

# The Conflict of Interest Policy

## Big Picture Schools California, Inc.

Including:  
Big Picture High School – Fresno

### Purpose

The purpose of the conflict of interest policy is to protect Big Picture Schools California (BPSCA) and its network schools interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of an officer or director of a school or might result in a possible excess benefit transaction. This policy is intended to supplement but not replace any applicable state and federal laws governing conflict of interest applicable to nonprofit and charitable organizations.

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 Cal. Code of Regs. Section 18730) that contains the terms of a standard conflict-of-interest code and may 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 requirements shall constitute the conflict-of-interest code of Big Picture Schools California, Inc. (BPSCA) and its schools.

Further, Gov Code section 1090 Government Code section 1090 provides in pertinent part: **"Members of the Legislature, state, county, district, judicial district, and city officers or employees shall not be financially interested in any contract made by them in their official capacity, or by any body or board of which they are members."** When Section 1090 applies, the entire governing board is precluded from entering into a contract. The financially interested member may not merely abstain from discussing and voting on a contract.

Individuals holding designated positions shall file their statements with the BPSCA and its schools, which will retain the statements and make the statements available for public inspection and reproduction. (Gov. Code Section 81008.) Upon receipt of the statements for the BPSCA President and BPSCA Board, BPSCA shall make and retain a copy and forward the original of these statements to the Clerk to the County Board of Supervisors.

The provisions of all Conflict of Interest Codes and amendments thereto previously adopted by the Agency are hereby superseded.

APPENDIX A  
DESIGNATED POSITIONS\*\*

Designated Positions	Disclosure Category
• BPSCA Board Members	1,2,3
• BPHSF Local (Advisory) Board Members	1,2,3
• LABPHS Local (Advisory) Board Members	1,2,3
• BPSCA President	1,2,3
• School Principal	4
• School Executive Director	1,2,3
• BPSCA Officers	1,2,3
• Consultants	*

\* Consultants shall be included in the list of designated positions and shall disclose pursuant to the disclosure requirements in this code subject to the following limitation:

The Executive Director 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 comply fully with the disclosure requirements in this section. 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 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. (Gov. Code Sec. 81008.)

\*\* Note that while the positions/categories meets FPPC requirements, BPSCA and its school Board members are not permitted to be financially interested parties with regard BPSCA and its schools.

## APPENDIX B DISCLOSURE CATEGORIES

Individuals holding designated positions must report their interests according to their assigned disclosure categories.

### CATEGORY 1 -- Real Property

Persons in this category shall disclose all interest in real property within the jurisdiction. Real property shall be deemed to be within the jurisdiction if the property or any part of it is located within or not more than two miles outside the boundaries of the jurisdiction or within two miles of any land owned or used by the agency.

Persons are not required to disclose property used primarily as their residence or for personal recreational purposes.

### CATEGORY 2 -- Investments

Persons in this category shall disclose all investments and business positions in business entities, and income, including loans, gifts, and travel payments, from all sources that would make qualify the person as a “financially interested” party.

### CATEGORY 3 -- Income

Persons in this category shall disclose all income and business positions in business entities, and income, including loans, gifts, and travel payments, from all sources that would make qualify the person as a “financially interested” party.

### CATEGORY 4

Persons in this category shall disclose all business positions, investments in, or income (including gifts, loans and travel payments) received from entities that manufacture, sell or otherwise provide services and/or supplies of a type utilized for governmental purpose in the past 2 years and associated with the job assignment of designated positions assigned to this disclosure category.

### CATEGORY 5

Persons in this category shall disclose all income from any school employee, any representative or association of such employee; and business positions or income from any entity owned or controlled by such employee’s spouse or other financial dependent.

## Form 700 Statement of Economic Interests

An individual holding one of the designated 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 categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by Government Code Section 87200.

All individuals in designated positions are required to file Form 700, Statement of Economic Interests shall deliver a properly signed original to the school administrator or BPSCA President who will then file the original with the appropriate agency:

Big Picture High School Fresno:

Board Members and BPSCA President

Originals to Clerk to Board of Supervisors  
copy to school files

All other filers

Originals to Agency/school files