



COUNTY OF SAN DIEGO

2018 MAY -4 AM 9:03

CLERK OF THE BOARD OF SUPERVISORS

Dr. Helen V. Griffith
EXECUTIVE DIRECTOR

February 23, 2018

Clerk of the Board of Supervisors
San Diego County Board of Supervisors
1600 Pacific Highway, Room 402
San Diego, California 92101

Re: Conflict of Interest Code for e3 Civic High

Dear Clerk of the Board:

e3 Civic High is a nonprofit public benefit corporation operating as a charter school program in San Diego County. Because all of the Corporation's operations are currently located in San Diego County, San Diego County is e3 Civic High's code reviewing body. At e3 Civic High's recent Board of Directors meeting on February 21, 2018, its Board of Directors approved a resolution adopting a Notice of Intent to Adopt a Conflict of Interest Code ("Code") and instructing staff to seek San Diego County's preliminary review of its proposed Code. The Notice of Intent initiated a 45-day comment period that commenced on February 23, 2018. In accordance with the Political Reform Act and FPPC regulations section 18730 and 18750, subdivision (a)(2), e3 Civic High hereby submits the following to San Diego County for preliminary review:

1. A copy of the proposed Code in clean version;
3. A description of duties of the positions affected by the Code; and
4. A copy of the Notice of Intent.

Please let me know if you need anything further from e3 Civic High in order for San Diego County, as the code reviewing authority, to process e3 Civic High's proposed Code.

Very truly yours,

Dr. Helen V. Griffith
Dr. Helen V. Griffith
CEO/ Executive Director
e3 Civic High

Enclosures

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: *Don Sul* Date: 12/11/2018
Deputy Clerk of the Board Supervisors

Dr. Helen V. Griffith
EXECUTIVE DIRECTOR

- a. Its final approval by this Board of Directors following close of the public comment period and after a public hearing, if requested, at its meeting on April 18, 2018; and
- b. Its approval by the Board of Supervisors of the County of San Diego as the code reviewing body.

Section 4. Upon its final approval by the Board of Directors of the Corporation, the CEO/ Executive Director is hereby directed and authorized to submit a certified copy thereof to the Board of Supervisors of the County of San Diego for approval.

Section 5. This resolution shall take effect immediately upon its adoption.



Dr. Helen V. Griffith
EXECUTIVE DIRECTOR

EXHIBIT B

**NOTICE OF INTENTION TO ADOPT A CONFLICT OF INTEREST CODE FOR
E3 CIVIC HIGH, A CALIFORNIA NONPROFIT PUBLIC BENEFIT
CORPORATION**

NOTICE IS HEREBY GIVEN that e3 Civic High, a California nonprofit public benefit corporation (the “Corporation”) tentatively approved a Conflict of Interest Code (“Code”) pursuant to Government Code Section 87300 at its meeting on February 21, 2018, and intends to finally adopt the Code. Pursuant to Government Code Sections 87200 and 87302, the Code designates public officials, employees, and consultants of the Corporation who make governmental decisions, manage the Corporation’s investments, and who, therefore, must disclose certain investments, interests in real property, sources of income and business positions, and disqualify themselves from making or participating in the making of governmental decisions affecting those interests.

A public comment period has been established commencing on February 23, 2018, and terminating on April 9, 2018 (a 45-day period). Any interested person may present written comments concerning the proposed Code no later than April 9, 2018 to the Corporation’s representative at the address listed below. No public hearing on this matter will be held unless any interested person or his or her representative requests a public hearing no later than 15 days prior to the close of the written comment period.

The exact terms of the proposed Code, and all of the information upon which the Code is based, are available for inspection and copying by interested persons by contacting the Corporation’s representative at the address listed below, and are also available at the office of the Clerk of the San Diego County Board of Supervisors. The Corporation has prepared a written explanation of the reasons for the designations and the disclosure responsibilities and has available all of the information upon which its proposed Code is based. Any general inquiries concerning the proposed Code should be directed to the Corporation’s representative listed below.

