19 continuous and safe in-person learning.

20 This information is being shared with the Board because the plan must be adopted by the
21 governing Board at a public meeting on or before October 29, 2021, and must be
22 submitted for review and approval within five days of adoption to the California
23 Department of Education for review.”

24 The total funds received and included in the ESSER plan were \$1,323,572. The ESSER Plan
25 included \$17,200 for Camp LEAD (the fictitious business name for Littrell’s business.) The allocation
26 for Camp LEAD represented approximately 1.3% of the overall ESSER III expenditure plan.
27 Specifically, the funds would be designated for “camps and transportation.” Superintendent Nancy
28 Magee approved and recommended the ESSER Plan to the Board. The ESSER Plan was agendized and

1 presented to the San Mateo County Office of Education Board at its October 20, 2021 meeting. The
2 Board adopted the Plan at that same meeting.

3 Camp LEAD, or Real Matters, Inc., was the subject of the decision, as it was named as one of the
4 planned interventions for addressing student needs. Therefore, it was reasonably foreseeable that the
5 governmental decision could have a material financial effect on Littrell’s financial interest, Camp LEAD.
6 Littrell had a conflict of interest when participating in the governmental decision regarding the ESSER
7 Plan that included funds for Camp LEAD in the plan.

8 Littrell has cooperated with Enforcement at all times, including signing an agreement tolling the
9 statute of limitations to secure this stipulated agreement. Littrell amended all relevant SEIs to fully
10 disclose Littrell’s economic interest in Real Matters, Inc.

11 According to records received from the SMCOE, the County Superintendent of Schools, Nancy
12 Magee, tasked Littrell with “building infrastructure for Camp LEAD within the County Office and for
13 implementing these services to schools and districts across San Mateo County.” According to Magee, the
14 SMCOE engaged in contracts with Real Matters, Inc. that permitted SMCOE to utilize Camp LEAD’s
15 program at no cost if the materials were presented with fidelity and with guidance from the Real Matters,
16 Inc. team. According to Littrell and confirmed by records from the SMCOE, Magee did consult with
17 County Counsel regarding the relationship between SMCOE and Real Matters, Inc. In 2023, the
18 SMCBOE undertook an effort to strengthen conflict of interest protocols in response to this conflict of
19 interest.

20 VIOLATIONS

21 **Count 1: Conflict of Interest**

22 Littrell had a conflict of interest when participating in a governmental decision in which it was
23 reasonably foreseeable to have a material financial effect on Littrell’s financial interest, in violation of
24 Government Code Section 87100.

25 **Count 2: Failure to Report on Statements of Economic Interest**

26 Littrell failed to timely disclose a financial interest on Statements of Economic Interest on the
27 2020 Annual SEI, in violation of Government Code Section 87300.

1 **Count 3: Failure to Report on Statements of Economic Interest**

2 Littrell failed to timely disclose a financial interest on Statements of Economic Interest on the
3 2019 Annual SEI, the 2021 Annual SEI, and the Leaving Office SEI, in violation of Government Code
4 Section 87300.

5 **PROPOSED PENALTY**

6 This matter consists of three proposed counts. The maximum penalty is \$5,000 per count.¹⁹ There
7 are six potential counts, including five violations related to filing or reporting economic interests on SEIs.
8 Thus, the maximum penalty that may be imposed is \$30,000.

9 This matter does not qualify for the Streamline Program because it involves a conflict of interest.

10 In determining the appropriate penalty for a particular violation of the Act, the Enforcement
11 Division considers the typical treatment of a violation in the overall statutory scheme of the Act, with an
12 emphasis on serving the purposes and intent of the Act. Additionally, the Enforcement Division
13 considers the facts and circumstances of the violation in the context of the following factors set forth in
14 Regulation 18361.5 subdivision (e)(1) through (8): (1) The extent and gravity of the public harm caused
15 by the specific violation; (2) The level of experience of the violator with the requirements of the Political
16 Reform Act; (3) Penalties previously imposed by the Commission in comparable cases; (4) The presence
17 or absence of any intention to conceal, deceive or mislead; (5) Whether the violation was deliberate,
18 negligent or inadvertent; (6) Whether the violator demonstrated good faith by consulting the Commission
19 staff or any other governmental agency in a manner not constituting complete defense under Government
20 Code Section 83114(b); (7) Whether the violation was isolated or part of a pattern and whether the
21 violator has a prior record of violations of the Political Reform Act or similar laws; and (8) Whether the
22 violator, upon learning of a reporting violation, voluntarily filed amendments to provide full disclosure.

23 A conflict of interest is a serious violation of the Act with a high degree of public harm. This type
24 of violation undermines public trust in government by creating the appearance that the decision or the
25 participation in a decision was the product of the official's personal interest or to benefit an interest of the
26 official. Such conduct contradicts the Act's decree that public officials should serve the needs of all
27 citizens in an impartial manner, free from bias caused by their own financial interests.

28

¹⁹ See Section 83116, subdivision (c).

1 Ordinarily, a failure to disclose a financial interest on a Statement of Economic Interest is eligible
2 for the streamline program. When the public official also had a conflict of interest violation involving an
3 undisclosed economic interest, the violation is not eligible for inclusion in the streamline program. One
4 purpose of the disclosure of financial interests is to avoid conflicts of interest.²⁰ When an interest is not
5 included in an SEI, the official, their agency, and the public are less able to identify and avoid conflicts
6 of interest.

