Ocean Charter School

Conflict of Interest Policy

# Purpose:

The purpose of the Conflict of Interest Policy is to protect Ocean Charter School’s interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of an officer, trustee or employee of Ocean Charter School or might result in a possible excess benefit transaction. This policy is intended to supplement but does not replace: (i) any applicable state and federal laws governing conflicts of interest applicable to California public charter schools; and (ii) Ocean Charter School’s Conflict of Interest Code, adopted pursuant to the Political Reform Act (Government Code Section 81000 *et seq.*), including the exhibits attached thereto.

**III. DISQUALIFICATION**

No designated position shall make, participate in making, or try to use his/her official position to influence any Ocean 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.

**IV. MANNER OF DISQUALIFICATION**

1. Non-Board Member Designated Positions

When a non-Board member designated position determines that he/she should not make a decision because of a disqualifying interest, he/she shall 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 Executive Director this determination and disclosure shall be made in writing to Board of Trustees.

1. Board Member Designated Position

Board members shall disclose a disqualifying interest at the meeting during which consideration of the decision takes place. After disclosure of the disqualifying interest and all material facts, he/she shall leave the Board meeting while the determination of a conflict of interest is discussed and voted upon. The remaining board members shall decide if a conflict of interest exists.

This disclosure shall be made part of the Board’s meeting minutes. The Board meeting minutes shall include the names of the persons who disclosed or otherwise were found to have a disqualifying interest in connection with an actual or possible conflict of interest, the nature of the disqualifying interest, any action taken to determine whether a conflict of interest was present, and the Board’s decision as to whether a conflict of interest in fact existed.

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 influencing or attempting to influence the vote on the matter) and shall comply with any applicable provisions of the Ocean Charter School Bylaws.

If the Board determines that a conflict of interest exists, Ocean Charter School shall not enter into a contract or transaction (1) in which a trustee directly or indirectly has a material financial interest; or (2) with any other corporation, firm, association, or other entity in which one or more of Ocean Charter School’s trustees are a trustee and have a material financial interest.

Adopted:

Amended:

# Ocean Charter School: Conflict of Interest Verification/Signature

I, , hereby certify that as of the date this certification is made:

* 1. I have received and fully read Ocean Charter School Conflict of Interest Policy. I understand the Ocean Charter School Conflict of Interest Policy.
  2. I accept and agree to comply with the Ocean Charter School Conflict of Interest Policy.
  3. Except as fully described in any signed statement attached hereto, I do not have any financial interest that requires disclosure under the terms of the Ocean Charter School Conflict of Interest Policy.
  4. If any financial interest should arise, I will immediately (not to exceed 10 business days) and fully disclose the relevant circumstances to the Board of Trustees or its President to determine whether a potential or actual conflict exists.
  5. I will disclose any nonfinancial interests to the Board for which a reasonable person could reasonably conclude that the interest might interfere with my judgment or decision­ making.
  6. If an actual or potential conflict is determined, Ocean Charter School may take whatever corrective action appears appropriate according to the circumstances and that failure to disclose facts shall constitute grounds for disciplinary action up to and including suspension without pay or termination.
  7. I understand Ocean Charter School is a non-profit organization and that, in order to maintain its federal tax exemption, it must engage primarily in activities that accomplish one or more of its tax-exempt purposes.

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Print Name

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Sign Name and Date