Dr. Helen V. Griffith
CEO/ Executive Director
e3 Civic High
395 11th Avenue, 6th Floor
San Diego, CA 92101
Phone: 619-546-0000
Fax: 619-677-2955

RESOLUTION NO. 10

**RESOLUTION OF THE BOARD OF DIRECTORS OF
E3 CIVIC HIGH, A CALIFORNIA NONPROFIT
PUBLIC BENEFIT CORPORATION AUTHORIZING
THE ADOPTION OF A CONFLICT OF INTEREST
CODE AND CERTAIN OTHER ACTIONS RELATED
THERE TO**

WHEREAS, e3 Civic High, a California nonprofit public benefit corporation (the “Corporation”) that operates a public charter school, is required to adopt a Conflict of Interest Code pursuant to Government Code Section 87300;

WHEREAS, the Fair Political Practices Commission (“FPPC”) has adopted a regulation (2 Cal. Code Regs. § 18730) which is a model conflict of interest code and requires certain local agency officials, employees, and consultants to file FPPC Form 700s, Statement of Economic Interests; and

WHEREAS, the Corporation desires to adopt a Conflict of Interest Code incorporating the FPPC Model Code by reference.

NOW, THEREFORE, this Board of Directors of the Corporation does hereby find, resolve and order as follows:

Section 1. A Conflict of Interest Code and Appendix (“Code”), in the form attached hereto as Exhibit A, and incorporated herein by reference, is hereby tentatively adopted and promulgated.

Section 2. The Chief Executive Officer (“CEO”)/ Executive Director is hereby directed to establish a 45-day public comment period to begin on February 23, 2018, by posting a Notice of Intention to Adopt a Conflict of Interest Code, in the form attached hereto as Exhibit B (“Notice”), on the Corporation’s employee bulletin boards or in the employee newsletters, publishing the Notice on the Corporation’s website, and concurrently mailing notice to the Clerk of the Board of Supervisors of the County of San Diego.

Section 3. The Conflict of Interest Code shall become effective immediately upon:

range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the consultant's/ new position's duties and, based upon that description, a statement of the extent of disclosure requirements. The Executive Director or designee's determination is a public record and shall be retained for public inspection in the same manner and location as this code. (Gov. Code § 81008.)

II.

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 the Corporation, including any leasehold, beneficial or ownership interest or option to acquire such interest in real property.

Category 2. Designated positions assigned to this category must report:

Investments and business positions in business entities and income (including receipt of gifts, loans, and travel payments) from sources of the type that are contractors engaged in the performance of work, training, consulting or services, or are sources that manufacture, provide or sell instructional materials, school supplies, machinery, equipment, books, or furnishing of the type utilized by the Corporation.



Dr. Helen V. Griffith
EXECUTIVE DIRECTOR

**APPENDIX TO
E3 CIVIC HIGH, A CALIFORNIA NONPROFIT PUBLIC BENEFIT
CORPORATION
CONFLICT OF INTEREST CODE**

Preamble

Any person designated in Section I of this Appendix who is unsure of any right or obligation arising under this Code may request a formal opinion or letter of advice from the FPPC or an opinion from legal counsel to e3 Civic High, a California nonprofit public benefit corporation (the "Corporation"). (Gov. Code § 83114; 2 Cal. Code of Regs. § 18730(b)(11).) A person who acts in good faith in reliance on an opinion issued to him or her by the FPPC shall not be subject to criminal or civil penalties for so acting, provided that all material facts are stated in the opinion request. (Gov. Code § 83114(a).)

Opinions rendered by legal counsel to the Corporation do not provide any statutory defense to an alleged violation of conflict of interest statutes or regulations. The prosecuting agency may, but is not required to, consider a requesting party's reliance on such legal counsel's opinion as evidence of good faith. In addition, the Corporation may consider whether such reliance should constitute a mitigating factor to any disciplinary action that the Corporation may bring against the requesting party under Government Code Section 91003.5.

I.

