

University Preparatory School
2200 Eureka Way
Redding, CA 96001

Conflict of Interest Code

I. ADOPTION

In compliance with the Political Reform Act of 1974, California Government Code Section 87100, et seq., the **University Preparatory School** hereby adopts this Conflict of Interest Code ("Code"), which shall apply to all governing board members, ~~candidates for member of the governing board,~~ and all other designated employees of **University Preparatory School** ("Charter School"), as specifically required by California Government Code Section 87300. As the Charter School has agreed to comply with Government Code Section 1090, in addition to the Political Reform Act, this Code also conforms with the requirements of Section 1090.

Commented [DR1]: It is not necessary to include candidates for membership on the governing board because governing board positions are not local elected offices that require candidates to comply with the COI Code during the period of their candidacy.

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 are 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 of the governing board,~~ who ~~held~~ 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~~ 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."

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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 participated 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 office official shall make and retain a copy of the Statement 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 Charter School Superintendent/Principal, 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

Financial interest in a contract: Where a Governing Board member has a personal, material financial interest in a contract, the financial interest will be reviewed under Government Code Section 1090, to determine whether the remote or non-interest exceptions apply. Should the Board determine that no applicable remote or noninterest exceptions apply, the Board must either: (1) not enter into the contract, as Government Code Section 1090 prevents the entire board from voting on the contract; or (2) prior to the Board of Director's discussion of and/or taking any action on the contract at issue, the Board member must resign from the Board of Directors. The resignation shall be made part of the Board's official record.

Commented [DR2]: Government Code Section 1090 only applies to a Governing Board member's financial interests in a contract. This language is added to describe the disqualification requirements when a Government Board member has a financial interest in a contract under Section 1090.

All other financial interests: 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 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 and their alternates (if applicable)~~
- B. ~~Candidates for Member of the Governing Board~~
- C. ~~Superintendent/Principal of Charter School~~
- D. ~~Associate and Assistant Principals~~
- E. ~~School Business Manager~~
- F. ~~Consultants/New Positions*~~

Commented [DR3]: We recommend removing reference to alternates unless the governing board has alternates.

Commented [DR4]: "New Positions" is added per 2 CCR § 18219.

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

- A. ~~Purchasing Manager~~
- B. ~~Assistant Business Officer~~

Commented [DR5]: The "Purchasing Manager" and "Assistant Business Officer" positions are being deleted as they no longer exist at University Preparatory School. The job duties that were fulfilled by these positions are now being fulfilled by the School Business Manager.

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

- A. ~~Information Systems Technician~~
- B. ~~Contractor~~

Commented [DR6]: The "Information Systems Technician" position is being deleted as University Preparatory School's information systems services are provided by the Information Systems Technician employed by Shasta Union High School District ("SUHSD"), who must file the Form 700 to the extent required in accordance with the requirements of SUHSD's approved Conflict of Interest Code.

Commented [DR7]: University Preparatory School does not have a position titled, "Contractor." To the extent independent contractors are consultants required to file the Form 700, they are captured by the designation for "Consultants" above.

*The Charter School Superintendent/Principal may determine, in writing, that a particular consultant or new position, although a "designated positions," is hired to perform a range of duties that is limited in scope and thus not required to fully comply with the disclosure requirements in this section. 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 Charter School Superintendent/Principal's determination is a public record and shall be retained for public inspection in the same manner and location of interest code.

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EXHIBIT B

Disclosure Categories

Category 1 Reporting:

Designated positions assigned to this category must report:

- A. Interests in real property located in whole or in part within two (2) miles of any facility utilized by University Preparatory School's charter school, including any leasehold, beneficial or ownership interest or option to acquire such interest in real property.**
- B. Investments and business positions in business entities, or sources of income (including receipt of gifts, loans, and travel payments) that engage in the purchase or sale of real property or are engaged in building construction or design.**

- A. Interest in real property which is located in whole or in part either (1) within the boundaries of the District, or (2) within two miles of the boundaries of the District, including any leasehold, beneficial or ownership interests or option to acquire such interest in real property.**

~~(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 10% interest of 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 District**

- C. Investments in or income from persons or business entities engaged in the acquisition or disposal of real property within the jurisdiction.**

~~(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 of greater.)~~

Commented [DR8]: All of the changes to Exhibit B are updated to reflect the most current disclosure categories approved by the Fair Political Practices Commission ("FPPC") that we are aware of for charter school Conflict of Interest Codes. The FPPC is the agency charged with implementing and enforcing the Political Reform Act.

