

RESOLUTION REGARDING  
CONFLICT OF INTEREST CODE OF  
PACIFIC VIEW CHARTER SCHOOL

COUNTY OF SAN DIEGO

2017 OCT -2 AM 11:12

CLERK OF THE BOARD  
OF SUPERVISORS

1. Standard Code of FPPC

The Political Reform Act of 1974 (Government 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, Pacific View Charter School ("PVCS") is therefore required to adopt such a code. The Fair Political Practices Commission ("FPPC") has adopted a regulation (2 Cal. Code of Regs. § 18730) which 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.

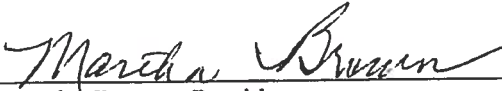
2. Adoption of Standard Code of FPPC

The terms of 2 Cal. Code of Regs. § 8730 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 PVCS. 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 PVCS.

3. Filing of Statements of Economic Interests

Pursuant to Section 4 of the model code set forth in 2 Cal. Code of Regs. § 18730(b), designated employees set forth in the Appendix shall file Statements of Economic Interests (Form 700) with the Secretary of PVCS. 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.

APPROVED AND ADOPTED by the Board of Directors of PVCS on the 18<sup>th</sup> day of July, 2017.

  
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Martha Brown, President  
Pacific View Charter School

ATTEST:

  
\_\_\_\_\_  
Gina Campbell, Secretary  
Pacific View Charter School

Approved and/or authorized by the Board of Supervisors of the County of San Diego.	
Meeting Date: 12/05/17	Minute Order No. 110
By: D. Lopez	Date: 12/07/17
Deputy Clerk of the Board Supervisors	

**APPENDIX TO  
CONFLICT OF INTEREST CODE OF  
PACIFIC VIEW CHARTER SCHOOL**

**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 Pacific View Charter School's ("PVCS") General Counsel. (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 General Counsel 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 General Counsel's opinion as evidence of good faith. In addition, PVCS may consider whether such reliance should constitute a mitigating factor to any disciplinary action that PVCS may bring against the requesting party under Government Code § 91003.5.

**I.**

**Designated Employees**

<u>Designated Employees</u>	<u>Categories Disclosed</u>
Members of the Board of Directors of PVCS	All
<i>Executive Director, PVCS</i>	<i>All</i>
<i>Director of Central Office &amp; Finance</i>	<i>All</i>
<i>Site Supervisor</i>	<i>4,5</i>
<i>Director of Curriculum</i>	<i>4,5</i>
<i>Director of Student Services</i>	<i>4,5</i>
<i>Human Resources &amp; Business Services</i>	<i>4,5</i>
<i>Consultants/New Positions<sup>1</sup></i>	<i>All</i>

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<sup>1</sup> *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 limitations:*

With respect to consultants or *new positions*, the Executive Director may determine in writing that a particular consultant or new position, is hired to perform a range of duties that is limited in scope and thus is not required to comply with the written disclosure requirements described in these categories. Such written determination shall include a description of the consultant's or new positions duties and, based upon that description,

a statement of the extent of disclosure requirements. The Executive Director's determination is a public record and shall be retained for public inspection by PVCS in the same manner as this Conflict of Interest Code. Nothing herein excuses any such consultant from any other provision of this Conflict of Interest Code.

## II.

### Disclosure Categories

#### Category 1. All-Inclusive Reportable Investments

A designated employee in this category shall report all reportable investments, as defined in Government Code §82034, in business entities located in, doing business in, planning to do business in, or having done business in the previous two (2) years in San Diego County which operate or provide any of the following:

- Accounting or auditing services
- Banks and savings and loans
- Computer hardware or software, or computer services or consultants
- Communications equipment or services
- Educational services, supplies and materials
- Entities or persons who have filed claims against PVCS or have claims pending against PVCS
- Insurance brokers and agencies
- Insurance adjusting, claims auditing or administration, or underwriting services
- Office equipment or supplies
- Personnel and employment companies and services
- Printing or reproduction services, publications, and distribution
- Securities, investment or financial services companies
- Title insurance and escrow

#### Category 2. Reportable Interests in Real Property

A designated employee in this category shall disclose all interests in real property, as defined in Government Code §§82033 and 82035, that is

- (a) within or not more than two (2) miles outside the boundaries of San Diego County that has situated on it any business entity named in category no. 1 above; or
- (b) within two (2) miles of any facility or real property owned or used by PVCS.

Category 3. Reportable Income

A designated employee in this category shall disclose all income as defined in Government Code §82030 of the designated employee from the below-listed sources located in, doing business in, planning to do business in, or having done business in the previous two (2) years in San Diego County during the reporting period.

- Accounting or auditing services
- Banks and savings and loans
- Computer hardware or software, or computer services or consultants
- Communications equipment or services
- Educational services, supplies and materials
- Entities or persons who have filed claims against PVCS or have claims pending against PVCS
- Insurance brokers and agencies
- Insurance adjusting, claims auditing or administration, or underwriting services
- Office equipment or supplies
- Personnel and employment companies and services
- Printing or reproduction services, publications, and distribution
- Securities, investment or financial services companies
- Title insurance and escrow

Category 4. Less-Inclusive Reportable Investments

A designated employee in this category shall disclose only investments as defined in Government Code §82034 in any business entity, which within the last two years has contracted with or in the foreseeable future may contract with PVCS to provide personnel, services, supplies, material, machinery or equipment:

- (a) to PVCS, of the type utilized by PVCS which is located in or doing business in San Diego County, and associated with the job assignment or position of the designated employee; or
- (b) to any entity which has contracted with PVCS within the last two years or which in the future foreseeably may contract with PVCS to provide services, supplies, materials, machinery or equipment associated with the job assignment or position of the designated employee.

Category 5. Less-Inclusive Reportable Income

A designated employee in this category shall disclose only that reportable income as defined in Government Code §82030 which is derived from a source which within the last two years has contracted with PVCS or in the future foreseeably may contract with PVCS to provide personnel, services, supplies, materials, machinery or equipment:

- (a) to PVCS, of the type utilized by PVCS which is located in or doing business in San Diego County, and associated with the job assignment or position of the designated employee; or

(b) to any entity which has contracted with PVCS within the last two years or which in the future foreseeably may contract with PVCS to provide personnel, services, supplies, materials, machinery or equipment associated with the job assignment or position of the designated employee.

**Category 6. Business Positions**

A designated employee in this category shall disclose by completing Form 700, Schedule "C." A designated employee shall list:

- (a) the name and address of each business entity in which he or she is a director, officer, partner, trustee, employee, or in which he or she holds any position of management;
- (b) a description of the business activity in which the business entity is engaged; and
- (c) the designated employee's position with the business entity.

Board Approved: November 10, 2009

Board Amended: July 18, 2017