DESIGNATED POSITIONS

<u>Designated Position</u>	<u>Disclosure Categories</u>
Members of the Board of Directors	1, 2
Executive Director	1, 2
Consultants/ New Positions	*

* Consultants/New Positions shall be included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the Code, subject to the following limitation:

The Executive Director or designee may determine in writing that a particular consultant/ new position, although a "designated position," is hired to perform a

EXHIBIT A

**E3 CIVIC HIGH, A CALIFORNIA NONPROFIT PUBLIC BENEFIT
CORPORATION
CONFLICT OF INTEREST CODE**

1. Standard Code of FPPC

The Political Reform Act of 1974 (Gov. Code § 81000 *et seq.*) requires each state and local government agency to adopt and promulgate a conflict of interest code. As a local government agency, e3 Civic High, a California nonprofit public benefit corporation (the “Corporation”), is therefore required to adopt such a code. The Fair Political Practices Commission (“FPPC”) has adopted a regulation (2 Cal. Code of Regs. § 18730) that contains the terms of a model conflict of interest code, which can be incorporated by reference as an agency’s code. After public notice and hearing, the regulation may be amended by the FPPC to conform to amendments in the Political Reform Act.

2. Adoption of Standard Code of FPPC

The terms of 2 Cal. Code of Regs. Section 18730 and any future amendments to it duly adopted by the FPPC are hereby adopted and incorporated herein by reference. This regulation and the Appendix attached hereto designating officials and employees and establishing disclosure categories shall constitute the Conflict of Interest Code of the Corporation (“Code”). This Code shall take effect when approved by the Board of Supervisors for the County of San Diego, and shall thereupon supersede any and all prior codes adopted by the Corporation.

3. Filing of Statements of Economic Interests

Pursuant to Section 4 of the model code set forth in 2 Cal. Code of Regs. Section 18730(b), each designated employee set forth in the Appendix shall file a Statement of Economic Interests (“Form 700”) with the Secretary of the Corporation. 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 Board of Supervisors for the County of San Diego. Statements for all other designated employees shall be retained by the Secretary.

**DECLARATION OF CHIEF EXECUTIVE OFFICER/ EXECUTIVE DIRECTOR
OF
E3 CIVIC HIGH, A CALIFORNIA NONPROFIT PUBLIC BENEFIT
CORPORATION
ADOPTION OF CONFLICT OF INTEREST CODE**

I, Dr. Helen V. Griffith, hereby declare:

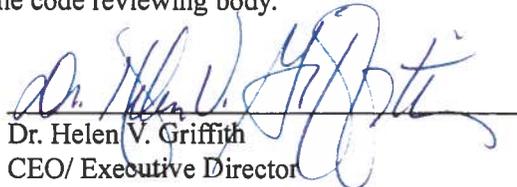
I am the Executive Director for e3 Civic High, a California nonprofit public benefit corporation (the "Corporation"), and serve as chief executive officer ("CEO") for the Corporation.

On February 21, 2018 the Board of Directors of the Corporation considered the proposed Conflict of Interest Code ("Code"). The Code specifically enumerates each of the positions within the Corporation that make or participate in making governmental decisions which may foreseeably have a material financial effect on any financial interest.

The Board of Directors set April 18, 2018, for a public hearing, if requested, and for final adoption of the Code. A notice of intent to adopt the Code was (i) mailed on February 23, 2018 to the Board of Supervisors of the County of San Diego and (ii) posted on February 23, 2018 on all Corporation employee bulletin boards or newsletters and on the Corporation's website.

On April 18, 2018, at the time and place set forth in the notice, a public hearing was held on the proposed Code. No person appeared at the public hearing, and no written comments were received. Accordingly, the hearing was thereupon closed and] the Board of Directors adopted the Code and directed that it be submitted to the Board of Supervisors of the County of San Diego as the code reviewing body.

