

Subject: Conflict of Interest Code
Effective Date: February 27, 2013
Revised Date: March 13, 2014
Approved By: Board of Directors
Policy:
7003.1

I. ADOPTION

In compliance with the Political Reform Act of 1974, California Government Code Section 87100, et seq., Harbor Springs Charter School hereby adopts this Conflict of Interest Code which shall apply to all governing board members, candidates for members of the governing board, and all other designated employees of Harbor Springs 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 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 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 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 participate 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 Statements shall be filed with the Charter School. The Charter School's filing officer shall make and retain a copy and forward the original to the County Board of Supervisors.

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.

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 Superintendent, 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.

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 then 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.

EXHIBIT A

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
B. Candidates for Members of the Governing Board
C. Corporate Officers (Chair, Treasurer, Secretary)
D. Superintendent of Charter School
E. Assistant Superintendent of Business & Administrative Operations
F. Assistant Superintendent of Pupil Services
G. Assistant Superintendent of Education – Personalized Learning
H. Assistant Superintendent of Education – Academies
I. Assistant Superintendent of Personnel
J. Assistant Superintendent of Facilities & IT
K. Consultant: Delta Managed Solutions, LLC
L. Facilities Project Manager
M. Facilities General Contractor

II. Persons occupying the following positions are designated employees and must disclose financial interests defined in Category 1 of "Exhibit B."

A. Controller

III. Persons occupying the following positions are designated employees and must disclose financial interests defined in Categories 2 and 3 of "Exhibit B."

A. Site Directors

B. Program Directors (Homeschool, Keys, Learning Centers)

C. Administrative Directors (Special Education, Guidance/Intake, Instructional Support, Charter Relations)

D. Director of Student Records

E. Risk Manager

F. Educational Activities Coordinator

G. Field Trip Coordinator

H. Assistant Director of Business & Administrative Operations

I. Data Analyst

EXHIBIT B

Disclosure Categories

Category 1 Reporting:

A. Interest in real property which is located in whole or in part either (1) within the boundaries of the 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, if the fair market value of the interest is greater than $1,000. (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, indirectly, or beneficially, a ten percent interest or greater.)

B. Investments in or income from persons or business entities which are contractors or sub-contractors which are or have been within the previous two-year period engaged in the performance of building construction or design within the county.

C. 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.) (No investment or interest in real property is reportable unless its fair market value exceeds $1,000. No source of income is reportable unless the income received by or promised to the public official aggregates $250 or more in value or $50 or more in value if the income was a gift during the preceding 12-month reporting period.

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 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 Director. Investments include the interests described in Category 1.