BOARD OF DIRECTORS
NOVATO CHARTER SCHOOL
(A California Non-Profit Public Benefit Corporation)
940 C Street, Novato, CA

Board Agenda

October 15, 2025 at 5:30pm

The Novato Charter School welcomes your participation at the School's Board meetings. The purpose of a public meeting of the Board of Directors ("Board") is to conduct the affairs of the School in public. We are pleased that you are in attendance and hope that you will visit these meetings often. Your participation assures us of continuing community interest in our School.

To assist you in the ease of speaking/participating in our meetings, the following guidelines are provided:

1. Agendas are available to all audience members at the door to the meeting.

2. Blue "Request to Speak" forms are available to all audience members who wish to speak on any agenda items or under the general category of "Public Comment." Submit your blue forms to the Board Clerk prior to the relevant agenda item.

3. "Public Comment" is set aside for members of the audience to raise issues that are not specifically on the agenda. However, due to public meeting laws, the Board can only listen to your issue, not respond or take action. These presentations are limited to three (3) minutes and total time allotted to non-agenda items will not exceed fifteen (15) minutes. The Board may (a) give direction to staff to respond to a concern, (b) direct that the item be referred to the Director for action or (c) schedule the item on a subsequent agenda.

4. With regard to items that are on the agenda, you may specify that agenda item on your blue request form and you will be given an opportunity to speak for up to five (5) minutes when the Board discusses that item, and total time allotted for agenda items will not exceed twenty (20) minutes.

5. When addressing the Board, speakers are requested to state their name and adhere to the time limits set forth.

Access to Board Materials: A copy of the written materials which will be submitted to the Board may be reviewed by any interested persons on The Novato Charter School's website along with this agenda following the posting of the agenda at least 72 hours in advance of this meeting.

Disability Access: Requests for disability-related modifications or accommodations to participate in this public meeting should be made 24 hours prior to the meeting by emailing mbloom@novatocharterschool.org. All efforts will be made for reasonable accommodations. The agenda and public documents can be modified upon request as required by Section 202 of the Americans with Disabilities Act.

BOARD MEMBER CODE OF CONDUCT

We will demonstrate **respect** for each other and all school constituents through open communication and by practicing gratitude and appreciation. We will **collaborate** by honoring each member's unique point of view when working on the common goal of supporting the mission and vision of NCS.

We will align our actions to support the faculty and staff in their endeavor to provide a **holistic / developmentally** appropriate education through **creativity and the art of teaching**. We will hold ourselves and each other accountable to arrive at Board meetings prepared and in follow-through of additional responsibilities including committee work outside of meetings.

BOARD OF DIRECTORS
NOVATO CHARTER SCHOOL
(A California Non-Profit Public Benefit Corporation)
940 C Street, Novato, CA

Board Agenda

October 15, 2025 at 5:30pm

BOARD MEETING CODE OF CONDUCT

We welcome the public to our Board Meetings! We request that each visitor honor the following agreements in support of our school core values:

- Maintain open, respectful body language and tone of voice when sharing viewpoints.
- Respect the Direct Communication model by bringing any concern first to the person(s) most directly connected or responsible for the topic.
- Offer full listening and attention and lend a benefit of the doubt to each member.
- Honor established agreements and limitations of the board meeting format including:
  - Time limits
  - Discussion limited only to agenda items (no discussion of non-agendized topics)
- Avoid interrupting others
- Stay focused on speaker and topic (do not engaging in distracting behavior/side conversations)
- Express gratitude and appreciation whenever/wherever possible.

1. Call Meeting to Order, Roll Call

Board Member	**Present Absent Late**	**Arrival time**
Melissa Alfred, Secretary		
Mike "Red" Hale, Trustee		
Ali Iqbal,Chief Financial Officer		
Robin Lee, President		
Tom Weldon, Trustee		

2. AGENDA MODIFICATION CA 5 Min.

3. NON AGENDA PUBLIC COMMENT 5 Min. *This is the opportunity for members of the community to speak on topics that are not agendized on tonight's board meeting. Because these are not agendized items the board and staff may not dialog back and forth with you. If you have a specific question that staff may be able to answer, staff may contact you. Should a board member choose to have this placed on a future meeting they may contact staff to do that*.

