

Policy 4236: Non School Employment

Status: ADOPTED

Original Adopted Date: 09/01/1991 | **Last Revised Date:**
07/01/2008 | **Last Reviewed Date:** 07/01/2008

In order to help maintain public trust in the integrity of district operations, the Governing Board expects all employees to give the responsibility of their positions precedence over any other outside employment. A district employee may receive compensation for outside activities as long as these activities are not inconsistent, incompatible, in conflict with, or inimical to his/her district duties.

An outside activity shall be considered inconsistent, incompatible, or inimical to district employment when such activity: (Government Code 1126)

1. Requires time periods that interfere with the proper, efficient discharge of the employee's duties
 2. Entails compensation from an outside source for activities which are part of the employee's regular duties
 3. Involves using the district's name, prestige, time, facilities, equipment, or supplies for private gain
 4. Involves service which will be wholly or in part subject to the approval or control of another district employee or Board member
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An employee wishing to accept outside employment that may be inconsistent, incompatible, in conflict with, or inimical to the employee's duties shall file a written request with his/her immediate supervisor describing the nature of the employment and the time required. The supervisor shall evaluate each request based on the employee's specific duties within the district and determine whether to grant authorization for such employment.

The supervisor shall inform the employee whether the outside employment is prohibited. The employee may appeal a supervisor's denial of authorization to the Superintendent or designee. An employee who continues to pursue a prohibited activity may be subject to disciplinary action.

Tutoring

A certificated employee shall not accept any compensation or other benefit for tutoring a student enrolled in his/her class(es). An employee who wishes to tutor another district student shall first request authorization from his/her supervisor in accordance with this Board policy. If authorization is granted, the employee shall not use district facilities, equipment, or supplies when providing the tutoring service.

State

5 CCR 80334
 Ed. Code 35160
 Ed. Code 35160.1
 Ed. Code 51520
 Gov. Code 1126
 Gov. Code 1127
 Gov. Code 1128

Management Resources

Attorney General Opinion
 Website
 Website
 Website

Description

Unauthorized private gain or advantage
 Authority of governing boards
 Broad authority of school districts
 Prohibited solicitations on school premises
 Incompatible activities of employees
 Incompatible activities; off duty work
 Incompatible activities; attorney
Description
 70 Ops.Cal.Atty.Gen. 157 (1987)
CSBA District and County Office of Education Legal Services
Fair Political Practices Commission
CSBA

Code

1321
 1321
 3300
 4040
 4040-E(1)
 4112.9
 4112.9-E(1)
 4118
 4118
 4119.1
 4119.21
 4119.21-E(1)
 4119.23
 4132
 4135
 4144
 4144
 4212.9
 4212.9-E(1)
 4218
 4218
 4219.1
 4219.21
 4219.21-E(1)
 4219.23
 4232
 4235
 4244
 4244
 4312.9
 4312.9-E(1)
 4319.1
 4319.21
 4319.21-E(1)
 4319.23
 4332
 4335
 4344
 4344
 6161.1
 6161.1
 6161.1-E(1)
 9270
 9270-E(1)

Description

Solicitation Of Funds From And By Students
Solicitation Of Funds From And By Students
Expenditures And Purchases
Employee Use Of Technology
Employee Use Of Technology
Employee Notifications
Employee Notifications
Dismissal/Suspension/Disciplinary Action
Dismissal/Suspension/Disciplinary Action
Civil And Legal Rights
Professional Standards
Professional Standards
Unauthorized Release Of Confidential/Privileged Information
Publication Or Creation Of Materials
Soliciting And Selling
Complaints
Complaints
Employee Notifications
Employee Notifications
Dismissal/Suspension/Disciplinary Action
Dismissal/Suspension/Disciplinary Action
Civil And Legal Rights
Professional Standards
Professional Standards
Unauthorized Release Of Confidential/Privileged Information
Publication Or Creation Of Materials
Soliciting And Selling
Complaints
Complaints
Employee Notifications
Employee Notifications
Civil And Legal Rights
Professional Standards
Professional Standards
Unauthorized Release Of Confidential/Privileged Information
Publication Or Creation Of Materials
Soliciting And Selling
Complaints
Complaints
Selection And Evaluation Of Instructional Materials
Selection And Evaluation Of Instructional Materials
Selection And Evaluation Of Instructional Materials
Conflict Of Interest
Conflict Of Interest