

September 9, 2024

## 2024 Local Agency Biennial Notice

Clerk of the Board

Name of Agency: University Preparation Charter School at CSU Channel Islands

Mailing Address: 1099 Bedford Drive

Contact Person: Lisa Donofrio Phone No. 805-482-4608

Email: ldonofrio@pleasantvalleysd.org

Alternate Email: \_\_\_\_\_

**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:**

(*Check all that apply.*)

- ☐ Include new positions
- ☐ Revise disclosure categories
- ☐ Revise the titles of existing positions
- ☐ Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions
- ☒ Other (*describe*) update swe remad eby attor ney

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

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

### Verification (to be completed if no amendment is required)

*This agency's code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure assigned to those positions accurately requires that 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 are reported. The code includes all other provisions required by Government Code Section 87302.*

\_\_\_\_\_  
Signature of Chief Executive Officer

\_\_\_\_\_  
Date

All agencies must complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 3, 2024**, or by the date specified by your agency, if earlier, to: **E-Mail to: [form700clerk@ventura.org](mailto:form700clerk@ventura.org)**

or  
**Mail to: Clerk of the Board of Supervisors**  
**800 S. Victoria Avenue, L# 1920**  
**Ventura, CA 93009-1920**

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

**Redlined**  
**Conflict of Interest Code**



## **CONFLICT OF INTEREST CODE**

### **I. ADOPTION**

In compliance with the Political Reform Act of 1974, California Government Code Section 87100, *et seq.*, the University Preparation School at CSU Channel Islands ("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 the Charter School, as specifically required by California Government Code Section 87300.

~~The California Fair Political Practices Commission has adopted a regulation (Cal. Code Regs., tit. 2, § 18730) which contains the terms of a standard Conflict of Interest Code, which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act of 1974 after public notice and hearings. The terms of California Code of Regulations, title 2, section 18730 and any amendment to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference as the Code for the Charter School.~~

### **II. DEFINITION OF TERMS**

As applicable to a California public charter school, the definitions contained in the Political Reform Act of 1974, ~~and the implementing 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 foresee-ably have a material effect on any financial interest, shall be "designated employees." The designated positions are listed in "Exhibit A" attached to this ~~policy~~ Code and incorporated by reference herein.

### **IV. STATEMENT OF ECONOMIC INTERESTS: FILING**

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**Adopted/Ratified: April 14, 2010**

**Revision Date: 5- 6-13, 11-18-15, 4-29-16, 11-18-16, 3/23/18, 9/30/22, 11/18/22**

## Board Policy - Governance # 903

Each designated employee, including governing board members, shall file a Statement of Economic Interest ("Statement") at the time and manner prescribed by California Code of Regulations, title 2, section 18730, in the Code and below, 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 County Board of Supervisors Charter School. The Charter School's will make and retain a copy of the Form 700s statement filing official for members of the Governing Board, shall make and retain a copy of the Statement and forward the original to the Clerk of the Ventura County Board of Supervisors, the Filing Officer. In preparing completing the Fform 700, Designated filersPositions need only disclose those financial interests falling within their assigned disclosure categories designated for that filer's position as stated in Exhibits A and B.~~

**Commented [KR1]:** The County Board of Supervisors will need to approve the Code and the filing procedure. Most County Boards no longer wish to receive the original Form 700s. Some County Boards will ask for the Form 700s for Board members only with the rest of the Form 700s being retained by the school. As such, this procedure could be revised by the County Board.

### 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 Chief Executive Officer, who shall record the employee's disqualification. In the case of the Executive Director, this determination and disclosure shall be made in writing to the Board of Directors.

#### B. Governing Board Member Designated Employees

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**Adopted/Ratified: April 14, 2010**

**Revision Date: 5- 6-13, 11-18-15, 4-29-16, 11-18-16, 3/23/18, 9/30/22, 11/18/22**



**Board Policy - Governance # 903**

The Charter School shall not enter into a contract or transaction in which a director directly or indirectly has a material financial interest (nor shall the Charter School enter into any contract or transaction with any other corporation, firm, association, or other entity in which one or more of the Charter School's directors are directors and have a material financial interest).

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**Adopted/Ratified: April 14, 2010**

**Revision Date: 5- 6-13, 11-18-15, 4-29-16, 11-18-16, 3/23/18, 9/30/22, 11/18/22**

Board Policy - Governance # 903

**EXHIBIT A**

**Designated Positions**

# of Positions	POSITION TITLE	DISCLOSURE CATEGORIES (From Exhibit B)
Maximum of 9	Members of the Governing Board	1, 2, 3
1	CEO/President/Executive Director	1, 2, 3
1	CFO/Treasurer	1, 2, 3
1	Secretary	1, 2, 3
3	Directors of Charter Schools	1, 2, 3
1	Chief Business Officer	1, 2, 3
1	Purchasing Manager	1, 2
1	Assistant Business Officer	1, 2
1	Information Systems Technician	1, 2, 3
Consultants/New Positions <sup>1</sup>		*

**Commented [CL2]:** I noted that the CEO/President title has been changed to Executive Director. I also see that the school added a Director of Curriculum and Instruction position. Please update these positions accordingly.

