

NON-SCHOOL EMPLOYMENT

Personnel

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.

(cf. 4119.21/4219.21/4319.21 – Professional Standards

(cf. 4119.23/4219.23/4319.23 – Unauthorized Release of Confidential/Privileged Information

(cf. 9270 – Conflict of Interest)

An outside activity shall be considered inconsistent, incompatible, or inimical to district employment when such activity:

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. Presents the appearance of a conflict of interest between outside employment and district services, programs, goals or processes.

(cf. 1321 - Solicitation of Funds from and by Students)

(cf. 3300 – Expenditures and Purchases)

(cf. 4040 – Employee Use of Technology)

(cf. 4132/4232/4332 – Publication or Creation of Materials)

(cf. 4135/4235/4335_ - Soliciting and Selling)

(cf. 6161.1 – Selection and Evaluation of Instructional Materials)

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.

(cf. 4112.9/4212.9/4312.9 – Employee Notifications)

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.

(cf. 4118 - Suspension/Disciplinary Action)

(cf. 4119.1 - Civil and Legal Rights)

(cf. 4144/4244/4344 - Complaints)

(cf. 4218 - Dismissal/Suspension/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.

Legal Reference:

EDUCATION CODE

35160 Authority of governing boards
35160.1 Broad authority of school districts
51520 Prohibited solicitation on school premises

GOVERNMENT CODE

1126 Incompatible activities of employees
1127 Incompatible activities; off duty work
1128 Incompatible activities, attorney

CODE OF REGULATIONS, TITLE 5

80334 Unauthorized private gain or advantage

ATTORNEY GENERAL OPINIONS

70 Ops.Cal. Atty.Gen 157 (1987)

Policy

Adopted: January 21, 2003

Policy

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CULVER CITY UNIFIED SCHOOL DISTRICT
Culver City, California