

## **Exhibit A**

### **CONFLICT OF INTEREST CODE OF INNOVATIONS ACADEMY, INC.**

#### **1. Standard Code of FPPC**

The Political Reform Act of 1974 (Gov. 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, Innovations Academy, Inc., a California nonprofit public benefit corporation (“Corporation”), is therefore required to adopt such a code. The Fair Political Practices Commission (“FPPC”) has adopted a regulation (Cal. Code of Regs., title 2, § 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 Cal. Code of Regs., title 2, § 18730 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 Corporation. This Code shall take effect when approved by the San Diego County Board of Supervisors, and shall thereupon supersede any and all prior codes adopted by Corporation.

#### **3. Filing of Statements of Economic Interests**

Pursuant to Section 4 of the model code set forth in Cal. Code of Regs., title 2, § 18730(b), each designated employee set forth in the Appendix shall file a Statement of Economic Interests (“Form 700”) with the Secretary of the Corporation. 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 San Diego County Board of Supervisors. Statements for all other designated employees shall be retained by the Secretary.

**APPENDIX TO  
CONFLICT OF INTEREST CODE OF  
INNOVATIONS ACADEMY, INC.**

**Preamble**

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 legal counsel to Innovations Academy, Inc., a California nonprofit public benefit corporation (“Corporation”). (Gov. Code § 83114; Cal. Code of Regs., tit. 2, § 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 legal counsel to Corporation 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 such legal counsel’s opinion as evidence of good faith. In addition, Corporation may consider whether such reliance should constitute a mitigating factor to any disciplinary action that Corporation may bring against the requesting party under Gov. Code § 91003.5.

**I.**

**Designated Employees**

<u>Designated Employees</u>	<u>Disclosure Categories</u>
President/Chief Educational Officer	1 through 6
Chief Financial Officer/Treasurer	1 through 6
All other Members of the Board of Directors	4 through 6
Consultants <sup>1</sup>	1 through 6

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<sup>1</sup> With respect to consultants, the President/Chief Educational Officer 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 President/Chief Educational Officer’s determination is a public record and shall be retained for public inspection by Corporation 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. Reportable Investments

A designated employee in this category shall report all reportable investments, as defined in Gov. Code § 82034, in business entities located in, doing business in, known to be planning to do business in, or having done business in the previous two (2) years within San Diego County where the Corporation's school is located, which business entities operate or provide facilities, goods, supplies, equipment and/or machinery, vehicles, personnel or services of a type utilized by Corporation or its school.

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

A designated employee in this category shall disclose all interests in real property, as defined in Gov. Code §§ 82033 and 82035, that are within two (2) miles of any of facilities utilized by the Corporation's school.

#### Category 3. Reportable Income

A designated employee in this category shall disclose all income as defined in Gov. Code § 82030 received by the designated employee during the reporting period from business entities or other sources located in, doing business in, known to be planning to do business in, or having done business in the previous two (2) years within San Diego County where the Corporation's school is located, which business entities or sources operate or provide facilities, goods, supplies, equipment and/or machinery, vehicles, personnel or services of a type utilized by Corporation or its school.

#### Category 4. Less-Inclusive Reportable Investments

A designated employee in this category shall disclose only investments as defined in Gov. Code § 82034 in any business entity which, within the previous two (2) years, has contracted with or in the future foreseeably may contract with Corporation or the school to provide facilities, goods, supplies, equipment and/or machinery, vehicles, personnel or services to Corporation or the school, of the type utilized by Corporation or the school, and (a) is located in or doing business San Diego County where the Corporation's school is located, and is associated with the job assignment or position of the designated employee; or (b) is 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 Gov. Code § 82030 which is derived from a business entity or other source which, within the previous two (2) years, has contracted with Corporation or the school or in the future foreseeably may contract with Corporation or the school to provide facilities, goods, supplies, equipment and/or machinery, vehicles, personnel or services to Corporation or the school, of the type utilized by Corporation or the school, and (a) is located in or doing business in San Diego County where the Corporation's school is located, and is associated with the job assignment or

position of the designated employee; or (b) is associated with the job assignment or position of the designated employee.

Category 6. Business Positions

A designated employee in this category shall disclose the information described below by completing Form 700, Schedule C, with respect to any business entity that provides facilities, goods, supplies, equipment and/or machinery, vehicles, personnel or services of a type utilized by Corporation or the school. A designated employee shall list (a) the name and address of each such 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 each such business entity is engaged; and (c) the designated employee's position with each such business entity.