Consultants/New Positions shall be included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code, subject to the following limitation: disclosure category in the code, subject to the following limitation:

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The Executive Director may determine in writing that a particular consultant or new position, although a "designated position," is hired to perform a range of duties that is limited in scope and

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<sup>1</sup> Consultants/New Positions shall be 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 disclosure, if any, required of a consultant or new position will be determined on a case-by-case basis by the Director. The determination of whether a consultant or new position has disclosure requirements should be made in writing on a Fair Political Practices Commission Form 805. The determination should include a description of the consultant's or new position's duties and based upon that description, a statement of the extent, if any, of the disclosure requirements. Each Form 805 is a public record and should be retained for public inspection either in the same manner and location as the Conflict of Interest Code, or with appropriate documentation at the location where the Conflict of Interest Code is maintained, cross-referencing to the Form 805. The CEO/President may determine in writing that a particular consultant or new position, 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 or new position's duties and based upon that description, a statement of the extent of disclosure requirements. The CEO/President'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 (Govt. Code § 81008).

**Adopted/Ratified: April 14, 2010**

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## Board Policy - Governance # 903

this is not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the consultant's or new position's duties and, based upon that description, a statement of the extent of disclosure requirements. The Executive Director'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 (Govt. Code § 81008).

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**EXHIBIT B**

***Disclosure Categories***

**Category 1 Reporting:**

~~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.~~

~~(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 sub-contractors 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.~~

~~(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.)~~

~~(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.)~~

~~(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.)~~

Designated positions assigned to this category must report:

a) ~~all~~ interests in real property which are located in whole or in part within two (2) miles :

- of any facility utilized by the Charter School including any leasehold, beneficial or ownership interest or option to acquire such interest in real property.

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## Board Policy - Governance # 903

~~b) Investments and business positions in business entities, and sources of income (including gifts, loans, and travel payments) of the type that engage in the purchase or sale of real property or are engaged in building construction or design.~~

### Category 2 Reporting:

**Commented [KR3]:** Revisions made to conform with our standard recommend version of the conflict of interest code for a charter school operating a single school.

Designated positions assigned to this category must report:

~~a) I-investments and business positions in business entities and sources of income (including receipt of gifts, loans, and travel payments) that are contractors engaged in the performance of work or services, or sources that manufacture, sell, repair, rent or distribute school supplies, books, materials, school furnishings or equipment of the type to be utilized by the Charter School.~~

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

### Category 3 Reporting:

Designated positions assigned to this category must ~~report~~report

~~a)+ Investments and business positions in business entities and sources of income (including receipt of gifts, loans, and travel payments) that are contractors engaged in the performance of work or services, or sources that manufacture, sell, repair, rent or distribute school supplies, books, materials, school furnishings or equipment of the type to be utilized by the designated position's department.~~

~~A. Investments in or income from business entities which are contractors or sub-contractors engaged in the performance of work or services of the type utilized by the department for which the designated employee is Manager or Director. Investments include the interests described in Category 1.~~

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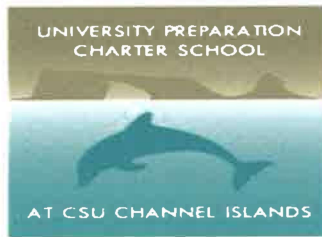
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**Amended  
Conflict of Interest Code**



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## Board Policy - Governance # 903

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All Statements shall be filed with the County Board of Supervisors. The Charter School will make and retain a copy of the Form 700s and forward the original to the Clerk of the Ventura County Board of Supervisors, the Filing Officer. In completing the Form 700, Designated Positions need only disclose those financial interests falling within their assigned disclosure categories as stated in Exhibits A and B.

### **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 Chief Executive Officer, who shall record the employee's disqualification. In the case of the Executive Director, this determination and disclosure shall be made in writing to the Board of Directors.

#### **B. Governing Board Member Designated Employees**

The Charter School shall not enter into a contract or transaction in which a director directly or indirectly has a material financial interest (nor shall the Charter School enter into any contract or transaction with any other corporation, firm, association, or other entity in which one or more of the Charter School's directors are directors and have a material financial interest).

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**EXHIBIT A*****Designated Positions***

<b># Of POSITIONS</b>	<b>POSITION TITLE</b>	<b>DISCLOSURE CATEGORIES (From Exhibit B)</b>
Maximum of 9	Members of the Governing Board	1, 2
1	Executive Director	1, 2
1	CFO/Treasurer	1, 2
3	Directors of Charter Schools	1, 2
1	Chief Business Officer	1, 2
1	Purchasing Manager	2
1	Assistant Business Officer	3
1	Information Systems Technician	3
Consultants/New Positions		*

Consultants/New Positions shall be included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code, subject to the following limitation:  
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The Executive Director may determine in writing that a particular consultant or new position, 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 or new position’s duties and, based upon that description, a statement of the extent of disclosure requirements. The Executive Director’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 (Govt. Code § 81008).

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**EXHIBIT B**

***Disclosure Categories***

**Category 1 Reporting:**

- Designated positions assigned to this category must report:
  - a) Interests in real property which are located in whole or in part within two (2) miles of any facility utilized by the Charter School including any leasehold, beneficial or ownership interest or option to acquire such interest in real property.

**Category 2 Reporting:**

Designated positions assigned to this category must report:

- a) Investments and business positions in business entities and sources of income (including receipt of gifts, loans, and travel payments) that are contractors engaged in the performance of work or services, or sources that manufacture, sell, repair, rent or distribute school supplies, books, materials, school furnishings or equipment of the type to be utilized by the Charter School.

**Category 3 Reporting:**

Designated positions assigned to this category must report

- a) Investments and business positions in business entities and sources of income (including receipt of gifts, loans, and travel payments) that are contractors engaged in the performance of work or services, or sources that manufacture, sell, repair, rent or distribute school supplies, books, materials, school furnishings or equipment of the type to be utilized by the designated position's department.

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**Adopted/Ratified: April 14, 2010**

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