Subject: Approval of the Conflict of Interest Code of Forest Ranch Charter School

Department: County Counsel

Contact: Bruce Alpert

Phone: 530.552.4070

Meeting Date Requested: May 21, 2019

Regular Agenda ☐ Consent Agenda ☒

Department Summary: (Information provided in this section will be included on the agenda. Attach explanatory memorandum and other background as necessary).

Forest Ranch Charter School has adopted a Conflict of Interest Code, which is being submitted for approval by the Board of Supervisors as the code reviewing body. Included in the staff report are the following documents: The Forest Ranch Charter School Conflict of Interest Code, Appendix to the Conflict of Interest Code containing Designated Positions and Disclosure Categories, the Meeting Agenda for the March 26, 2019 Board of Directors meeting at which the new code was considered, and minutes of the March 26, 2019 Board of Directors meeting indicating the new code was approved and adopted. County Counsel has reviewed Forest Ranch Charter School's Conflict of Interest Code and believes it to be proper.

Fiscal Impact:

None.

Personnel Impact:

Does not apply.

Action Requested:

Approve the Conflict of Interest Code of Forest Ranch Charter School.

Administrative Office Review: Sang Kim, Deputy Chief Administrative Officer

Revised: April, 2019
CHARTER SCHOOL

CONFLICT OF INTEREST CODE

I. ADOPTION

In compliance with the Political Reform Act of 1974, California Government Code Section 87100, et seq., Charter School hereby adopts this Conflict of Interest Code ("Code"), which shall apply to all governing board members and all other designated employees of Forest Ranch 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 Forest Ranch Charter School, including governing board members, 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, 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 A."

Statements Filed with Forest Ranch Charter School. All Statements shall be supplied by the Charter School. All Statements shall be filed with the Forest Ranch Charter School. Forest Ranch Charter School’s filing official shall make and retain the originals of all Statements.
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 Executive Director, 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

Forest Ranch Charter School shall not enter into a contract or transaction in which a director directly or indirectly has a material financial interest (nor shall the Charter School enter into any contract or transaction with any other corporation, firm, association, or other entity in which one or more of the Charter School’s directors are directors and have a material financial interest).

APPROVED AND ADOPTED by the Board of Directors of on the 26th day of March, 2019.

[Signature]
Chairperson, Board of Directors
Charter School

ATTEST:

[Signature]
Secretary to the Board of Directors
Charter School
APPENDIX TO
CONFLICT OF INTEREST CODE OF
CHARTER SCHOOL

Preamble
Any person designated in Section 1 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 the Charter School general counsel. (Gov. Code § 83114; Title 2 Cal. Code of Regs. § 18730(b)(1).) 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, the Charter School may consider whether such reliance should constitute a mitigating factor to any disciplinary action that the Charter School may bring against the requesting party under Government Code § 91003.5.

I.
Designated Employees

<table>
<thead>
<tr>
<th>Designated Employees</th>
<th>Categories Disclosed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Members of Charter School Board of Directors</td>
<td>1 through 3</td>
</tr>
<tr>
<td>Executive Director</td>
<td>1 through 3</td>
</tr>
<tr>
<td>Chief Business Officer</td>
<td>1 through 3</td>
</tr>
<tr>
<td>Consultants</td>
<td>--</td>
</tr>
</tbody>
</table>

II.
Disclosure Categories

1 With respect to consultants, the President may determine in writing that a particular consultant, although a “designated employee,” is hired to perform a range of duties that is limited in scope and thus is not required to comply with the written disclosure requirements described in these categories. 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 President’s determination is a public record and shall be retained for public inspection by the Charter School, in the same manner as this Conflict of Interest Code. Nothing herein excuses any such consultant from any other provision of this Conflict of Interest Code.
Category 1. 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 Butte County, which business entities operate or provide facilities, goods, supplies, equipment and/or machinery, vehicles, personnel or services of a type utilized by the Charter School.

