

**APPENDIX TO  
CONFLICT OF INTEREST CODE OF  
PACIFIC VIEW CHARTER SCHOOL**

COUNTY OF SAN DIEGO  
BOARD OF SUPERVISORS  
2009 DEC 4 AM 8 43

**Preamble**

THOMAS J. PASTUSZKA  
CLERK OF THE BOARD  
OF SUPERVISORS

Any person designated in Section I of this Appendix who is unsure of any right or obligation arising under this Code may request a formal opinion or letter of advice from the FPPC or an opinion from Pacific View Charter School's ("PVCS") General Counsel. (Gov. Code § 83114; 2 Cal. Code of Regs. § 18730(b)(11).) A person who acts in good faith in reliance on an opinion issued to him or her by the FPPC shall not be subject to criminal or civil penalties for so acting, provided that all material facts are stated in the opinion request. (Gov. Code § 83114(a).)

Opinions rendered by General Counsel do not provide any statutory defense to an alleged violation of conflict of interest statutes or regulations. The prosecuting agency may, but is not required to, consider a requesting party's reliance on General Counsel's opinion as evidence of good faith. In addition, PVCS may consider whether such reliance should constitute a mitigating factor to any disciplinary action that PVCS may bring against the requesting party under Government Code § 91003.5.

**I.**

**Designated Employees**

Designated Employees

Categories Disclosed

Members of the Board of Directors of PVCS

All

Director, PVCS

All

Consultants<sup>1</sup>

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<sup>1</sup> With respect to consultants, the Director may determine in writing that a particular consultant, although a "designated employee," is hired to perform a range of duties that is limited in scope and thus is not required to comply with the written disclosure requirements described in these categories. 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 by PVCS in the same manner as this Conflict of Interest Code. Nothing herein excuses any such consultant from any other provision of this Conflict of Interest Code.

## II.

### Disclosure Categories

#### Category 1. All-Inclusive Reportable Investments

A designated employee in this category shall report all reportable investments, as defined in Government Code §82034, in business entities located in, doing business in, planning to do business in, or having done business in the previous two (2) years in San Diego County which operate or provide any of the following:

- Accounting or auditing services
- Banks and savings and loans
- Computer hardware or software, or computer services or consultants
- Communications equipment or services
- Educational services, supplies and materials
- Entities or persons who have filed claims against PVCS or have claims pending against PVCS
- Insurance brokers and agencies
- Insurance adjusting, claims auditing or administration, or underwriting services
- Office equipment or supplies
- Personnel and employment companies and services
- Printing or reproduction services, publications, and distribution
- Securities, investment or financial services companies
- Title insurance and escrow

#### Category 2. Reportable Interests in Real Property

A designated employee in this category shall disclose all interests in real property, as defined in Government Code §§82033 and 82035, that is

- (a) within or not more than two (2) miles outside the boundaries of San Diego County that has situated on it any business entity named in category no. 1 above; or
- (b) within two (2) miles of any facility or real property owned or used by PVCS.

#### Category 3. Reportable Income

A designated employee in this category shall disclose all income as defined in Government Code §82030 of the designated employee from the below-listed sources located in, doing business in, planning to do business in, or having done business in the previous two (2) years in San Diego County during the reporting period.

- Accounting or auditing services
- Banks and savings and loans
- Computer hardware or software, or computer services or consultants
- Communications equipment or services

- Educational services, supplies and materials
- Entities or persons who have filed claims against PVCS or have claims pending against PVCS
- Insurance brokers and agencies
- Insurance adjusting, claims auditing or administration, or underwriting services
- Office equipment or supplies
- Personnel and employment companies and services
- Printing or reproduction services, publications, and distribution
- Securities, investment or financial services companies
- Title insurance and escrow

Category 4. Less-Inclusive Reportable Investments

A designated employee in this category shall disclose only investments as defined in Government Code §82034 in any business entity, which within the last two years has contracted with or in the foreseeable future may contract with PVCS to provide personnel, services, supplies, material, machinery or equipment:

(a) to PVCS, of the type utilized by PVCS which is located in or doing business in San Diego County, and associated with the job assignment or position of the designated employee; or

(b) to any entity which has contracted with PVCS within the last two years or which in the future foreseeably may contract with PVCS to provide services, supplies, materials, machinery or equipment associated with the job assignment or position of the designated employee.