4. APPROVAL OF CONSENT AGENDA ITEMS 5 Min. *Consent Agenda Items: All matters listed under the consent agenda are considered by the Board to be routine and will be approved/enacted by the Board in one motion in the form listed below. Unless specifically requested by a Board member for further discussion or removed from the agenda, there will be no discussion of these items prior to the Board votes on them.*

A. Approve Minutes: September 19, 2025

BOARD OF DIRECTORS
NOVATO CHARTER SCHOOL
(A California Non-Profit Public Benefit Corporation)
940 C Street, Novato, CA

Board Agenda

October 15, 2025 at 5:30pm

Board Member	Melissa Alfred	Mike “Red” Hale	Ali Iqbal	Robin Lee	Tom Weldon
Moved By:					
Seconded By:					
Action:					

5. BOARD DISCUSSION / ACTION ITEMS

A. Conflict of Interest Code (Existing) - First Discussion
B. Conflict of Interest Code (Draft Revised) - First Discussion
C. Conflict of Interest Policy (Draft New) - First Discussion

6. INFORMATION ITEMS: ADMINISTRATIVE REPORTS

A. Enrollment Update: Includes wait list for 25-26 School Year
B. Staffing Update for 25-26 school year
C. Prop 2 Update
D. Foundation Update
E. Board Shared Reading Plan: The California Charter School Board Governance Handbook (Section 1 for next board meeting)

7. NEXT BOARD MEETING 5 Min. Wednesday, November 5, 2025 5:30 pm

8. COMMENTS FROM BOARD MEMBERS 5 Min Please email future agenda items to ccapobianco@novatocharterschool.org and rlee@novatocharterschool.org 5 Min.

9. ADJOURNMENT 5 Min The agenda for the next meeting will be publicly posted on www.novatocharterschool.org at least 72 hours prior to the meeting

BOARD OF DIRECTORS
NOVATO CHARTER SCHOOL
(A California Non-Profit Public Benefit Corporation)
940 C Street, Novato, CA

Minutes

September 19, 2025 at 12:00pm

The Novato Charter School welcomes your participation at the School's Board meetings. The purpose of a public meeting of the Board of Directors ("Board") is to conduct the affairs of the School in public. We are pleased that you are in attendance and hope that you will visit these meetings often. Your participation assures us of continuing community interest in our School.

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BOARD MEMBER CODE OF CONDUCT

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We will align our actions to support the faculty and staff in their endeavor to provide a **holistic / developmentally** appropriate education through **creativity and the art of teaching**. We will hold ourselves and each other accountable to arrive at Board meetings prepared and in follow-through of additional responsibilities including committee work outside of meetings.

BOARD OF DIRECTORS
NOVATO CHARTER SCHOOL
(A California Non-Profit Public Benefit Corporation)
940 C Street, Novato, CA

Minutes

September 19, 2025 at 12:00pm

BOARD MEETING CODE OF CONDUCT

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- Offer full listening and attention and lend a benefit of the doubt to each member.
- Honor established agreements and limitations of the board meeting format including:
  - Time limits
  - Discussion limited only to agenda items (no discussion of non-agendized topics)
- Avoid interrupting others
- Stay focused on speaker and topic (do not engaging in distracting behavior/side conversations)
- Express gratitude and appreciation whenever/wherever possible.

1. Call Meeting to Order, Roll Call 12:11pm

Board Member	Present Absent Late	Arrival time
Melissa Alfred, Secretary	Present	12:00
Mike "Red" Hale, Trustee	Present	12:00
Ali Iqbal,Chief Financial Officer	Present	12:00
Robin Lee, President	Present	12:00
Tom Weldon, Trustee	Present	12:00

2. AGENDA MODIFICATION CA 5 Min.

3. NON AGENDA PUBLIC COMMENT 5 Min. *This is the opportunity for members of the community to speak on topics that are not agendized on tonight's board meeting. Because these are not agendized items the board and staff may not dialog back and forth with you. If you have a specific question that staff may be able to answer, staff may contact you. Should a board member choose to have this placed on a future meeting they may contact staff to do that*.

