

Policy 4336: Nonschool 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

Description
Unauthorized private gain or advantage
Authority of governing boards

Ed. Code 35160.1

Ed. Code 51520

Gov. Code 1126

Gov. Code 1127

Gov. Code 1128

Management Resources

Attorney General Opinion

Website

Website

Website

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

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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