

COUNTY OF SAN DIEGO

METROPOLITAN AREA ADVISORY COMMITTEE ON ANTI-POVERTY OF SAN DIEGO COUNTY, INC.

FEBRUARY -6 PM 8:51
CLERK OF THE BOARD OF SUPERVISORS

CONFLICT OF INTEREST CODE

The Political Reform Act (Government Code Section 81000, *et seq.*) requires state and local government agencies to adopt and promulgate conflict of interest codes. Metropolitan Area Advisory Committee on Anti-Poverty of San Diego County, Inc. ("MAAC") is a California nonprofit public benefit corporation that operates the MAAC Community Charter School, a California public charter school. MAAC is required to adopt a conflict of interest code as an entity managing a charter school pursuant to Education Code Section 47604.1 (effective January 1, 2020).

The Fair Political Practices Commission ("FPPC") adopted a regulation (2 Cal. Code Regs. § 18730) with the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing, the standard code may be amended by the FPPC to conform to amendments in the Political Reform Act. The terms of California Code of Regulations, Title 2, Section 18730 and any amendments to it duly adopted by the FPPC are hereby adopted and incorporated by reference. This regulation and the attached appendices shall constitute the MAAC Conflict of Interest Code. MAAC's designated positions are identified in Appendix A.

This code shall take effect when approved by the San Diego County Board of Supervisors, and it shall supplement any conflict of interest policies adopted in compliance with the laws governing nonprofit corporations. Pursuant to Education Code Section 47604.1(e), this code shall apply to MAAC's operation of the MAAC Community Charter School and shall not apply to activities that are unrelated to a charter school unless otherwise required by law.

Individuals holding designated positions shall file their statements of economic interests with the Secretary of MAAC in accordance with the disclosure categories in Appendix C. Upon receipt of the statements of the members of the Board of Directors, the Secretary shall make and retain copies and forward the originals of these statements to the Clerk of the San Diego County Board of Supervisors. Original statements for all other designated employees shall be retained by the Secretary. All retained statements shall be available for public inspection and reproduction (Gov. Code § 81008).

Approved and/or authorized by the
Board of Supervisors of the County of San Diego.
Meeting Date: 01/02/2020 Minute Order No. 10
By: *Grace Carr* Date: 01/04/2020
Deputy Clerk of the Board Supervisors

APPENDIX A
DESIGNATED POSITIONS

DESIGNATED POSITION	DISCLOSURE CATEGORY
Members of the Board of Directors	1, 2, 4
Members of the MCCS Education Committee	2
President & Chief Executive Officer	1, 2, 4
Vice President & Chief Financial Officer	1, 2, 4
Vice President & Chief Impact Officer	1, 2
Chief Program Officer	1, 2
Chief Operating Officer	1, 2
Director of Operations	3
Director of Learning and Evaluation	3
Assistant Director of Compliance	3
Controller	3
Director of Real Estate Development	1, 3
Director of MAAC Community Charter School	3
Assistant Director of MAAC Community Charter School	3
Academic Coordinator	3
Operations Manager	3
Procurement Coordinator	3
Consultant/ New Position	*

* A consultant or new position is not required to report under the disclosure categories unless the Chief Executive Officer determines in writing that the consultant or new position is a "designated position". Such written determination shall include a description of the consultant's or new position's duties and, based upon that description, a statement of the extent of disclosure requirements. The Chief Executive Officer's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

APPENDIX A
DESCRIPTION OF DESIGNATED POSITIONS

Members of the Board of Directors

The members of the Board of Directors (“Board”) of Metropolitan Area Advisory Committee on Anti-Poverty of San Diego County, Inc. (“MAAC”) formulate general policies and programs of the MAAC Community Charter School, and hire the Director of MAAC Community Charter School. The Board is responsible for assuring that all aspects of the financial and programmatic accountability systems are consistent with the school’s charter, and delegates implementation of policy to the Director of MAAC Community Charter School and staff. The Board has responsibility to ensure that its Director and staff fulfill MAAC Community Charter School’s obligations to its authorizer and the California Department of Education. The Board is responsible for approving major contracts on behalf of MAAC Community Charter School, including the purchase, sale, lease, or transfer of real property, and approves the annual financial audit by an independent auditor.