4. APPROVAL OF CONSENT AGENDA ITEMS 5 Min. *Consent Agenda Items: All matters listed under the consent agenda are considered by the Board to be routine and will be approved/enacted by the Board in one motion in the form listed below. Unless specifically requested by a Board member for further discussion or removed from the agenda, there will be no discussion of these items prior to the Board votes on them.*

4.1. Approve Minutes: September 11, 2025

BOARD OF DIRECTORS
NOVATO CHARTER SCHOOL
(A California Non-Profit Public Benefit Corporation)
940 C Street, Novato, CA

Minutes

September 19, 2025 at 12:00pm

Board Member	Melissa Alfred	Mike "Red" Hale	Ali Iqbal	Robin Lee	Tom Weldon
Moved By:		X			
Seconded By:					X
Action:	Yea	Yea	Yea	Yea	Yea

5. BOARD DISCUSSION / ACTION ITEMS

5.1. NUSD Transfer and Conveyance Agreement *Review and Approve*

Currently, lower grade portables are owned by NUSD and middle school are NCS
This document is in relationship to our Prop 2 grant application
NUSD is applying on NCS behalf and the application is stronger if all portables are under the District
NCS will know by end of the year on grant application
Lease agreement is terminated and buildings returned to NCS if grant application is denied

Board Member	Melissa Alfred	Mike "Red" Hale	Ali Iqbal	Robin Lee	Tom Weldon
Moved By:		X			
Seconded By:					X
Action:	Yea	Yea	Yea	Yea	Yea

5.2. NUSD and NCS Amendment No 1. To Facilities and Use Agreement *Review and Approve*

Board reviewed lease agreement amendment and confirmed that it does not change MOU

Board Member	Melissa Alfred	Mike "Red" Hale	Ali Iqbal	Robin Lee	Tom Weldon
Moved By:		X			
Seconded By:					X
Action:	Yea	Yea	Yea	Yea	Yea

6. Recess / Lunch 30 min

7. NCS ANNUAL BOARD TRAINING: (120 mins) Topics: Charter School University: Board Goal Setting and Brown Act; Integrative Student Support Systems

Board listened to hour presentation from Kim John Payne
Board spent some time setting goals for the year

BOARD OF DIRECTORS
NOVATO CHARTER SCHOOL
(A California Non-Profit Public Benefit Corporation)
940 C Street, Novato, CA

Minutes

September 19, 2025 at 12:00pm

8. **NEXT BOARD MEETING** 5 Min. Wednesday, October 15, 2025 5:30 pm - Confirmed we have a quorum

9. **COMMENTS FROM BOARD MEMBERS** 5 Min Please email future agenda items to ccapobianco@novatocharterschool.org and rlee@novatocharterschool.org 5 Min.

10. **ADJOURNMENT** 5 Min The agenda for the next meeting will be publicly posted on www.novatocharterschool.org at least 72 hours prior to the meeting

Meeting Adjourned - 3:10pm

NOVATO CHARTER SCHOOL

CONFLICT OF INTEREST CODE

I. ADOPTION

In compliance with the Political Reform Act of 1974, California Government Code Section 87100, et seq., the Novato Charter 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 Novato Charter 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.

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 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

Where a Governing Board member has a personal, material financial interest in a contract, the financial interest will be reviewed under Government Code § 1090, to determine whether the remote or non-interest exceptions apply. Should the Board determine that there no applicable exclusions 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. Abstention and disclosure will not rescue a vote.

ADOPTED ON: JANUARY 16, 2019

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. Corporate Officers (e.g., CEO/President, CFO/Treasurer, Secretary, etc.)
D. Director of Charter School
E. Principal of Charter School
F. Assistant Principals
G. Chief Business Officer
H. Operations Manager
I. Director Personnel Services
J. Consultants[1]

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

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

[1] The 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 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 Director's determination is a public record and shall be retained for public inspection in the same manner and location of interest code.

EXHIBIT B

Disclosure Categories

Category 1 Reporting:

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 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 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 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 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 Director. Investments include interests described in Category 1.

Category 3 Reporting:

A. Investments 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 Director. Investments include the interests described in Category 1.

NOVATO CHARTER SCHOOL
940 "C" Street, Novato, CA 94949
Ph: 415-883-4254 | Fax: 415-883-1859
www.novatocharterschool.org

Board Policy adopted on: 2/13/2025
Revised on:

Conflict of Interest Code

Adoption

The Governing Board hereby adopts this Conflict of Interest Code ("Code"), which shall apply to all governing board members and all other designated employees of the **Novato Charter School** ("School").

The Political Reform Act (Government Code section 8100, *et seq.*) requires local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 California Code of Regulations section 18730) that contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to conform to the amendments in the Political Reform Act. Therefore, the terms of 2 C.C.R. section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendices, designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the School.

Definitions

"Designated Persons" are board members, officers, and employees of the School who hold positions that involve the making or participation in making decisions that may foreseeably have a material effect on any financial interest of that individual. Designated positions within the School are listed in Appendix A attached to this Code and incorporated herein by reference.