7 Littrell has filed SEIs since 2016 and knew or should have known of the duty to fully disclose all
8 reportable financial interests and to abstain from participating in governmental decisions involving
9 financial interests. Littrell has cooperated fully with the investigation. Littrell is no longer serving as
10 Deputy Superintendent, having left the position in 2022. Littrell contends that they had a good faith
11 belief that the business, Real Matters Inc., dba Camp LEAD was not reportable on SEIs. Specifically,
12 Littrell understood that only such interests that were profitable to her were reportable. In response to this
13 matter, Littrell asserted that they did not receive or seek a financial benefit from the governmental
14 decision, that the agency, SMCOE, did not have a conflict of interest policy in place to provide clarity or
15 formal guidance to staff. With respect to the governmental decision at issue, Littrell structured the
16 agreement between her business and SMCOE to provide services free of charge. Littrell contends that
17 they received no personal financial gain as a result of the ESSER III Plan decision.

18 Littrell had several years of filings. Littrell reported Real Matters Inc. in certain years and
19 provided to the Enforcement Division that they did not report the entity in years when they believed it
20 had not generated “reportable income.” This indicates that the failure to report was not an attempt to
21 conceal Littrell’s financial interest, but reflects a misunderstanding of the reporting requirements.

22 The Commission has previously considered another stipulation involving a conflict of interest: *In*
23 *the Matter of Kellie Schneider*, FPPC No. 19/1775 (The Commission approved a settlement in this matter
24 on January 18, 2024.) The respondent had an economic interest in a business entity, as the business was
25 the employer of the respondent’s spouse. Respondent participated in and made a decision that had a
26 reasonably foreseeable financial effect on that financial interest when Respondent reviewed and
27 approved a bid from the business. Respondent failed to report this economic interest on an SEI. The
28

²⁰ Section 81002, subdivision (c).

1 Commission imposed a penalty of \$4,000 for the conflict of interest and a penalty of \$1,500 for the
2 failure to disclose a financial interest where the reporting was filed after the conflict of interest had
3 already occurred. Both Littrell and *Schneider* had a misunderstanding about conflict of interest laws.
4 Both assumed that if they personally would not directly benefit from the governmental decision, it was
5 not prohibited to participate in that governmental decision. Both failed to disclose the relevant economic
6 interest that led to a conflict of interest. In the case of *Schneider*, the charged statement was filed after the
7 conflict of interest.

8 Littrell has no prior history of violations. Littrell has fully cooperated with the investigation.
9 Upon notification of reporting deficiencies, Littrell promptly amended all relevant Statements of
10 Economic Interests to provide full disclosure.

11 After considering the factors listed in Regulation 18361.5 and penalties in prior similar cases, a
12 penalty of \$4,000 is recommended for Count 1, the conflict of interest violation. A penalty of \$2,500 is
13 recommended for Count 2, where if the SEI had been appropriately completed, Littrell or supervisors
14 may have caught the conflict of interest before it occurred. A penalty of \$1,500 is recommended for
15 Count 3. The Enforcement Division recommends a total proposed penalty of \$8,000.

16 CONCLUSION

17 Complainant, the Enforcement Division of the Fair Political Practices Commission, and Jeneé
18 Littrell hereby agree as follows:

- 19 1. Respondent has violated the Act as described in the foregoing pages, which are a true and
20 accurate summary of the facts in this matter.
- 21 2. This stipulation will be submitted for consideration by the Fair Political Practices
22 Commission at its next regularly scheduled meeting—or as soon thereafter as the matter may be heard.
- 23 3. This stipulation resolves all factual and legal issues raised in this matter—for the purpose
24 of reaching a final disposition without the necessity of holding an administrative hearing to determine the
25 liability of Respondent pursuant to Section 83116.
- 26 4. Respondent understands, and hereby knowingly and voluntarily waives, any and all
27 procedural rights set forth in Sections 83115.5, 11503, 11523, and Regulations 18361.1 through 18361.9.
28 This includes, but is not limited to the right to appear personally at any administrative hearing held in this

1 matter, to be represented by an attorney at Respondent’s own expense, to confront and cross-examine all
2 witnesses testifying at the hearing, to subpoena witnesses to testify at the hearing, to have an impartial
3 administrative law judge preside over the hearing as a hearing officer, and to have the matter judicially
4 reviewed.

5 5. Respondent agrees to the issuance of the decision and order set forth below. Also,
6 Respondent agrees to the Commission imposing against them an administrative penalty in the amount of
7 \$8,000. One or more payments totaling said amount—to be paid to the General Fund of the State of
8 California—is/are submitted with this stipulation as full payment of the administrative penalty described
9 above, and same shall be held by the State of California until the Commission issues its decision and
10 order regarding this matter.

11 6. If the Commission declines to approve this stipulation—then this stipulation shall become
12 null and void, and within fifteen business days after the Commission meeting at which the stipulation is
13 rejected, all payments tendered by Respondents in connection with this stipulation shall be reimbursed to
14 Respondents. If this stipulation is not approved by the Commission, and if a full evidentiary hearing
15 before the Commission becomes necessary, neither any member of the Commission, nor the Executive
16 Director, shall be disqualified because of prior consideration of this Stipulation.

17 7. The parties to this agreement may execute their respective signature pages separately. A
18 copy of any party’s executed signature page, including a hardcopy of a signature page transmitted via fax
19 or as a PDF email attachment, is as effective and binding as the original.

20
21 Dated: _____

Kendall L.D. Bonebrake, Chief of Enforcement
Fair Political Practices Commission

22
23
24 Dated: _____

Jeneé Littrell, Respondent

1 The foregoing stipulation of the parties “Jeneé Littrell,” FPPC Case No. 2023-00386 is hereby
2 accepted as the final decision and order of the Fair Political Practices Commission, effective upon
3 execution below by the Chair.

4
5 IT IS SO ORDERED.

6
7 Dated: _____

Adam E. Silver, Chair
Fair Political Practices Commission