The Board does not direct the investment of public moneys, formulate or approve investment policies, approve or establish guidelines for asset allocations, or approve investment transactions. Consequently, members of the Board are not “other officials who manage public investments” within the meaning of Government Code Section 87200, or as defined in California Code of Regulations, Title 2, Section 18701; members of the Board are instead designated under MAAC’s Conflict of Interest Code.

Members of the MCCS Education Committee

The members of the MCCS Education Committee may include MAAC Board members and leaders, parents, teachers and community members who volunteer to serve on the committee and generally participate in discussions with and make recommendations to the MAAC Board regarding general policies and programs of MAAC Community Charter School. The MCCS Education Committee members observe the implementation of policy by the Director of MAAC Community Charter School and staff and report to the MAAC Board, but they do not implement or enforce such policies and programs. The MCCS Education Committee members do not have authority to approve contracts or the annual financial audit.

The MCCS Education Committee does not direct the investment of public moneys, formulate or approve investment policies, approve or establish guidelines for asset allocations, or approve investment transactions. Consequently, members of the committee are not “other officials who manage public investments” within the meaning of Government Code Section 87200, or as defined in California Code of Regulations, Title 2, Section 18701; members of the committee are instead designated under MAAC’s Conflict of Interest Code.

President & Chief Executive Officer

The President & Chief Executive Officer is an employee of MAAC who participates in the formulation of general policies and programs of MAAC Community Charter School, and

implements policy on behalf of the Board. The President & Chief Executive Officer hires employees and contractors, including those providing management, curriculum, technology, and instructional services. The President & Chief Executive Officer has general supervision, direction, and control of the business of MAAC Community Charter School.

The President & Chief Executive Officer does not direct the investment of public moneys, formulate or approve investment policies, approve or establish guidelines for asset allocations or approve investment transactions. Consequently, the President & Chief Executive Officer is not an official who manages public investments within the meaning of Government Code Section 87200, or as defined in California Code of Regulations, Title 2, Section 18701; the President & Chief Executive Officer is instead designated under MAAC's Conflict of Interest Code.

Vice President & Chief Financial Officer

The Vice President & Chief Financial Officer is an employee of MAAC who is responsible for negotiating or recommending contracts for auditors, payroll processing, and other financial services providers, real estate brokers and school facilities project consultants, and for entering into certain contracts of this type on behalf of MAAC Community Charter School.

Vice President & Chief Impact Officer

The Vice President & Chief Impact Officer is an employee of MAAC who is responsible for hiring contractors, including those providing marketing and promotional material design, photographic and graphic design services, as well as communication and advocacy services, and for entering into certain contracts of this type on behalf of MAAC Community Charter School.

Chief Program Officer

The Chief Program Officer is an employee of MAAC who is responsible for school-wide programming, funding and budgeting for MAAC Community Charter School, including negotiating or recommending purchases or good and services with regard to curriculum, educational support, facilities, food services and supplies, and for entering into certain contracts of this type on behalf of MAAC Community Charter School. The Chief Program Officer also monitors compliance with the school's obligations to its authorizer and the California Department of Education.

Chief Operating Officer

The Chief Operating Officer is an employee of MAAC who is responsible for negotiating or recommending purchases or good and services with regard to facilities, facilities maintenance, safety, supplies, food services, transportation, student recruitment and information technology (network systems and support) and for entering into certain contracts of this type on behalf of MAAC Community Charter School.

Director of Operations

The Director of Operations is an employee of MAAC who is responsible for operations management, negotiating vendor contracts for school nutrition, transportation, student health, student recruitment and enrollment, attendance and data reporting, risk management, emergency preparation, and safety and compliance, contracting for back-office services and securing goods and services necessary for all of operations of MAAC Community Charter School.