Category 5. Less-Inclusive Reportable Income

A designated employee in this category shall disclose only that reportable income as defined in Government Code §82030 which is derived from a source which within the last two years has contracted with PVCS or in the future foreseeably may contract with PVCS to provide personnel, services, supplies, materials, machinery or equipment:

(a) to PVCS, of the type utilized by PVCS which is located in or doing business in San Diego County, and associated with the job assignment or position of the designated employee; or

(b) to any entity which has contracted with PVCS within the last two years or which in the future foreseeably may contract with PVCS to provide personnel, services, supplies, materials, machinery or equipment associated with the job assignment or position of the designated employee.

Category 6. Business Positions

A designated employee in this category shall disclose by completing Form 700, Schedule "C." A designated employee shall list:

(a) the name and address of each business entity in which he or she is a director, officer, partner, trustee, employee, or in which he or she holds any position of management;

(b) a description of the business activity in which the business entity is engaged; and

(c) the designated employee's position with the business entity.

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**RESOLUTION REGARDING  
CONFLICT OF INTEREST CODE OF  
PACIFIC VIEW CHARTER SCHOOL**

1. Standard Code of FPPC

The Political Reform Act of 1974 (Government Code § 81000 *et seq.*) requires each state and local government agency to adopt and promulgate a conflict of interest code. As a local government agency, Pacific View Charter School ("PVCS") is therefore required to adopt such a code. The Fair Political Practices Commission ("FPPC") has adopted a regulation (2 Cal. Code of Regs. § 18730) which contains the terms of a model conflict of interest code, which can be incorporated by reference as an agency's code. After public notice and hearing, the regulation may be amended by the FPPC to conform to amendments in the Political Reform Act.


2. Adoption of Standard Code of FPPC

The terms of 2 Cal. Code of Regs. § 8730 and any future amendments to it duly adopted by the FPPC are hereby adopted and incorporated herein by reference. This regulation and the Appendix attached hereto designating officials and employees and establishing disclosure categories shall constitute the Conflict of Interest Code of PVCS. This Code shall take effect when approved by the Board of Supervisors for the County of San Diego, and shall thereupon supersede any and all prior codes adopted by PVCS.


3. Filing of Statements of Economic Interests

Pursuant to Section 4 of the model code set forth in 2 Cal. Code of Regs. § 18730(b), designated employees set forth in the Appendix shall file Statements of Economic Interests (Form 700) with the Secretary of PVCS. Upon receipt of the statements of the members of the Board of Directors, the Secretary shall make and retain copies and forward the originals of these statements to the Clerk of the Board of Supervisors for the County of San Diego. Statements for all other designated employees shall be retained by the Secretary.

APPROVED AND ADOPTED by the Board of Directors of PVCS on the 15<sup>th</sup> day of September, 2009.

  
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Martha Brown, President  
Pacific View Charter School

ATTEST:

  
\_\_\_\_\_  
Gina Campbell, Secretary  
Pacific View Charter School

**DECLARATION OF DIRECTOR OF  
PACIFIC VIEW CHARTER SCHOOL REGARDING ADOPTION OF  
CONFLICT OF INTEREST CODE**

I, Gina Campbell, hereby declare:

I am the Director of Pacific View Charter School, a California charter school and a nonprofit public benefit corporation ("PVCS").

On September 15, 2009, the Board of Trustees of PVCS considered the proposed Conflict of Interest Code. The proposed Code designates the officers, employees and consultants who make governmental decisions and exercise responsibility for the management of PVCS's investments.

The Board of Trustees set November 10, 2009, for a public hearing, if requested, and for final adoption of the Conflict of Interest Code. Thereafter, notice of intent to adopt the Conflict of Interest Code was published on September 24, 2009, in a newspaper of general circulation in San Diego County. I also posted a notice of intent to adopt the Conflict of Interest Code on September 24, 2009, in the staff lounge

On November 10, 2009, at the time and place set forth in the notice, [*a public hearing was held on the proposed Conflict of Interest Code. No person appeared at the public hearing, and no written comments were received. Accordingly, the hearing was thereupon closed and*] the Board of Trustees adopted the Conflict of Interest Code and directed that it be submitted to the San Diego County Board of Supervisors as the code reviewing body.

Dated: 11/13, 2009

  
\_\_\_\_\_  
Gina Campbell, Director

**Pacific View Charter School**  
**(A California Charter School)**  
**ORGANIZATION STRUCTURE**  
**June 30, 2009** (revised 9-2009)

Pacific View Charter School (Charter #247) was formed pursuant to Education Code Section 47600 under agreement with Oceanside Unified School District granted in July 1999.

**BOARD OF TRUSTEES**

<u>Name</u>	<u>Office</u>	<u>Term/Term Expiration</u>
Martha Brown	President	One Year Term Expires March 2011
Bob Gleisberg	1 <sup>st</sup> Vice President	Three Year Term Expires January 2011
Jon Walters	2 <sup>nd</sup> Vice President	Three Year Term Expires July 2010
Ann Stanfield	Board Trustee	Three Year Term Expires March 2012
David Haynes II	Board Trustee	Three Year Term Expires March 2012
Dr. Duane Coleman	District Representative	Condition of employment
Gina Campbell	Secretary (ex-officio)	Condition of employment
Sandra R. Benson	Chief Financial Officer (ex-Officio)	Condition of employment

**ADMINISTRATION**

Gina Campbell	Founding Director
Kathy Crouse	Assistant Director
Sandra R. Benson	Business Manager
Kira Fox	Administrative Coordinator

**ADVISORY**

Gina Campbell	Mary Roberts
Kathy Crouse	Lena Rumps
Sandra Benson	John Sturm
Kira Fox	Jessica Venezia

# Pacific View Charter School

## Board Governance

## Board Policy #2

### Powers and Duties of the Board of Trustees

The Board shall not be bound in any way by any statement or action on the part of individual members, except when such statement or action is in pursuance of specific instructions of the Board of Trustees.

The primary powers and duties of the Board are as follows:

### General Administration

#### A. Chief Executive Officer

1. The Board selects and evaluates the chief executive officer (per the applicable employment contract or other agreement), hereinafter referred to as the Director, and supports the Director in the discharge of all primary duties.
2. The Board consults with the Director on his or her recommendations and acts upon them.

#### B. Control

The Board exercises control of the School in accordance with the constitution and applicable laws and regulations.

#### C. Policies

The Board establishes policies and appraises the effectiveness of the execution of such policies.

#### D. Calendar

The Board of Trustees approves the annual calendar.

### Business

#### A. Budget

The Board considers the annual budget prepared by the Business Manager and approves the annual operating budget resulting from such consideration.

#### B. Accounting

The Board provides for the establishment of necessary procedures to assure proper accounting of receipts, disbursements and balances and considers reports on the financial condition of the school.

C. Audit

The Board provides for periodic audits of funds of the School as required by law, including funds of student body organizations.

D. Expenditures

The Board authorizes the Director or designee to approve expenditures in accordance with the budget.

Curriculum

A. Course of study

The Board approves courses of study for the School upon consideration of the recommendation of the Director.

B. Progress Reports

The Board requires and discusses reports of the Director concerning the educational progress of the school.

Personnel

A. Appointment

The Board delegates to the Director the authority to supervise, hire and terminate all personnel other than the Business Manager. The Business Manager shall be hired by the Board based on the recommendation of the Director.

B. Salaries

The Board has the final authority to establish salary schedules. The director should be able to give merit increases and set salary levels within ranges approved by the board.

Plant Facilities

A. Adequacy of Facilities

The Board is responsible for overseeing the provision of housing, equipment, supplies and other facilities for the operation of the School.

B. Capital Outlay

The Board confers with the administration, to make final determination relative to matters of capital outlay over \$5,000.00 with special reference to buildings, sites, major improvements and equipment, upon recommendation of the Director.