"Disclosure Categories" are the descriptions of the types of financial interests Designated Persons in one or more job classifications must disclose on their Form 700. The categories must be tailored to the financial interests affected, and must not require public officials to disclose private financial information that does not relate to their School employment. The Disclosure Categories are listed in Appendix B.

"Form 700" is the Statement of Economic Interest, Form 700 disclosing the reportable investments, interests in real property, business positions, and income required to be reported under the category or categories to which the Designated Person's position is assigned in Appendix A.

Disclosure Statements

Designated Persons designated positions shall file their Form 700 with the School, which will make the statements available for public inspection and reproduction. Upon receipt of the statements for designated members and employees, the School shall make and retain copies and forward the originals to the **County of Marin**. All other statements will be retained by the School.

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APPENDIX A
Designated Positions

I. Persons occupying the following positions are designated employees and must disclose financial interests in all categories defined in Appendix B (i.e. categories 1, 2, and 3).

A. Members of the Governing Board
B. Members of Committees of the Governing Board[1]
C. Director of Charter School
D. Assistant Director
E. Chief Business Officer
F. Director of Personnel Services
G. Assistant Director of Personnel Services
H. Consultants[2]
I. Other Employees[3]

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

A. Purchasing Manager
B. Assistant Business Officer
C. Other Employees[4]

III. Persons occupying the following positions are designated employees and must disclose financial interests defined in Categories 2 and 3 of Appendix B.

A. Information Systems Technician
B. Contractor
C. Other Employees[5]

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[1] This category must be included if the committee has members that are not otherwise covered by the other identified categories and the committee possesses decision making authority. Decision making authority is present when the committee: a. may make a final decision; b. may compel a governmental decision or it may prevent a decision either by reason of an exclusion power to initiate the decision or by reason of a veto that may not be overridden; or c. makes substantial recommendations that are, and over an extended period have been, regularly approved without significant amendment or modified by another designated employee.

[2] A consultant will occupy a "designated position" when he/she is contracting with the agency to do the following: 1) Make a governmental decision wither to, among other things, (a) authorize the agency to enter into, modify or renew a contract provided it is the type of contract that requires agency approval; (b) grant agency approval to a contract that requires agency approval and to which the agency is a party, or to the specifications for such a contract; (c) grant agency approval to a plan, design, report, study or similar item; or (d) adopt or grant agency approval of, policies, standards or guidelines for the agency or for any subdivision thereof; or 2) Serve in a staff capacity with the agency and in that capacity participates in making a governmental decision or performs the same or substantially all the same duties for the agency that would otherwise be performed by an individual holding a designated position.

[3] "Other Employees" include any employee occupying a position that requires the employee to make a governmental decision that foreseeably and materially affects a personal financial interest, source of income, or a business position in a business entity.

[4] "Other Employees" include any employee with authority to make purchases that may foreseeably and materially affect an investment and/or business position in business entities or who are in a position to influence a governmental decision that may foreseeably and materially affect an investment and/or business position in a business entity.

[5] "Other Employees include employees with authority to make purchases that may foreseeably and

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materially effect investments and business positions in business entities which provide services, supplies, materials, or equipment in which the employee has authority to purchase.

APPENDIX B
Disclosure Categories

Category 1 Reporting:

A. Interest in **real property** which is located in whole or in part within the geographical service area of the School, including any leasehold, beneficial or ownership interests or option to acquire such interest in real property, if the fair market value of the interest is greater than $2,000.

(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 ten percent interest or greater.)

B. **Investments** in or **income** from persons or business entities (including gifts, loans and travel payments) 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 geographical service area of the School.

C. **Investments** in or **income** from persons or business entities engaged in the acquisition or disposal of real property within the geographical service area of the School.

(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.)

(No investment or interest in real property is reportable unless its fair market value exceeds $2,000. No source of income is reportable unless the income received by or promised to the public official aggregates $500 or more in value or $50 or more in value if the income was a gift during the preceding 12-month reporting period.

Category 2 Reporting:

A. **Investments** in or **income** from persons or business entities (including gifts, loans and travel payments) which manufacture or sell supplies, books, machinery or equipment of the type utilized by the department for which the designated employee is Manager or Director. Investments include interests described in Category 1.

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Category 3 Reporting:

A. **Investments** in or **income** from persons or business entities (including gifts, loans and travel payments) 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 Director. Investments include the interests described in Category 1.

