

## 2014 Local Agency Biennial Notice

Name of Agency: Manzanita Public Charter School  
Mailing Address: 991 Mountain View Blvd.  
Contact Person: Nancy Hardy Phone No: (805) 734-5600  
E-Mail: nancy.hardy@manzanitacharterschool.com

Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.

This agency has reviewed its conflict of interest code and has determined that (check one box):

☒ An amendment is required. The following amendments are necessary:

(Mark all that apply.)

- Include new positions (including consultants) that must be designated
- Revise disclosure categories
- Revise the titles of existing positions
- Delete positions that no longer make or participate in making governmental decisions
- Other (describe) \_\_\_\_\_

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COUNTY OF SAN DIEGO  
CLERK OF SUPERIOR COURT

☐ The code is currently under review by the code reviewing body.

☐ No amendment is required. (If your code is more than five years old, amendments may be necessary.)

### Verification

*This agency's conflict of interest code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure categories assigned to those positions accurately require the disclosure of all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions. The code includes all other provisions required by Government Code Section 87302.*

Nancy Hardy  
Signature of Chief Executive Officer

10-1-14  
Date

Complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 1, 2014**, or by the date specified by your agency, if earlier, to:

(PLACE RETURN ADDRESS OF THE CODE REVIEWING BODY HERE)

**PLEASE DO NOT RETURN THIS FORM TO THE FPPC**

# **MANZANITA PUBLIC 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 Manzanita Public 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 Manzanita Public Charter School ("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
CEO/President/ <u>Executive Director</u>	1, 2, 3
Chairman of the Board	1, 2, 3
CFO/Treasurer	1, 2, 3
Secretary	1, 2, 3
Principal of Charter School	1, 2, 3
<u>School Manager</u>	1, 2, 3
<u>Director of Curriculum</u>	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 Principal 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 Principal'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 Manzanita Public Charter School 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 Manzanita Public Charter School.

#### **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 Manzanita Public Charter School, 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 Manzanita Public Charter School, 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.

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# Manzanita Education Alliance Governance Board

## MINUTES

### Board Meeting Agenda

#### Governance Board Members

Chairman – Randy Wolf	Present
Secretary – Eric Wilhelm	Absent
Treasurer – Rodolfo Bueno	Present
Member – Lynn Diamantopoulos	Late
Member – Juan Carlos Castañeda	Present
Executive Director – Nancy Hardy	Present
LUSD – Sheldon Smith	Present

The special meeting of the Governing Board of Manzanita Public Charter School will be held at Manzanita Public Charter School, 991 Mountain View Blvd, VAFB, CA on **Wednesday, November 12, 2014** at 6:30 p.m.

#### (A) Opening

Call to Order

Time: 6:40 p.m.

Pledge of Allegiance 3/5 (re-established 4/5)

Opening Comments/Introductions

Approval of meeting minutes for the November 12, 2014 Regular Board Meeting.

(Attachment A)

Motion: **RODOLFO BUENO** Second: **JUAN CARLOS CASTAÑEDA**

Vote: 3/0

#### (B) Communications

Instructions for Presentations to the Board by Parents and Citizens

Manzanita Public Charter School ("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. Yellow "Request to Speak" forms are available in Spanish and English to all audience members who wish to speak on any agenda item(s) or under the general category of "Oral Communications."
3. "Oral Communications" 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 each and total time allotted to non-agenda items will not exceed fifteen (15) minutes. The Board may give direction to staff to respond to your concern or you may be offered the option of returning with a citizen-requested item.
4. With regard to items that are on the agenda, you may specify that agenda item on your request form and you will be given an opportunity to speak for up to three (3) minutes when the Board discusses that item.

## APPROVED

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

In compliance with the Americans with Disabilities Act (ADA) and upon request, the School may furnish reasonable auxiliary aids and services to qualified individuals with disabilities. Individuals who require appropriate alternative modification of the agenda in order to participate in Board meetings are invited to contact the Director's office. Brown Act Governance Training with Janelle Ruley from Young, Minney and Corr.

### **(C) Consent Agenda Items**

None

### **(D) Discussion/Action**

1. Approval of Service Agreement with Innovative School Solutions (Nancy Hardy) (Attachment B)  
Motion: LYNN DIAMANTOPOULOS Second: RODOLFO BUENO Vote: 4/0
2. Approval of Cleaning Service Agreement Service Master for 2014-2015 (Nancy Hardy) (Attachment C)  
Motion: JUAN CARLOS CASTAÑEDA Second: RODOLFO BUENO Vote: 4/0
3. Approval of Check Detail and Unpaid Bills Detail (Nancy Hardy) (Attachment D)  
Motion: RODOLFO BUENO Second: LYNN DIAMANTOPOULOS Vote: 4/0
4. Approval of Conflict of Interest Code Revisions for 2014-2015 (Nancy Hardy) (Attachment E)  
Motion: LYNN DIAMANTOPOULOS Second: JUAN CARLOS CASTAÑEDA Vote: 4/0
5. Approval of Title 1 proposed change from targeted assisted program to school-wide program (Nancy Hardy)  
Motion: RODOLFO BUENO Second: LYNN DIAMANTOPOULOS Vote: 4/0

### **(E) Discussion Items**

Approval of MOU between Lompoc Unified School District and Manzanita Public Charter School (Nancy Hardy)  
LUSD Draft from here on till end of charter contract 2018 and go back to past years (not signed) (Attachment F)  
School Security development of emergency response comprehensive plan (Nancy Hardy)  
Draft of First Interim Financial Report was presented to the board, along with an explanation of how the report will look when it is approved at the Dec meeting. Final Report will include a revised budget, actuals as of 10/31/14, and a multiyear projection. Discussion included raising the ADA, reducing expenses, and the reserves. (Nancy Dow)

### **(F) Reports**

Reading Recovery Report – Kathy Franson  
Spanish Pathways Report – Josefina Cabrera  
Executive Director's Report – Nancy Dow

### **(G) Future Agenda Items**


Procedural, no substantive discussion of issues

### **(H) Next Meeting**

The next scheduled meeting of the Governance Board will be held on January 14, 2015 at 6:30 p.m. at Manzanita Public Charter School.

### **(I) Adjournment**

Time: 8:34 p.m.

  
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