Dated: April 19, 2018



Dr. Helen V. Griffith
CEO/ Executive Director
e3 Civic High

SECRETARY'S CERTIFICATE

I, Alberto Ochoa, Secretary of the Board of Directors of e3 Civic High, a California nonprofit public benefit corporation (the "Corporation"), County of San Diego, California, hereby certify as follows:

The attached is a full, true, and correct copy of the resolutions duly adopted at a regular meeting of the Board of Directors of the Corporation, which was duly and regularly held on the 18th day of April, 2018, at which meeting a quorum of the members of the Board of Directors was present; and at such meeting such resolutions were adopted by the following vote:

AYES: 7
NOES: 0
ABSTAIN: 0
ABSENT: 2

COUNTY OF SAN DIEGO
2018 MAY -4 PM 3:28
CLERK OF THE BOARD
OF SUPERVISORS

I have carefully compared the same with the original minutes of such meeting on file and of record in my office; the attached resolution is a full, true, and correct copy of the original resolution adopted at such meeting and entered in such minutes; and such resolution has not been amended, modified, or rescinded since the date of its adoption, and the same is now in full force and effect.

WITNESS my hand this 18th day of April, 2018.



Secretary of the Board of Directors of
e3 Civic High, a California nonprofit
public benefit corporation



COUNTY OF SAN DIEGO
2018 JUN 11 PM 2:57
CLERK OF THE BOARD
OF SUPERVISORS

Clerk of the Board of Supervisors
San Diego County Board of Supervisors
1600 Pacific Highway, Room 402
San Diego, California 92101

Re: Conflict of Interest Code for e3 Civic High

Dear Clerk of the Board:

This letter serves as clarification regarding our previously submitted Conflict of Interest Code.

e3 Civic High is a nonprofit public benefit corporation operating as a charter school program in San Diego County. Because all of the Corporation's operations are currently located in San Diego County, The San Diego County Board of Supervisors is e3 Civic High's code reviewing body. At e3 Civic High's recent Board of Directors meeting on February 21, 2018, its Board of Directors approved a resolution adopting a Notice of Intent to Adopt a Conflict of Interest Code and instructed staff to seek San Diego County's preliminary review of its proposed Code. The code dated on February 21, 2018 replaces the existing Conflict of Interest Code on file, July, 2014.

Please let me know if you need anything further from e3 Civic High in order for the San Diego County Board of Directors, as the code reviewing authority, to process our new document.

Sincerely,

Dr. Helen V. Griffith
CEO/ Executive Director
e3 Civic High

COUNTY OF SAN DIEGO

2018 JUL 20 AM 8:37

CLERK OF THE BOARD
OF SUPERVISORS

2018 Local Agency Biennial Notice

Name of Agency: e3 Civic High School

Mailing Address: 395 11th Avenue 6th Floor San Diego, Ca 92101

Contact Person: Maria Gibson

Phone No. 619-379-5120

Email: mgibson@e3civichigh.com

Alternate Email: hgriffith@e3civichigh.com

Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.

This agency has reviewed its conflict of interest code and has determined that (check one BOX):

An amendment is required. The following amendments are necessary:

(Check all that apply.)

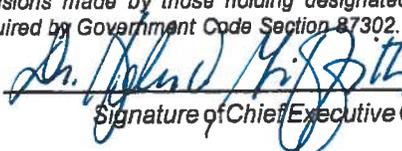
- Include new positions
- Revise disclosure categories
- Revise the titles of existing positions
- Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions
- Other (describe) adopting a new COI code

The code is currently under review by the code reviewing body.

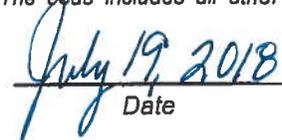
No amendment is required. (If your code is over five years old, amendments may be necessary.)

Verification (to be completed if no amendment is required)

This agency's code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure assigned to those positions accurately requires that all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions are reported. The code includes all other provisions required by Government Code Section 87302.



Signature of Chief Executive Officer



Date

All agencies must complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 1, 2018**, or by the date specified by your agency, if earlier, to:

(PLACE RETURN ADDRESS OF CODE REVIEWING BODY HERE)

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.