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NOVATO CHARTER SCHOOL
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Board Policy adopted on:

Conflict of Interest Policy

CONFLICTS OF INTEREST POLICY PURSUANT TO THE POLITICAL REFORM ACT OF 1974 (GOVERNMENT CODE §§ 87100, *ET SEQ.*) AND GOVERNMENT CODE SECTION 1090

I. Adoption

The Governing Board hereby adopts this Conflict of Interest Policy ("Policy"), which shall apply to all governing board members and all other designated employees of the **Novato Charter School** ("School").

II. Definitions

"Designated Persons" are officers and employees of the School and 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 of that individual. The designated positions are listed in Appendix "A" attached to the School's Conflict of Interest Code and incorporated herein by reference.

"Remote Interests in a Contract" are those interests identified in Government Code section 1091 and relate only to voting members on the Board of Directors and are referred to as "disqualifying interests" herein.

"Non-Interests in a Contract" are those interests identified in Government Code section 1091.5 and relate to directors, officers, or employees of the School and are referred to as "disqualifying interests" herein. A copy of Government Code sections 1091 and 1091.5 are attached as Exhibit A to this policy.

III. Disclosure Statements

A. Statement of Economic Interest, Form 700

Each designated employee, including governing board members, shall file a Statement of Economic Interest, Form 700 ("Statement") at the time and manner prescribed below, disclosing reportable investments, interests in real property, business positions, and income required to be reported under the category or categories to which the Designated Person's position is assigned in Appendix A of the School's Conflict of Interest Code.

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 by participation in the decision by the designated employee by virtue of his or her position. The specific disclosure

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responsibilities assigned to each position are set forth in Appendix B of the School's Conflict of Interest Code.

Contents of Statements

Initial Statements: Initial Statements shall disclose any reportable investments, interests in business positions, and real property held on the date of assuming office, and income received during the twelve (12) months prior to the effective date of the Code.

Assuming Office Statements: Assuming Office Statements shall disclose any reportable investments, interests in business positions, and real property held on the date of assuming office, and income received during the 12 months before the date of assuming office or the date of being appointed or nominated.

Annual Statements: Annual Statements shall disclose reportable investments, interests in real property, and income and business positions held or received during the previous calendar year or since the date the designated employee took office if during the calendar year.

Leaving Office Statement: Leaving Office Statements shall disclose reportable investments, interests in real property, business positions held, and income received at any time during the period between the closing date of the last statement required to be filed and the date of leaving office.

Timing of Filings

An initial Statement shall be filed by each designated person within 30 days after the effective date of the Code. Thereafter, each new Designated Person shall file a Statement within 30 days after assuming office. Each Designated Person shall file an annual Statement by April 1. Every Designated Person who leaves office shall file a Statement within 30 days of leaving office.

Statements Filed With the Charter School

All Statements shall be supplied by the Charter School on forms prescribed by the Fair Political Practices Commission. All Statements shall be filed with the Charter School. The Charter School's filing officer shall make and retain a copy and forward the original to the Charter School's code reviewing body.

IV. Disqualification

Designated Persons: No Designated Person, or their spouses and dependent children, may be financially interested in any contract made by them in their official capacity. Board Members are presumed to have made contracts in which they, or their spouses and dependent children have a financial interest. A Designated Person may not make, participate in making, or in any way use or attempt to use his/her official position to influence any Charter School decision which he/she knows or has reason to know he or she has a disqualifying financial interest. A Designated Person has a "disqualifying financial interest" if the decision will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the Designated Person or a member of his or her immediate family. A Director that is also an employee of the School must follow the recusal provisions outlined below for any matters uniquely affecting that member's employment. A Designated Person must follow recusal provisions outlined below with respect to Remote Interests in Contracts and Non-Interests in Contracts.

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Board Make-Up: Not more than 49 percent of the persons serving on the Board of the Charter School may be Directors, or family members, that were compensated by the School for services rendered to it within the previous 12 months, whether as a full- or part-time employee, independent contractor or otherwise, excluding any reasonable reimbursement paid to a director as a director. No Directors shall serve on the Board of the Charter School if that person has a current financial interest in any contract made by him or her in his or her official capacity on the board, except that an employee Director is not disqualified from serving as a member of the Board of Directors because of that employee's employment status with the School.

