

**PACIFIC COLLEGIATE SCHOOL**  
**CONFLICT OF INTEREST POLICY**

In addition to the Conflict of Interest provisions of Section 13.5 of the Pacific Collegiate School ("PCS") Bylaws and Article III, Section M, of the PCS Employee Handbook regarding conflicts of interest, these conflict of interest requirements shall apply to all PCS employees and Board members.

**I. CODE OF CONDUCT**

PCS expects its Directors and employees to exercise good judgment and to follow high ethical standards in conducting PCS affairs. The Directors and employees of PCS shall, in serving PCS, act not in their personal interests or in the interests of others, but rather solely in the interests of PCS. Directors and employees may not use their official positions, or any inside information they have about PCS, without authorization and in a manner that provides a personal or pecuniary benefit to themselves or their relatives (including their spouses, domestic partners, parents, children, stepchildren, grandchildren or siblings; each, a "Related Person"). Inside information is information obtained through the Director's or employee's position that has not become public information. A PCS officer or employee shall not engage in any employment, activity or enterprise, which is inconsistent, incompatible, in conflict with or inimical to his or her duties, functions or responsibilities as a PCS officer or employee.

**II. POLICY REGARDING NEPOTISM**

No supervisor, officer or Board member shall show favoritism to a Related Person with respect to any benefits or opportunities afforded by PCS on the basis of that familial relationship.

No Related Person to the Principal or any Board member may be hired in a paid capacity at PCS. No Related Person to a manager or supervisor may be assigned to a position which is in a direct reporting relationship to or within the supervisory line of authority of such manager or supervisor.

**III. CONFLICT OF INTEREST CODE – POLITICAL REFORM ACT OF 1974**

**A. ADOPTION**

In compliance with the Political Reform Act of 1974, California Government Code Section 87100, *et seq.*, PCS hereby adopts this Conflict of Interest Code ("Code"), which shall apply to all governing board members and all other designated employees of PCS, as specifically required by California Government Code Section 87300.

## **B. 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 into this Code by this reference.

## **C. DESIGNATED EMPLOYEES**

All governing board members and any employee who holds a position that involves the making, or participation in the making, of decisions that may foreseeably have a material effect on any financial interest of the employee, shall be "designated employees." The designated positions are listed in "Exhibit A" attached to this Code.

## **D. STATEMENT OF ECONOMIC INTERESTS: FILING**

Each designated employee, including governing board members, shall file a Statement of Economic Interest ("Statement") at the time and in the manner prescribed by California Code of Regulations, Title 2, Section 18730. The Statement shall disclose 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, business position 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."

Statement forms shall be supplied by the PCS Principal or his/her designee (the "Filing Officer"). Completed Statements shall be given to the Filing Officer. The Filing Officer shall make and retain a copy of the Statements and forward the originals to the Santa Cruz County Board of Supervisors.

## **E. DISQUALIFICATION**

No designated employee or Board member shall make, participate in making, or try to use his/her official position to influence any PCS 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, except as specifically authorized by law.

## **F. MANNER OF DISQUALIFICATION**

### **1. Designated Employees**

When a 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 PCS Principal, who shall record the employee's disqualification. The interested employee shall not participate in any way in the decision on the matter. In the case of the Principal, this determination and disclosure shall be made in writing to the PCS Board.

2. Governing Board Members

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 discussing or attempting to exert influence over the decision, shall not vote on the matter and shall leave the room during Board discussion and when the final vote is taken).

Approved at the April 2, 2011 PCS Board Meeting

  
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Andrew Townsend, Board President

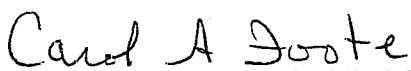
  
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Carol Foote, Board Secretary

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. Corporate Officers (e.g., CEO/President, CFO/Treasurer, Secretary, etc.)
  - C. Principal
  - D. Business Manager
  - E. Staff Advisors to the Board, the Board Finance Committee, and the Board Compensation Subcommittee
  
- II. Persons occupying the following positions are designated employees and must disclose financial interests defined in Category 1 of "Exhibit B."
  - A. Accounts Receivable/Payable
  
- 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 Technology Coordinator

## EXHIBIT B

### Disclosure Categories

#### Category 1 Reporting:

- A. Interests in real property which is located in whole or in part either (1) within the boundaries of the school service area, or (2) within two miles of the boundaries of the school service area, 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 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 school service area.
- 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 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.)

#### Category 2 Reporting:

- A. Investments in or income from business entities that manufacture or sell supplies, books, machinery or equipment of the type utilized by the department for which the designated employee is a Manager or Principal. Investments include interests described in Category 1.

#### Category 3 Reporting:

- A. Investments in or income from business entities that 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 a Manager or Principal. Investments include the interests described in Category 1.