



Conflict of Interest Code

Introduction

In compliance with the Political Reform Act of 1974, California Government Code Section 87100, et seq., Westlake Charter School hereby adopts this Conflict of Interest Code (“Code”), which shall apply to governing board members and all designated employees of Westlake Charter School (“WCS”), as specifically required by California Government Code Section 87300.

Applicability

As applicable to a California public charter school and the WCS Charter, 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.

Designated Filers

Governing Board Members and Designated Employees 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 listed in Exhibit A, attached to this Policy and incorporated by reference herein.

Statement of Economic Interests

Each individual designated in Exhibit A shall file a Statement of Economic Interest (“Statement”) at the time and in the manner prescribed below, disclosing reportable investments, interests in real property, business positions, and income required to be reported under the category or categories assigned to that individual 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 participate 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 WCS

All Statements shall be supplied by and filed with WCS. The Secretary to the Board of Directors shall serve as the Filing Officer for WCS and shall make and retain a copy of the filed Statements.

Disqualification

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



Manner of Disqualification

A. Governing Board Member

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 and comply with any applicable provisions of the WCS bylaws (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).

B. Designated Employees

When a 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 the Executive Director and the Board President. The supervisor shall immediately reassign the matter to another employee. The Executive Director shall forward the disclosure notice to the Filing Officer, who shall record the employee's disqualification. In the case of the Executive Director determining he/she should not make a decision because of a disqualifying interest, this determination and disclosure shall be made in writing to the Board President.



EXHIBIT A

Designated Positions

I. Persons occupying positions with any of the following identifiers in their job title must disclose financial interests in all categories defined in Exhibit B.

- A. Members of the Governing Board/Corporate Officers
- B. Executive Director
- C. Chief Business Officer
- D. Director*
- E. Principal

**For the purposes of this Policy, the Athletic Director and Activities Director do not have expenditure authority and therefore are not considered Designated Positions.*

II. Persons occupying positions with any of the following identifiers in their job title must disclose financial interests defined in Categories 2 and 3 of Exhibit B.

- A. Dean
- B. Manager
- C. Coordinator
- D. Budget & Accounting Specialist
- E. Facilities Lead

III. Persons providing professional services listed below must disclose financial interests defined in Category 4 of Exhibit B.

- A. Consultant
- B. Contractor



EXHIBIT B

Disclosure Categories for Designated Positions

CATEGORY 1:

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.

i. 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 subcontractors 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.

i. 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.

ii. 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.

iii. 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:

Investments in or income from business entities which manufacture or sell supplies, books, machinery or equipment of the type utilized by the department of the designated employee. Investments include interests described in Category 1.

CATEGORY 3:

Investments in or income from business entities which are contractors or subcontractors engaged in the performance of work or services of the type utilized by the department of the designated employee. Investments include the interests described in Category 1.

CATEGORY 4:

Consultants shall disclose pursuant to Category 1 subject to the following limitation: The Executive Director, or designee, 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 described in this Section. Such written determination shall include a description of the consultant's duties and, based upon that determination, a statement of the extent of disclosure requirements. Such determination shall be a public record and shall be retained for public inspection in the same manner and location as the conflict of interest code.