Manner of Disqualification

Persons with Remote Interests in Contracts and Non-Interests in Contracts: When a Designated Person, other than a Board Member, determines that he/she should not make a decision because of a financial interest in a Contract, 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 Director, who shall record the employee's disqualification, and notify the Charter School Governing Board of the interest at its next meeting before the Governing Board discusses or votes on the item. In the case of the Charter School Director, this determination and disclosure shall be made in writing to the Governing Board.

Governing Board members shall orally disclose a Remote interest, and in some instances a Non-Interest in a contract at the meeting during which consideration of the decision takes place. Employee Board members shall orally disclose an interest in any decision uniquely affect that member's employment. This disclosure shall be made following the announcement of the agenda item, but before the discussion or vote commences. This disclosure shall be made part of the Board's official record. The disqualified Board member shall then refrain from participating in the decision in any way, but may remain seated if desired.

If the decision is made during a closed session, the member's disqualification may be made orally during the open session before the body goes into closed session and shall be limited to a declaration that his/her recusal is because of a conflict of interest under Government Code section 87100. The declaration shall be made part of the official public record. The member shall not be present when the decision is considered in closed session or knowingly obtain or review a recording or any other non-public information regarding the decision.

The following must be must be confirmed in the affirmative prior to the Board's acceptance of a contract or transaction with a Designated Person with respect to a Remote or Non-Interest in a Contract:

- That the transaction is entered into for the benefit of the Charter School;
- That the transaction was fair and reasonable for the Charter School at the time it enters into the transaction;
- That after reasonable investigation under the circumstances, the Board determines, in good faith, that the Charter School could not have obtained a more advantageous arrangement with reasonable effort. Documentation of the results of the investigation shall be retained either in the Board minutes and/or in the school's financial files.

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Disqualified Designated Persons shall not be counted toward achieving a quorum while the item is discussed.

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EXHIBIT A

Government Code § 1091. Remote interest of officer or member

(a) An officer shall not be deemed to be interested in a contract entered into by a body or board of which the officer is a member within the meaning of this article if the officer has only a remote interest in the contract and if the fact of that interest is disclosed to the body or board of which the officer is a member and noted in its official records, and thereafter the body or board authorizes, approves, or ratifies the contract in good faith by a vote of its membership sufficient for the purpose without counting the vote or votes of the officer or member with the remote interest.

(b) As used in this article, "remote interest" means any of the following:

(1) That of an officer or employee of a nonprofit entity exempt from taxation pursuant to Section 501(c)(3) of the Internal Revenue Code (26 U.S.C. Sec. 501(c)(3)) or a nonprofit corporation, except as provided in paragraph (8) of subdivision (a) of Section 1091.5.

(2) That of an employee or agent of the contracting party, if the contracting party has 10 or more other employees and if the officer was an employee or agent of that contracting party for at least three years prior to the officer initially accepting his or her office and the officer owns less than 3 percent of the shares of stock of the contracting party; and the employee or agent is not an officer or director of the contracting party and did not directly participate in formulating the bid of the contracting party.

For purposes of this paragraph, time of employment with the contracting party by the officer shall be counted in computing the three-year period specified in this paragraph even though the contracting party has been converted from one form of business organization to a different form of business organization within three years of the initial taking of office by the officer. Time of employment in that case shall be counted only if, after the transfer or change in organization, the real or ultimate ownership of the contracting party is the same or substantially similar to that which existed before the transfer or change in organization. For purposes of this paragraph, stockholders, bondholders, partners, or other persons holding an interest in the contracting party are regarded as having the "real or ultimate ownership" of the contracting party.

(3) That of an employee or agent of the contracting party, if all of the following conditions are met:

(A) The agency of which the person is an officer is a local public agency located in a county with a population of less than 4,000,000.

(B) The contract is competitively bid and is not for personal services.

(C) The employee or agent is not in a primary management capacity with the contracting party, is not an officer or director of the contracting party, and holds no ownership interest in the contracting party.

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(D) The contracting party has 10 or more other employees.

(E) The employee or agent did not directly participate in formulating the bid of the contracting party.

(F) The contracting party is the lowest responsible bidder.

(4) That of a parent in the earnings of his or her minor child for personal services.

(5) That of a landlord or tenant of the contracting party.

(6) That of an attorney of the contracting party or that of an owner, officer, employee, or agent of a firm that renders, or has rendered, service to the contracting party in the capacity of stockbroker, insurance agent, insurance broker, real estate agent, or real estate broker, if these individuals have not received and will not receive remuneration, consideration, or a commission as a result of the contract and if these individuals have an ownership interest of 10 percent or more in the law practice or firm, stock brokerage firm, insurance firm, or real estate firm.