Director of Learning and Evaluation

The Director of Learning and Evaluation is an employee of MAAC who, in consultation with the Director of Operations and the Director of MAAC Community Charter School, is responsible for hiring contractors and making purchase determinations with regard to special education, mental health, and student support curricula-related materials and supplies, books, and information technology materials and services, including student data software, and other school support services.

Assistant Director of Compliance

The Assistant Director of Compliance is an employee of MAAC who, in consultation with the Director of Operations and the Director of MAAC Community Charter School, is responsible for hiring contractors and making purchase determinations with regard to data reporting, risk management, emergency preparation, safety and compliance, and quality control for MAAC Community Charter School.

Controller

The Controller is an employee of MAAC who is responsible for negotiating or recommending contracts for auditors, payroll processing, and other financial services providers, and for entering into certain contracts of this type on behalf of MAAC Community Charter School.

Director of Real Estate Development

The Director of Real Estate Development is an employee of MAAC who is responsible for negotiating or recommending contracts and agreements with architects, project managers and consultants on the acquisition, design, and construction of new facilities, as well as managing capital and tenant improvements.

Director of MAAC Community Charter School

The Director of MAAC Community Charter School is an employee of MAAC who, in consultation with the Chief Program Officer, has responsibility for school- and site-specific purchases for MAAC Community Charter School, including classroom materials, curricula-related materials and supplies, books, and other school support services. The Director of MAAC Community Charter School also participates in discussions with and makes recommendations to

the President & Chief Executive Officer with respect to the hiring and termination of employees and contractors at MAAC Community Charter School.

Assistant Director of MAAC Community Charter School

The Assistant Director of MAAC Community Charter School is an employee of MAAC who, in consultation with the Director, makes school- and site-specific purchases for MAAC Community Charter School, including classroom materials, curricula-related materials and supplies, books, and other school support services.

Academic Coordinator

The Academic Coordinator is an employee of MAAC who, in consultation with the Director of Learning and Evaluation, makes purchases for MAAC Community Charter School, including special education, mental health, and student support curricula-related materials and supplies, books, and other school support services.

Operations Manager

The Operations Manager is an employee of MAAC who has responsibility for purchases for MAAC Community Charter School, including classroom materials, curricula-related materials and supplies, books, and other school support services.

Procurement Coordinator

The Procurement Coordinator is an employee of MAAC who, in consultation with the Operations Manager, participates in the process and decision-making related to purchases for MAAC Community Charter School, including classroom materials, curricula-related materials and supplies, books, and other school support services.

APPENDIX B
DISCLOSURE CATEGORIES

CATEGORY 1 – Designated positions assigned to this category must report:

Interests in real property which are located in whole or in part within two (2) miles of any facility utilized by MAAC Community Charter School, including any leasehold, beneficial, or ownership interest or option to acquire such interest in real property.

Persons are not required to disclose a residence, such as a home or vacation cabin, used exclusively as a personal residence; however, a residence in which a person rents out a room or for which a person claims a business deduction may be reportable.

CATEGORY 2 – Designated positions assigned to this category must report:

Investments and business positions in business entities and sources of income (including gifts, loans and travel payments) that are from business entities engaged in the performance of work or services, or sources that manufacture, sell, repair, rent, or distribute school supplies, books, materials, school furnishings, or equipment, of the type utilized by MAAC Community Charter School.

CATEGORY 3 – Designated positions assigned to this category must report:

Investments and business positions in business entities or sources of income (including gifts, loans, and travel payments) that are from business entities engaged in the performance of work or services, or sources that manufacture, sell, repair, rent, or distribute school supplies, books, materials, school furnishings, or equipment, of the type utilized by the designated position's department, or for consultants, as otherwise determined by the Chief Executive Officer in writing.

CATEGORY 4 – Designated positions assigned to this category must report:

Investments and business positions in business entities or sources of income (including receipt of gifts, loans and travel payments) from sources of the type that provide financial accounting and/or auditing services.