COUNTY OF SAN DIEGO
2013 MAY 23 PM 3 05
CLERK OF THE BOARD
OF SUPERVISORS

OLD TOWN
ACADEMY
K-8 CHARTER SCHOOL

2120 San Diego Ave
San Diego, CA 92110
info@OldTownAcademy.org
Office (619) 574-6225
Fax (619) 683-2096

As provided for in the California Corporations Code, **Old Town Academy** will be governed by its corporate Board of Trustees ("Board"), whose members have a legal fiduciary responsibility for the well-being of the School. The Corporation will be managed by its Director, with duties and responsibilities as delegated by the Board. The **Old Town Academy** Board will have at least five members. Board members have been selected to represent the community-at large, the business community and educators. All future board members will be selected - with skills and experience to match their board responsibilities - by a majority vote of the then current board. **Old Town Academy** agrees to be bound by applicable law, will adopt a **conflict of interest code**, and will comply with applicable open meeting and public records act laws.

## CONFLICT OF INTEREST CODE FOR OLD TOWN ACADEMY K-8 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 Old Town Academy K-8 Charter School's General Counsel. (Gov. Code § 83114; 2 CCR § 18730(b)(II).) 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, Old Town Academy K-8 Charter School may consider whether such reliance should constitute a mitigating factor to any disciplinary action that Old Town Academy K-8 Charter School may bring against the requesting party under Government Code section 91003.5.

I. **Designated Employees**

| Designated Employees | Categories Disclosed |
|---|---|
| **Board Treasurer** | **All** |
| **All Other Members of the Board of Trustees** | **4,5** |
| **Executive Director/President and CEO** | **All** |
| **Business Manager (none employed at present)** | **4,5,6** |
| **Development Director (none employed at present)** | **4,5,6** |

Approved and/or authorized by the Board of Supervisors of the County of San Diego.
Meeting Date: 6/18/13 Minute Order No. 24
By: Nancy Vivanco Date: 6/18/13
Deputy Clerk of the Board of Supervisors

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**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 Old Town Academy K-8 Charter
- School or have claims pending against Old Town Academy K-8 Charter School
- 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
b) County that has situated on it any business entity named in category no. 1 above; or
c) Within two (2) miles of any facility or real property owned or used by Old Town Academy K-8 Charter School.

**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 **Deleted:** COl Code
- Communications equipment or services
- Educational services, supplies and materials
- Entities or persons who have filed claims against Old Town Academy K-8 Charter
- School or have claims pending against Old Town Academy K-8 Charter School
- Insurance brokers and agencies
- Insurance adjusting, claims auditing or administration, or underwriting services
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**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 Old Town Academy K-8 Charter School to provide personnel, services, supplies, material, machinery or equipment:

a) To Old Town Academy K-8 Charter School, of the type utilized by Old Town Academy K-8 Charter School 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 Old Town Academy K-8 Charter School within the last two years or which in the future foreseeable may contract with Old Town Academy K-8 Charter School 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 Old Town Academy K-8 Charter School or in the foreseeable future, may contract with Old Town Academy K-8 Charter School to provide personnel, services, supplies, materials, machinery or equipment:

a) To Old Town Academy K-8 Charter School, of the type utilized by Old Town Academy K-8 Charter School 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 the Old Town Academy K-8 Charter School within the last two years or which in the future foreseeable may contract with Old Town Academy K-8 Charter School 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.

Adopted April 19, 2012 by Old Town Academy Board of Trustees.