(7) That of a member of a nonprofit corporation formed under the Food and Agricultural Code or a nonprofit corporation formed under the Corporations Code for the sole purpose of engaging in the merchandising of agricultural products or the supplying of water.

(8) That of a supplier of goods or services when those goods or services have been supplied to the contracting party by the officer for at least five years prior to his or her election or appointment to office.

(9) That of a person subject to the provisions of Section 1090 in any contract or agreement entered into pursuant to the provisions of the California Land Conservation Act of 1965.

(10) Except as provided in subdivision (b) of Section 1091.5, that of a director of, or a person having an ownership interest of, 10 percent or more in a bank, bank holding company, or savings and loan association with which a party to the contract has a relationship of borrower or depositor, debtor or creditor.

(11) That of an engineer, geologist, or architect employed by a consulting engineering or architectural firm. This paragraph applies only to an employee of a consulting firm who does not serve in a primary management capacity, and does not apply to an officer or director of a consulting firm.

(12) That of an elected officer otherwise subject to Section 1090, in any housing assistance payment contract entered into pursuant to Section 8 of the United States Housing Act of 1937 (42 U.S.C. Sec. 1437f) as amended, provided that the housing assistance payment contract was in existence before Section 1090 became applicable to the officer and will be renewed or extended only as to the existing tenant, or, in a jurisdiction in which the rental vacancy rate is less than 5 percent, as to new tenants in a unit previously under a Section 8 contract. This section applies to any person who became a public official on or after November 1, 1986.

(13) That of a person receiving salary, per diem, or reimbursement for expenses from a government entity.

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(14) That of a person owning less than 3 percent of the shares of a contracting party that is a for-profit corporation, provided that the ownership of the shares derived from the person's employment with that corporation.

(15) That of a party to litigation involving the body or board of which the officer is a member in connection with an agreement in which all of the following apply:

(A) The agreement is entered into as part of a settlement of litigation in which the body or board is represented by legal counsel.

(B) After a review of the merits of the agreement and other relevant facts and circumstances, a court of competent jurisdiction finds that the agreement serves the public interest.

(C) The interested member has recused himself or herself from all participation, direct or indirect, in the making of the agreement on behalf of the body or board.

(16) That of a person who is an officer or employee of an investor-owned utility that is regulated by the Public Utilities Commission with respect to a contract between the investor-owned utility and a state, county, district, judicial district, or city body or board of which the person is a member, if the contract requires the investor-owned utility to provide energy efficiency rebates or other type of program to encourage energy efficiency that benefits the public when all of the following apply:

(A) The contract is funded by utility consumers pursuant to regulations of the Public Utilities Commission.

(B) The contract provides no individual benefit to the person that is not also provided to the public, and the investor-owned utility receives no direct financial profit from the contract.

(C) The person has recused himself or herself from all participation in making the contract on behalf of the state, county, district, judicial district, or city body or board of which he or she is a member.

(D) The contract implements a program authorized by the Public Utilities Commission.

(17) That of an owner or partner of a firm serving as an appointed member of an unelected board or commission of the contracting agency if the owner or partner recuses themselves from providing any advice ot the contracting agency regarding the contract between the firm and the contracting agency and from all participation in reviewing a project that results from that contract.

(18) [1/1/26] That of a public officer if the public officer’s child is an officer or director of, or has an ownership interest of 10 percent or more in, a party to a contract entered into by the board or board of which the officer is a member, if this information is actually known to the public officer.

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(c) This section is not applicable to any officer interested in a contract who influences or attempts to influence another member of the body or board of which he or she is a member to enter into the contract.

(d) The willful failure of an officer to disclose the fact of his or her interest in a contract pursuant to this section is punishable as provided in Section 1097. That violation does not void the contract unless the contracting party had knowledge of the fact of the remote interest of the officer at the time the contract was executed.

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§ 1091.5. Interests not constituting an interest in a contract

(a) An officer or employee shall not be deemed to be interested in a contract if his or her interest is any of the following:

(1) The ownership of less than 3 percent of the shares of a corporation for profit, provided that the total annual income to him or her from dividends, including the value of stock dividends, from the corporation does not exceed 5 percent of his or her total annual income, and any other payments made to him or her by the corporation do not exceed 5 percent of his or her total annual income.

