



Date: August 18, 2020

To: Navigator Schools Board

From: Sean Martin, Executive Assistant to the CEO / Special Projects Coordinator

Subject: Conflict of Interest Code

State legislation requires the California Fair Political Practices Commission (FPPC) to collect a Statement of Economic Interest (Form 700) from elected officials and public employees. This practice promotes transparency and accountability, ensuring officials do not make decisions for their own financial gain or personal interest. Organizations are required to adopt a Conflict of Interest Code to inform the Form 700 process.

As part of the adoption procedure, Navigator's proposed Conflict of Interest Code was posted for public review for a period of forty-five days. The review period ended on August 14, 2020 without comment. The Code is now cleared for formal approval by the Board of Directors of Navigator Schools. After approval, the Code will be forwarded to relevant county boards of supervisors. This step is required of Navigator Schools due to the fact that the organization manages schools in multiple counties.

As a final step, the Code will be submitted to the FPPC along with Navigator's complete Form 700 packet. The Code identifies staff and board roles for which the submission of Form 700 is required. It also adds specificity to future Form 700 reporting requirements, limiting the scope of interest to the realm of education and the management of schools.

It is recommended that the board vote to approve the Conflict of Interest Code for Navigator Schools.

NOTICE OF INTENTION TO ADOPT  
THE CONFLICT OF INTEREST CODE OF NAVIGATOR SCHOOLS

NOTICE IS HEREBY GIVEN that the Navigator Schools pursuant to the authority vested in it by section 87306 of the Government Code proposes to adopt a conflict of interest code. A comment period has been established commencing on July 1, 2020 and closing on August 14, 2020. All inquiries should be directed to the contact listed below.

The Navigator School's proposed conflict of interest code includes employee positions that involve the making or participation in the making of decisions that may foreseeably have a material effect on any financial interest, as set forth in subdivision (a) of section 87302 of the Government Code. The code adoption carries out the purposes of the law and no other alternative would do so and be less burdensome to affected persons.

The proposed code adoption can be obtained from the agency's contact. Any interested person may submit written comments relating to the proposed code by submitting them no later than **August 14, 2020**, or at the conclusion of the public hearing, if requested, whichever comes later. At this time, no public hearing is scheduled. A person may request a hearing no later than **July 30, 2020**.

Navigator Schools has determined that the proposed code adoption:

1. Imposes no mandate on local agencies or school districts.
2. Imposes no costs or savings on any state agency.
3. Imposes no costs on any local agency or school district that are required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.
4. Will not result in any nondiscretionary costs or savings to local agencies.
5. Will not result in any costs or savings in federal funding to the state.
6. Will not have any potential cost impact on private persons, businesses or small businesses.

All inquiries concerning this proposed code adoption and any communication required by this notice should be directed to: Sean Martin, Executive Assistant to the Chief Executive Officer, (831) 217-4894, [sean.martin@navigatorschools.org](mailto:sean.martin@navigatorschools.org).

## NAVIGATOR SCHOOLS CONFLICT OF INTEREST CODE

The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 California Code of Regulations §18730) that contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendices, designating positions and establishing disclosure categories, shall constitute the conflict of interest code for the **Navigator Schools**.

Individuals holding designated positions shall file statements of economic interests with **Navigator Schools** which will make the statements available for public inspection and reproduction (Government Code § 81008). All statements will be retained by **Navigator Schools**.

**APPENDIX A  
DESIGNATED POSITIONS**

<u>Designated Positions</u>	<u>Disclosure Category</u>
Corporate Officers (e.g., President, CFO/Treasurer, Secretary)	1, 2
Chief Executive Officer	1, 2
Chief Academic Officer	2
Principal	1, 2
Director of Human Resources	2
Director of Engagement and Partnerships	2
Director of Information Technology and Operations	3
Director of Student Services	3
Manager of Information Technology	2
Director of Business and Finance	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:

The CEO or designee 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 or designee’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 (Government Code § 81008).

Officials Who Manage Public Investments

It has been determined that the position(s) listed below manage public investments and will file a statement of economic interests pursuant to Government Code Section 87200.

- Members of the Governing Board

An individual holding one of the above listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been incorrectly categorized. The Fair Political Practices Commission makes the final determination whether a position is covered by Government Code Section 87200.

**APPENDIX B**  
**DISCLOSURE CATEGORIES**

Category 1

Designated positions assigned to this category must report:

- a) Interests in real property that are located in whole or in part within a two-mile radius:
  - of any school district that has authorized a **Navigator Schools** charter school, or
  - of any facility utilized by **Navigator Schools**' charter schools, or
  - of a proposed site for a **Navigator Schools** facility.
  
- 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

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 **Navigator Schools**.

Category 3

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.

**NAVIGATOR SCHOOLS  
WRITTEN EXPLANATION OF REASONS FOR DESIGNATIONS AND  
DISCLOSURE RESPONSIBILITIES**

Pursuant to the California Fair Political Practices Commission Regulation 18750 (2 CCR §18750) Navigator Schools provides this written explanation of the reasons for designation and disclosure responsibilities:

**Designation**

The positions of Members of the Board of Directors, Corporate Officers (e.g., President, CFO/Treasurer, Secretary), Chief Executive Officer, Chief Academic Officer, Principal, Director of Human Resources, Director of Engagement and Partnerships, Director of Information Technology and Operations, Director of Student Services, Manager of Information Technology, Director of Business and Finance, and Consultants have been designated as those positions subject to the provisions of the Conflict of Interest Code in that those positions are the only positions having any substantial responsibility relative to the decision-making process or policy of Navigator Schools.

**Disclosure Responsibilities**

The categories relative to the types of interests that must be disclosed are based upon the types of financial interests within the boundaries of Navigator Schools and/or interests that may foreseeably be affected by any decision made or participated in by Navigator Schools.

Chief Executive Officer	1, 2
Chief Academic Officer	2
Principal	1, 2
Director of Human Resources	2
Director of Engagement and Partnerships	2
Director of Information Technology and Operations	3
Director of Student Services	3
Manager of Information Technology	2
Director of Business and Finance	3
Consultants/New Positions	