



## **OCEAN CHARTER SCHOOL CONFLICT OF INTEREST POLICY**

### **I. PURPOSE**

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

### **II. DESIGNATED POSITIONS**

Persons at the Charter School, including members of the Board of Trustees (“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 positions.” The designated positions are listed in Exhibit “B,” which is hereby incorporated by reference, attached to the Charter School’s Conflict of Interest Code Bridge Policy.

### **III. DISQUALIFICATION**

No designated position 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.

### **IV. MANNER OF DISQUALIFICATION**

#### **A. 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 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 position who is head of an agency, this determination and disclosure shall be made in writing to his/her appointing authority.

#### **B. Board Member Designated Position**

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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 Charter School Bylaws.

If the Board determines that a conflict of interest exists, the Charter School shall not enter into a contract or transaction (1) in which a director 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 the Charter School's directors are a director and have a material financial interest.

Adopted Date:

Amended Date: