

COUNTY OF SAN DIEGO
2021 JUL 19 AM 10:35
CLERK OF THE BOARD
OF SUPERVISORS


**MAAC COMMUNITY CHARTER SCHOOL
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. MAAC Community Charter School is a California nonprofit public benefit corporation that operates a public charter school by the same name, MAAC Community Charter School. MCCS is required to adopt a conflict of interest code as an entity managing a charter school pursuant to Education Code Section 47604.1.

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 MCCS Conflict of Interest Code. MCCS'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 MCCS'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 MCCS in accordance with the disclosure categories in Appendix B. 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: 10/5/21 Minute Order No. 16
By:  Date: 10/8/21
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
Director of MAAC Community Charter School	1, 2, 4
Assistant Director of MAAC Community Charter School	3
Consultant/ New Position	*

* A consultant or new position is not required to report under the disclosure categories unless the Director of MAAC Community Charter School 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 Director'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.

A consultant or designated position may be held by an employee of Metropolitan Area Advisory Committee on Anti-Poverty of San Diego County, Inc., a separate California nonprofit public benefit corporation that provides task-related services to MAAC Community Charter School. Any individuals who perform the duties of a designated position shall be required to file Statements of Economic Interests disclosing reportable interests in the categories assigned to that designated position.

APPENDIX A
DESCRIPTION OF DESIGNATED POSITIONS

Members of the Board of Directors

The members of the Board of Directors (“Board”) of MAAC Community Charter School (“MCCS”) 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 MCCS’s Conflict of Interest Code.

Members of the Education Committee

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

The 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 MCCS’s Conflict of Interest Code.

Director of MAAC Community Charter School

The Director participates in the formulation of general policies and programs of MAAC Community Charter School, and implements policy on behalf of the Board. The Director hires employees and contractors, including those providing management, curriculum, technology, and instructional services. The Director has general supervision, direction, and control of the business of MAAC Community Charter School with 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 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 Director 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 Director is instead designated under MCCA's Conflict of Interest Code.

Assistant Director of MAAC Community Charter School

The Assistant Director of MAAC Community Charter School, 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.

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 Director of MAAC Community Charter School 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.