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 are within two (2) miles of any facility or real property owned or used by the 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 business entities or other sources located in, doing business in, planning to do business in, or having done business in the previous two (2) years in Butte County during the reporting period which business entities operate or provide facilities, goods, supplies, equipment and/or machinery, vehicles, personnel or services of a type utilized by the Charter School.
To inspire our students and community through a sustainable, comprehensive academic environment...

Forest Ranch Charter School – Board of Directors
Tuesday, March 26, 2019 at 5:30PM
15815 Cedar Creek Road, Forest Ranch, CA 95942
Meeting Agenda

1. Open Session – Call to Order

2. Roll Call
   a. Christia Marasco – Director
   b. Lisa Speegle – consulting CBO
   c. Michele Jimenez – Teacher Advisor/Liaison
   d. Janina Carter – Chair, Parent Representative (June 2019)
   e. Leslie Wright – Treasurer, Audit Liaison, (June 2021)
   f. Norm Walker – Community Representative (June 2021)
   g. Lynne Wright – Community Representative (June 2019)
   h. Robert Chaplin – FRCA Liaison, Educational Representative (June 2021)
   i. Heather Hastain – PTP Liaison, Parent Representative (June 2020)
   j. Jody Cornelsen – Secretary, Parent Representative (June 2021)
   k. Sam Daugherty – Community Representative (June 2021)

3. Celebrations / Recognitions

4. Public Comments on Items NOT on the Current Meeting Agenda

5. Changes / Deletions to Current Meeting Agenda

6. Consent Calendar (10 minutes)
   a. Consider Approval of Meeting Minutes from February 19, 2019
   b. Consider Approval of February Financials
   c. Consider Approval of Upcoming Field Trips

7. Discussion/Action Calendar
   a. Consider Approval of Second Interim Budget
   b. Review and Discuss L-CAP measures
   c. Consider Approval of Audit Firm
   d. Consider Approval of Conflict of Interest Code
   e. Update and Discussion – Legal Briefing Conflict of Interest Laws and Form 700 Obligation
   f. Consider Approval of modifications to Solar Project
   g. Consider Approval of New Job Description and Pay Rate – Cafeteria Assistant
   h. Consider Approval of Increase in Cost of Sport Field Project and Delay of Shade Structure
   i. Discuss and Consider Approval of Family Satisfaction Survey

8. Reports and Presentations
   a. Director Report

Engaging • Sustainability • Security • Community • Integrity
i. Enrollment:
ii. Student Achievement and Related Measures
iii. Campus and Student Safety
iv. Human Resources
v. Upcoming School Events
vi. Professional Development
vii. Board Development

b. Teacher Report
c. Facilities Report
d. Technology Report
e. Parent Teacher Partnership Report

9. Future Agenda Items
   a. Review Results Family Satisfaction Survey
   b. Personnel Policies

10. Adjournment
FOREST RANCH CHARTER SCHOOL

Minutes of March 26, 2019 Board of Director’s Meeting
~ To inspire our students and community through a sustainable, comprehensive academic environment...

Forest Ranch Charter School – Board of Directors Tuesday, March 26, 2019 at 5:30PM 15815 Cedar Creek Road, Forest Ranch, CA 95942 Meeting Agenda

1. Open Session – Call to Order
   6:00 pm

2. Roll Call
   a. Christia Marasco – Director
   b. Lisa Speegle – consulting CBO – absent
   c. Michele Jimenez – Teacher Advisor/Liaison
   d. Janina Carter – Chair, Parent Representative (June 2019)
   e. Leslie Wright – Treasurer, Audit Liaison, (June 2021)
   f. Norm Walker – Community Representative (June 2021)
   g. Lynne Wright – Community Representative (June 2019)
   h. Robert Chaplin – FRCA Liaison, Educational Representative (June 2021)
      absent
   i. Heather Hastain – PTP Liaison, Parent Representative (June 2020)
   j. Jody Cornilsen – Secretary, Parent Representative (June 2021) – absent
   k. Sam Daugherty – Community Representative (June 2021)

3. Celebrations / Recognitions
   Christia spoke on the acquisition of animal puppets and the benefit they have in marketing our school at events.