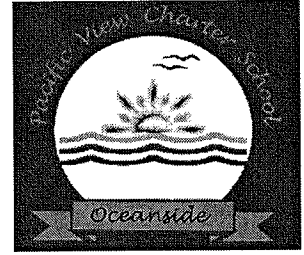
### Public Relations

The Board, recognizing public relations are the result of the actions and statements of the Board and the Director and other employees of the School, hears communications, written and/or oral, from citizens and organizations on matters of administration, finance, organization, policy and program.

Adopted: Board Approved 10-05-04

Amended:

## PACIFIC VIEW CHARTER SCHOOL



### **Administration**

#### **Job Description – Director**

#### **Description of Position**

The Director is directly responsible to the Governing Board, and supervises all school operations in accordance with Board policies. Although the Director may delegate appropriate powers and duties so that operation all decisions can be made at various levels, he/she is responsible for the execution of these powers and duties and will establish administrative regulations as needed to manage the school.

#### **Duties related to the Board**

The Director:

1. Advises the Board on the need for new, and the revision of, policies, and makes policy recommendations.
2. Submits to the Board recommendations relative to all matters requiring Board action, together with the materials needed for informed decisions.
3. Reports periodically on all school operations.
4. Secures legal opinions when needed.
5. Submits staff members' communications to the Board or to Board committees at regular Board meetings, with or without recommendations.
6. Communicates relevant and timely information to the board.

#### **Duties related to the Staff**

The Director:

1. Coordinate the work of all educators and volunteer staff.
2. Directs the employment and assignment of administrative staff and coordinates administrative staff activities.
3. Selects and recommends to the Board the best qualified and most competent candidates for employment, in accordance with non discrimination policy and affirmative action plans.
4. Advises the Board regarding the leave, classification, resignation, promotion, suspension or dismissal of school employees.
5. Assigns personnel within the school in accordance with Board Policy.

6. Arranges for the evaluation of each staff member and identifies appropriate opportunities for continued professions development.
7. Maintains appropriate channels of communication within the school and ensures that staff is informed about relevant federal, state and county laws, school policies, regulations and procedures, and matters related to the improvement and welfare of the school.

### **Duties related to the Students and the Educational Program**

The Director:

1. Enforces attendance laws.
2. Continuously observes the instructional program in the school and provides the Board with regular evaluations of school programs and student progress.
3. Together with staff, studies the curriculum and makes recommendations to the Board regarding the courses of study, major changes in texts and time schedules, and potentially sound innovative programs.
4. Apprises the Board of contemporary educational practices and related legislative issues which he/she discovers by reading, attending professional conferences and visiting other school systems.
5. Under appropriate circumstances, recommends to the Board a student's suspension or expulsion.

### **Duties related to Non-Instructional Operations**

The Director:

1. Assisted by the Business Manager seeks and identifies sources of income and funding.
2. Assisted by the Business Manager, submits to the Board periodic financial and budgetary reports which identify the school's obligations.
3. Assisted by the Business Manager, annually prepares and submits to the Board the school's budget for the upcoming year, revises this budget, or takes other related action as the Board designates.
4. Approves all expenditures in accordance with Board policy and within Board-approved appropriation limits.
5. Makes recommendations to the Board regarding the maintenance, safety, improvement and/or expansion of facilities, sites, equipment and transportation services.
6. Develops instructions and regulations governing the use and care of school properties for school purposes.

## **Duties related to the Community**

The Director:

1. Represents and advocates for the Board in relationships with city, county, and state governments, private agencies, and the school community.
2. Sees that the community is informed about school matters through appropriate informational materials.
3. Participates in appropriate community organizations and functions to obtain support for the attainment of school goals.
4. Hears complaints against the school and resolves controversies between employees and students or parents/guardians.

## **Qualifications Guide**

1. Master's degree in education, administration, or other relevant area.
2. Experience in education as a teacher and/or administrator.
3. Preferably holds or is willing to obtain an administrative credential or has 3-5 years of administrative experience in a charter school.

## **Physical Demands**

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is regularly required to sit and use hands to finger, handle or feel objects, tools, or controls. The employee is occasionally required to walk and access all areas of the School.

## **Work Environment**

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

The noise level in the work environment is usually moderate.

## **Experience**

Five years as a classroom teacher and other adjunct duties of increasingly responsible and varied administrative tasks in a school district or charter school environment.

BOARD APPROVED APRIL 19, 2004.