

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Board of Supervisors

BOARD AGENDA # *A-6

Urgent

Routine

AGENDA DATE December 9, 2014

CEO Concurs with Recommendation YES NO

4/5 Vote Required YES NO

(Information Attached)

SUBJECT:

Approval to Adopt the Conflict of Interest Code and Related Amendment for Connecting Waters Charter School

STAFF RECOMMENDATIONS:

Adopt the Conflict of Interest Code and the related amendment for Connecting Waters Charter School.

FISCAL IMPACT:

There is no fiscal impact associated with this item.

BOARD ACTION AS FOLLOWS:

No. 2014-592

On motion of Supervisor Chiesa, Seconded by Supervisor Monteith
and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Withrow, Monteith, and Chairman De Martini

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

MOTION:

ATTEST:


CHRISTINE FERRARO TALLMAN, Clerk

File No.

SUBJECT: Approval to Adopt the Conflict of Interest Code and Related Amendment for Connecting Waters Charter School
page 2

DISCUSSION:

As the Conflict of Interest Code Reviewing Body for all local government agencies within Stanislaus County the Board of Supervisors must approve amendments to an agency's Conflict of Interest Code. After holding a public meeting the Connecting Waters Charter School Board approved their Conflict of Interest Codes and related amendment. After an agency adopts their Code and amendments they must submit them to the Board of Supervisors. Upon receiving the amendments to the Conflict of Interest Code from the agencies the Board of Supervisors places the amendments on their agenda for approval.

POLICY ISSUE:

The Board of Supervisors is the Conflict of Interest Code Reviewing Body for all agencies whose boundaries are solely within Stanislaus County.

STAFFING IMPACTS:

There are no staffing impacts associated with this item.

CONTACT INFORMATION:

Christine Ferraro Tallman, Clerk of the Board of Supervisors Telephone: 209-525-4494

Connecting Waters

12420 Bentley Street
Waterford, CA 95386
www.connectingwaters.org

Charter School



Phone: (800) 808-9895
(209) 874-1119
Fax: (209) 874-9531

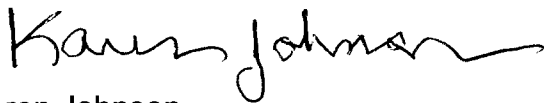
November 24, 2014

Board of Supervisors
1010 10th Street, Suite 6700
Modesto, CA 95354

Attn: Christine Ferraro

Attached is the initial conflict of interest code for Connecting Waters Charter School. Our board adopted our code on June 26, 2014 and then on September 9, 2014 they amended our code to designate CWCS as the filing official for our 700 filers.

Sincerely,



Karen Johnson
Assistant to the Executive Director

BOARD OF SUPERVISORS
2014 NOV 26 A 10:46

CONNECTING WATERS CHARTER SCHOOLS

CONFLICT OF INTEREST CODE

BOARD OF SUPERVISORS

2014 NOV 26 A 10:46

I. ADOPTION

In compliance with the Political Reform Act of 1974, California Government Code Section 87100, et seq., the Connecting Waters Charter Schools 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 Connecting Waters Charter Schools ("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 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 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 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 officer 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 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

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

<u>Designated Position</u>	<u>Assigned Disclosure Category</u>
Members of the Governing Board	1, 2, 3
Executive Director/President	1, 2, 3
Chairman of the Board	1, 2, 3
Treasurer/CFO	1, 2, 3
Secretary	1, 2, 3
Consultants	*

*Consultants are 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 may determine in writing that a particular consultant, although a "designated position," is hired to perform a 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 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 in the same manner and location as this conflict-of-interest code. (Gov. Code Section 81008.)

EXHIBIT B

Disclosure Categories

Category 1

Designated positions assigned to this category must report:

- a. Interests in real property which are located in whole or in part within the boundaries (and a two mile radius) of the school district in which Connecting Waters Charter Schools operates.
- b. Investments in, income, including gifts, loans, and travel payments, from, and business positions in any business entity of the type which engages in the acquisition or disposal of real property or are engaged in building construction or design.
- c. Investments in, income, including gifts, loans, and travel payments, from, and business positions in any business entity of the type which engages in, the manufacture, sale, repair, rental or distribution of school supplies, books, materials, school furnishings or equipment to be utilized by Connecting Waters Charter Schools.

Category 2

Designated positions assigned to this category must report:

Investments in, income, including gifts, loans, and travel payments, from, and business positions in any business entity of the type which engages in the manufacture, sale, repair, rental or distribution of school supplies, books, materials, school furnishings or equipment to be utilized by Connecting Waters Charter Schools, its parents, teachers and students for educational purposes. This includes, but is not limited to, educational supplies, textbooks and items used for extracurricular courses.

Category 3

Designated positions assigned to this category must report:

Investments in, income, including gifts, loans, and travel payments, from, sources which are engaged in the performance of work or services of the type to be utilized by Connecting Waters Charter Schools, its parents, teachers and students for educational purposes. This includes, but is not limited to, student services commonly provided in public schools such as speech therapists and counselors.

Conflict of Interest Code Resolution 14-15-107

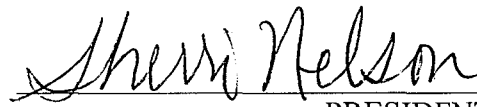
BE IT RESOLVED that the Governing Board of

CONNECTING WATERS CHARTER SCHOOL

Authorizes the amendment to the Conflict of Interest Code that the code will be kept on file at the school site.

THIS RESOLUTION was passed and adopted by said Board on September 9, 2014, by the following vote:

AYES: 10
NAES: 0
ABSTAIN: 0
ABSENT: 5
VACANT: 0



, PRESIDENT



, SECRETARY/CLERK