



Title: Conflict of Interest
Type: Organizational Policies
Strand: Board Governance
Number: BP 1011

COUNTY OF SAN DIEGO

2018 SEP 28 PM 3: 33

CLERK OF THE BOARD
OF SUPERVISORS

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KAVOD CHARTER SCHOOL
CONFLICT OF INTEREST CODE

I. Adoption

In compliance with the Political Reform Act of 1974, California Government Code Section 87100 et seq., Kavod Charter School, a California Nonprofit Public School, hereby adopts this Conflict of Interest Code ("Code"), which shall apply to all governing board members, candidates for member of the governing board, and all other designated employees of Kavod Charter School ("Charter School"), as specifically required by California Government Code Section 87300.

II. DEFINITION OF TERMS

As applicable to a California public charter school, the definitions contained in the Political Reform Act of 1974, the regulations of the Fair Political Practices Commission, specifically California Code of Regulations Section 18730, and any amendments or modifications to the Act and regulations are incorporated by reference to this Code.

III. DESIGNATED EMPLOYEES

Employees of this Charter School, including governing board members and candidates for election and/or appointment to the governing board, who hold positions that involve the making or participation in the making, of decisions that may foreseeably have a material effect on any financial interest, shall be "Designated Employees." The Designated Employees' positions are listed in "Exhibit A" attached to this policy and incorporated by reference herein.

IV. STATEMENT OF ECONOMIC INTERESTS: FILING

Each Designated Employee, including governing board members and candidates for election and/or appointment to the governing board, shall file a Form 700 Statement of Economic Interest ("Statement") at the time and manner prescribed by California Code of Regulations, title 2, section 18730, disclosing reportable investments, interests in real property, business positions, and income required to be reported under the category or categories to which the employee's position is assigned in "Exhibit A."

An investment, interest in real property or income shall be reportable, if the business entity in which the investment is held, the interest in real property, the business position, or source of income may foreseeably be affected materially by a decision made or participated in by the Designated Employee by virtue of his or her position. The specific disclosure responsibilities assigned to each position are set forth in "Exhibit B."

Statements Filed With the Charter School. All Statements shall be supplied by the Charter School. All Original Statements shall be filed with the Charter School.

V. DISQUALIFICATION

No Designated Employee shall make, participate in making, or try to use his/her official position to influence any Charter School decision which he/she knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of his or her immediate family.

Kavod Charter School, a California Public Charter School

Approved and/or authorized by the
Board of Supervisors of the County of San Diego.
Meeting Date: 12/11/2018 Minute Order No. 41
By: *[Signature]* Date: 12/11/2018
Clerk of the Board Supervisors



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VI. MANNER OF DISQUALIFICATION

A. Non-Governing Board Member Designated Employees

When a non-Governing Board member Designated Employee determines that he/she should not make a decision because of a disqualifying interest, he/she should submit a written disclosure of the disqualifying interest to his/her immediate supervisor. The supervisor shall immediately reassign the matter to another employee and shall forward the disclosure notice to the Charter School Director, who shall record the employee's disqualification. In the case of a Designated Employee who is head of an agency, this determination and disclosure shall be made in writing to his/her appointing authority (i.e. the Board).

B. Governing Board Member Designated Employees

Governing Board members shall disclose a disqualifying interest at the meeting during which consideration of the decision takes place. This disclosure shall be made part of the Board's official record. The Board member shall refrain from participating in the decision in any way (i.e., the Board member with the disqualifying interest shall refrain from voting on the matter and shall leave the room during Board discussion and when the final vote is taken) and comply with any applicable provisions of the Charter School bylaws.



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Designated Positions

I. Persons occupying the following positions are designated employees and must disclose financial interests in all categories defined in "Exhibit B" (i.e., categories 1,2, and 3).

- A. Members of the Governing Board and their alternates (if applicable)
- B. Candidates for Member of the Governing Board
- C. Officers (Chair, Vice-Chair, Treasurer, Secretary, if not already included in Category A above)
- D. Executive Director of Charter School
- E. Consultants¹

II. Persons occupying the following positions are designated employees and must disclose financial interests defined in Category I of "Exhibit B."



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Category 1 Reporting:

- A. Interest in real property which is located in whole or in part either (1) within the boundaries of San Diego County ("County") or (2) within two miles of the boundaries of the County, including any leasehold, beneficial or ownership interests or option to acquire such interest in real property.

(Interests in real property of an individual include a business entity's share of interest in real property of any business entity or trust in which the designated employee or his or her spouse owns, directly, in directly, or beneficially, a 10% interest or greater.)

- A. Investments in or income from persons or business entities which are contractors or sub-contractor which are or have been within the previous two-year period engaged in the performance of building construction or design within County.
- B. Investments in or income from persons or business entities engaged in the acquisition or disposal of real property within the County.

(Investment includes any financial interest in or security issued by a business entity, including but not limited to common stock, preferred stock, rights, warrants, options, debt instruments and any partnership interest or other ownership interests.)

(Investments of any individual include a pro rata share of investments of any business entity or trust in which the designated employee or his or her spouse owns, directly, indirectly or beneficially, a ten percent interest or greater.)

(Investment does not include a time or demand deposit in a financial institution, shares in a credit union, any insurance policy, or any bond or other debt instrument issued by any government or government agency.)

Category 2 Reporting:

- A. Investments in or income from business entities which manufacture or sell supplies, books, machinery or equipment of the type utilized by the department for which the designated employee is Manager or Charter School Director. Investments include interests described in Category 1.

Category 3 Reporting:

- A. Investments in or income from business entities which are contractors or sub-contractors engaged in the performance of work or services of the type utilized by the department for which the designated employee is Manager or Charter School Director. Investments include the interests described in Category 1.

ⁱ The Charter School Director may determine, in writing, that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Charter School Director's determination is a public record and shall be retained for public inspection in the same manner and location of interest code.



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Certification of Secretary

I certify that I am the duly elected and acting secretary of Kavod Charter School, a California Nonprofit Public School. That is the Conflict of Interest Code of this organization as adopted by the Board of Directors on 9/13/18.

Executed on 9/20/18 at 6991 Balboa Ave
SAN DIEGO California.


Signature of Secretary

Botin, Leah S

From: Alexa Greenland <alexagreenland@kavodcharter.org>
Sent: Wednesday, September 26, 2018 3:32 PM
To: Botin, Leah S
Cc: Andrade, Brian; Magpayo, Gliceria
Subject: Re: 2018 Biennial Review Of COI Code
Attachments: Kavod COI review 2018_001.pdf

Hi Leah,

In review it appears that something I thought was changed this year had already been changed previously, so I just adjusted the cover sheet to note that there were no deletion of positions since the last adoption of the COI. The only change made was for us to file originals with our organization, which from the letter we received seemed to be the new preference. If I misunderstood that at all and originals still need to be filed with the County, please let me know so that we do not have a hiccup at filing time.

Attached should be all the documents you need. Please let me know if you need anything further.

Thank you!

With Respect,

Alexa Greenland

Director | Kavod Charter School
858.429.9254 | Alexa.Greenland@KavodCharter.org

On Tue, Sep 25, 2018 at 9:09 AM, Botin, Leah S <Leah.Botin@sdcounty.ca.gov> wrote:

Hi Alex,

This is to acknowledge receipt of your email.

We received the following:

1. 2018 Local Agency Biennial Notice
2. Conflict of Interest Code amendment adopted by the Board of Directors on 9/13/2018, signed by the Secretary.
3. One of the requirements is the strike out showing the deletions or additions on the COI Code, which is not included in your email. Can you please email it to us?