4. Public Comments on Items NOT on the Current Meeting Agenda
5. Changes / Deletions to Current Meeting Agenda:
Item b will be removed and put on the agenda for April.

Item g will be removed because it is no longer applicable.

6. Consent Calendar (10 minutes):

Heather Hastain moved that we approve the consent calendar. Norm Walker seconded the motion. Ayes: Lynne Wright, Leslie Wright, Heather Hastain, Norm Walker, Janina Carter. Noes: None

   a. Consider Approval of Meeting Minutes from February 19, 2019
   b. Consider Approval of February Financials
   c. Consider Approval of Upcoming Field Trips

7. Discussion/Action Calendar

   a. Consider Approval of Second Interim Budget: Norm Walker moved that we approve the Second Interim Budget. Lynne Wright seconded the motion. Ayes: Leslie Wright, Heather Hastain, Janina Carter, Lynne Wright, Norm Walker. Noes: None
   
   b. Review and Discuss L-CAP measures
   
   c. Consider Approval of Audit Firm: Norm Walker moved that we approve HM and S as our audit firm. Leslie Wright seconded the motion. Ayes: Leslie Wright, Heather Hastain, Janina Carter, Lynne Wright, Norm Walker. Noes: None
   
   d. Consider Approval of Conflict of Interest Code: Norm Walker moved that we approve the Conflict of Interest Code and form 700 for FRCS. Leslie Wright seconded the motion. Ayes: Lynne Wright, Heather Hastain, Sam Daugherty, Janina Carter, Lynne Wright, Norm Walker. Noes: None
e. Update and Discussion – Legal Briefing Conflict of Interest Laws and Form 700 Obligation:
   There was much discussion and concern over filling out the form 700 for board members.

f. Consider Approval of modifications to Solar Project: Christia led discussion on the placement of the solar panels on the ground or on the roof. She reported information from the measure K meeting on March 25, 2019 received from other school about problems and successes with solar projects as well as speaking with the architects. Christia will get a bid on the relocation idea of the solar panels from the solar company. Tabled for April board meeting.

h. Consider Approval of Increase in Cost of Sport Field Project and Delay of Shade Structure:
   Heather Hastain moved that we approve the contract for the sports field project 308,850 and not include the delay of the shade structure. Leslie seconded. Ayes: Leslie Wright, Heather Hastain, Sam Daugherty, Janina Carter, Lynne Wright, Norm Walker. Noes: None

i. Discuss and Consider Approval of Family Satisfaction Survey: Christia submitted the parent survey to the board, which is the same one we used last year. Heather Hastain moved to approve the family satisfaction survey with the addition of the start time adjustment. Leslie Wright seconded. Ayes: Leslie Wright, Heather Hastain, Sam Daugherty, Janina Carter, Lynne Wright. Noes: None

8. Reports and Presentations
   a. Director Report

   i. Enrollment: We had two students go to home school and two new students came. Our enrolled amount of students is 128. ii. Student Achievement and Related Measures: We are continuing on with trimester 3 curriculum and doing a small amount of test preparation. iii. Campus and Student Safety: Due to less field play we have had more injury from falling on the black top. We are in need of a field, which will be happening shortly. iv. Human Resources: We flagged a cafeteria position, part time as a job share. v. Upcoming School Events: We
changed our Monterey trip from May to April.

vi. Professional Development: Because we have some potential teacher transitions we have put some professional development on hold. We are doing individual professional development. vii. Board Development: Board members went to the critical issues symposium and others went to the Christia handed out some reference resources for board members.

b. Teacher Report: None, back in the swing of things after spring break. Getting ready for testing.


d. Technology Report: Nothing to report

e. Parent Teacher Partnership Report: Excellent last meeting. Great new energy, and they are going strong for the spring.

9. Future Agenda Items

a. Review Results Family Satisfaction Survey

b. Personnel Policies

c. Approval of Solar Project

d. Review and Discuss L-CAP Measures

e. Strategic Plan for board members
10.
Adjournment:
7:53pm