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~~(Investment 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, direct, 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.)~~

Category 2 Reporting:

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 that are contractors engaged in the performance of work or services, or sources that manufacture or sell supplies, instructional materials, machinery or equipment of the type to be utilized by the University Preparatory School.

~~Investment 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 Charter School Principal. Investment include interests described in Category 1.~~

Category 3 Reporting:

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 that are contractors engaged in the performance of work or services, or sources that manufacture or sell supplies, instructional materials, machinery or equipment of the type to be utilized by the designated position's department.

~~Investment 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 Charter School Principal. Investment include the interests described in Category 1.~~

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Category 2 Reporting:

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Category 3 Reporting:

Designated positions assigned to this category must report:

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UNIVERSITY PREPARATORY SCHOOL REGULAR MEETING OF GOVERNING BOARD MINUTES
September 6, 2016

1. The Regular Meeting of the University Preparatory School Board was called to order at 5:37 p.m. by Karen Hatter, Board President. Board members present were Mike Littau, Sue Brix, Mike Stuart, and Susan Saephanh. Superintendent/Principal Shelle Peterson and School Business Manager Molly Schlange were also present.
2. Karen Hatter led the Pledge of Allegiance.
3. There was no public comment on agenda items.
4. The Board entered in to Closed Session at 5:38 p.m.
5. The Board reconvened to Open Session at 5:55 p.m. Board President Karen Hatter reported action was taken to complete Superintendent/Principal evaluation.
6. Sue Brix made a motion to approve Consent Agenda Items:
 1. August 2, 2016 Board Meeting Minutes
 2. Overnight Field Trip: Fall College Field Trip; CSU Chico, UC Davis and UC Berkeley. October 20-21, 2016.
7. Public Forum:
There was no Public Comment.

Superintendent/Principal Report

1. Superintendent/Principal Shelle Peterson gave a recap on Measure I – SUHSD School Bond, and the impact it may have on the SLC/U-Prep site. Mrs. Peterson updated the Board on staff participation at July and August conferences and staff development. Mrs. Peterson finalized her report to the Board with highlights of the results from state testing.
2. Business (Discussion)
School Business Manager Molly Schlange began her report to the Board by extending gratitude from the U-Prep staff in regards to the current salary schedule increases. Mrs. Schlange followed up with a report on the new minimum wage increases and the impact they could potentially have on school sites. Discussion followed.

9. ADMINISTRATIVE- ACTION

1. Sue Brix made a motion to approve the designation of CIF Representatives for 2016-2017, Mike Stuart seconded the motion, unanimously approved.

10. BUSINESS - ACTION

1. School Business Manager Molly Schlange requested approval from the Board to update U-Prep's Conflict of Interest Code based on recommendations from The Law Offices of Young, Minney and Corr, LLP. Sue Brix made a motion to approve the Updated Conflict of Interest Code, Susan Saephanh seconded the motion, unanimously approved.

UNIVERSITY PREPARATORY SCHOOL REGULAR MEETING OF GOVERNING BOARD MINUTES
September 6, 2016

2. School Business Manager Molly Schlange requested approval from the Board for the 2015-2016 Unaudited Actuals. Sue Brix made a motion to approve the 2015-2016 Unaudited Actuals, Susan Saephanh seconded the motion, unanimously approved.

11. HUMAN RESOURCES - ACTION

1. School Business Manager Molly Schlange requested approval of modified Draft Salary Schedules that reflected Board Action on August 2, 2016 and retroactive to July 1, 2016. Sue Brix made a motion to approve Draft Salary Schedules: A, B, Classified, and Management. Mike Littau seconded the motion, unanimously approved
2. Mike Stuart made a motion to approve the Contract Amendment-Section 2: Superintendent/Principal, Susan Saephanh seconded the motion, unanimously approved, Board Member Sue Brix abstained.

12. COMMENTS FROM THE BOARD

Board President Karen Hatter reiterated Board Member Mike Stuart's comments from earlier in the evening, that Superintendent/Principal Shelle Peterson is doing a great job.

12. ADJOURNMENT

Mike Stuart made a motion to adjourn the meeting at 6:36 p.m., motion seconded by Susan Saephanh unanimously approved.