(2) That of an officer in being reimbursed for his or her actual and necessary expenses incurred in the performance of official duties.

(3) That of a recipient of public services generally provided by the public body or board of which he or she is a member, on the same terms and conditions as if he or she were not a member of the body or board.

(4) That of a landlord or tenant of the contracting party if the contracting party is the federal government or any federal department or agency, this state or an adjoining state, any department or agency of this state or an adjoining state, any county or city of this state or an adjoining state, or any public corporation or special, judicial, or other public district of this state or an adjoining state unless the subject matter of the contract is the property in which the officer or employee has the interest as landlord or tenant in which event his or her interest shall be deemed a remote interest within the meaning of, and subject to, the provisions of Section 1091.

(5) That of a tenant in a public housing authority created pursuant to Part 2 (commencing with Section 34200) of Division 24 of the Health and Safety Code in which he or she serves as a member of the board of commissioners of the authority or of a community development commission created pursuant to Part 1.7 (commencing with Section 34100) of Division 24 of the Health and Safety Code.

(6) That of a spouse of an officer or employee of a public agency in his or her spouse's employment or office holding if his or her spouse's employment or office holding has existed for at least one year prior to his or her election or appointment.

(7) That of a nonsalaried member of a nonprofit corporation, provided that this interest is disclosed to the body or board at the time of the first consideration of the contract, and provided further that this interest is noted in its official records.

(8) That of a noncompensated officer of a nonprofit, tax-exempt corporation, which, as one of its primary purposes, supports the functions of the body or board or to which the body or board has a legal obligation to give particular consideration, and provided further that this interest is noted in its official records.

For purposes of this paragraph, an officer is “noncompensated” even though he or she receives reimbursement from the nonprofit, tax-exempt corporation for necessary travel and other actual expenses incurred in performing the duties of his or her office.

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(9) That of a person receiving salary, per diem, or reimbursement for expenses from a government entity, unless the contract directly involves the department of the government entity that employs the officer or employee, provided that the interest is disclosed to the body or board at the time of consideration of the contract, and provided further that the interest is noted in its official record.

(10) That of an attorney of the contracting party or that of an owner, officer, employee, or agent of a firm which renders, or has rendered, service to the contracting party in the capacity of stockbroker, insurance agent, insurance broker, real estate agent, or real estate broker, if these individuals have not received and will not receive remuneration, consideration, or a commission as a result of the contract and if these individuals have an ownership interest of less than 10 percent in the law practice or firm, stock brokerage firm, insurance firm, or real estate firm.

(11) Except as provided in subdivision (b), that of an officer or employee of, or a person having less than a 10-percent ownership interest in, a bank, bank holding company, or savings and loan association with which a party to the contract has a relationship of borrower, depositor, debtor, or creditor.

(12) That of (A) a bona fide nonprofit, tax-exempt corporation having among its primary purposes the conservation, preservation, or restoration of park and natural lands or historical resources for public benefit, which corporation enters into an agreement with a public agency to provide services related to park and natural lands or historical resources and which services are found by the public agency, prior to entering into the agreement or as part of the agreement, to be necessary to the public interest to plan for, acquire, protect, conserve, improve, or restore park and natural lands or historical resources for public purposes and (B) any officer, director, or employee acting pursuant to the agreement on behalf of the nonprofit corporation. For purposes of this paragraph, "agreement" includes contracts and grants, and "park," "natural lands," and "historical resources" shall have the meanings set forth in subdivisions (d), (g), and (i) of Section 5902 of the Public Resources Code. Services to be provided to the public agency may include those studies and related services, acquisitions of property and property interests, and any activities related to those studies and acquisitions necessary for the conservation, preservation, improvement, or restoration of park and natural lands or historical resources.

(13) That of an officer, employee, or member of the Board of Directors of the California Housing Finance Agency with respect to a loan product or programs if the officer, employee, or member participated in the planning, discussions, development, or approval of the loan product or program and both of the following two conditions exist:

(A) The loan product or program is or may be originated by any lender approved by the agency.

(B) The loan product or program is generally available to qualifying borrowers on terms and conditions that are substantially the same for all qualifying borrowers at the time the loan is made.

(b) An officer or employee shall not be deemed to be interested in a contract made pursuant to competitive bidding under a procedure established by law if his or her sole interest is that of an officer, director, or employee of a bank or savings and loan association with which a party to the contract has the relationship of borrower or depositor, debtor or creditor.

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