

CONFLICT OF INTEREST AND OUTSIDE EMPLOYMENT/ACTIVITIES

Puget Sound Educational Service District (PSESD) is committed to becoming an Antiracist Multicultural Organization. The agency recognizes and values the racial and cultural diversity of its staff and believes this diversity strengthens the agency, stimulates creativity, promotes the exchange of ideas, and enriches staff engagement. We take personal responsibility to do our best work to support the quality, equity, and effectiveness of educational programs through partnerships with K-12 education, early learning, higher education, and public and private organizations - motivated by a deep desire to ensure that every child has the opportunity to reach their fullest potential.

PSESD recognizes the knowledge and expertise of its employees and understands employees may have opportunities to use their expertise outside of the scope of their employment with the PSESD. In support of building transformational relationships with community members and among internal staff, this policy supports a proactive approach for employees to navigate and avoid potential conflicts of interest. The policy also supports a transparent system of disclosure, documentation, and approval of PSESD employees' contractual or employment activities outside of the PSESD that raise a concern about conflicts of interest or commitment.

PSESD's Conflict of Interest and Outside Employment/Activities policy provides the agency framework to support positive and professional relationships with students and families served by PSESD, and to protect the credibility, reputation, and public trust of PSESD and the staff when employees desire to or are engaged in outside activities.

PSESD staff members are prohibited from engaging in outside employment, contractual work, and other activity from which they derive personal economic benefit, and a conflict of interest or commitment exists.

A conflict of interest exists when a PSESD employee:

- A. Engages in outside employment or contractual work that is currently a function of the employee's job or may compete with an existing service performed by PSESD; interferes with the employee's regular responsibilities and duties; results in a situation of unfair competition for the PSESD; uses PSESD owned resources including, but not limited to, office supplies, computing equipment or network access; or the employee uses materials, products, or other proprietary information of the PSESD.
- B. Uses employment with the PSESD to promote their outside activities which result in, or may result in, personal financial gain or advantage.
- C. Uses or provides for others a list of names and home addresses obtained from PSESD program or school records or related contacts for purposes of identifying potential client or customer contacts.
- D. Establishes a contractual relationship with families or other entities served by or working in partnership with PSESD.

- E. Owns a business, is a transformational partner in a business or establishes a not-profit organization that does business with the PSESD or employs or uses any person, money or property under the employee's official control or direction for the private gain of that employee or another.
- F. Purchases goods or services for the PSESD where the PSESD employee has a role in the decision to purchase such or a relationship with the supplier or an employee of the supplier resulting in the PSESD employee's personal gain.
- G. Participates in any way in the selection process for materials, books, or equipment when an item developed by or authored by the staff member, or a member of his/her family, is under consideration for approval for PSESD use.
- H. Receives economic benefit from the sale of instructional and training materials and/or equipment where the staff member was specifically engaged to develop such materials, equipment, or models. PSESD retains a proprietary interest in materials, equipment, research and program and training models developed by PSESD staff.
- I. Uses PSESD mail or email to promote sales of a product in which a staff member has a financial interest.
- J. Encourages a student who is enrolled in a PSESD program or one or more of a PSESD teacher's classes to take private lessons or to engage tutoring for fee from the staff member.
- K. Is involved in the selection of an applicant or in the appointment, evaluation or direct or in-direct supervision of any other staff member who is a family member or close personal relationship. This includes current or previous relationship between two individuals by blood, adoption, marriage or domestic partnership to the following degrees: parent, child, brother, sister, uncle, aunt, niece, nephew, first cousin, grandparent or grandchild, spouse, domestic partner, step-parent, step-child, step-brother, step-sister, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law or the equivalent for individuals in a domestic partnership. Note: this list of relationships is not to be considered an exhaustive list; other close, personal relationships between two individuals could be considered on a case-by-case basis to be subject to this policy.
- L. Provides a staff or student directory for use in promoting sales of a product or service.
- M. Purchases or otherwise acquires surplus PSESD property, where the staff member was involved in or had influence in the process of declaring the item(s) as surplus.

An employee may use public resources to benefit others as part of the employee's official duties if the expenditure is of *de minimus* value (of little or no value; no impact on public funds) and is purchased with the consent of their supervisor.

Definitions

- **Conflict of Interest:** Is defined as a situation in which a PSESD employee receives, attempts to receive, or promotes a personal benefit to themselves directly, or indirectly, or to some other person(s), which results, or appears to result, in an improper gain or an improper advantage by virtue of their position in the PSESD. Conflicts of interest can involve financial or non-financial interests of the staff member and the interests of a business partner or associate, family member, friend, or person in or has had a close personal relationship with the staff member.
- **Conflict of Commitment:** Is a situation where a staff member has interests, personal or within the PSESD, that may harm or interfere with the productivity and ability of that

staff member to fulfill their responsibilities to the PSESD. The situation may concern the employee's distribution of efforts between employment obligations to the PSESD and external activities or employment.

- **Outside Employment/Activity:** Is defined as a professionally based activity undertaken by an employee in areas directly related to the function of their job. Outside employment/activity includes, but is not limited to, self-employment and self-initiated professional services such as consulting, workshops, seminars, conferences, institutes, or short courses provided to any entity or person for personal economic benefit.

Employee Awareness and Training

PSESD will notify all current employees of the amendments to this policy within one month of adoption and provide all employees with initial training on this policy within one year of adoption. PSESD will provide all new employees notice of and training on this policy at the time of hire. At least annually, PSESD will provide all current employees with a reminder notification on this policy.

Disciplinary Action

Employees are encouraged to consult with their supervisor prior to being involved in outside employment/activity. PSESD employees who are found to be engaged in a conflict of interest in violation of this policy may be subject to corrective action or discipline, up to and including termination.

Limitations of Policy

This policy does not apply to outside volunteer opportunities for which no compensation or other remuneration is received unless such work adversely interferes with the responsibilities of the employee. The outside employment policies do not apply to non-regular staff.

Adopted: December 1980

Revised: April 1985

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1988 Revised: July 1990

Revised: August 1993

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Relevant Board Governance Policies: EL3 Transformational Relationships
EL 4 Relationship and Community

Cross Reference: Operating Policy No. 5255 Gift Acceptance

Legal References: RCW 28A.400.332 Use of persons, money or property for private gain
RCW 42.23.030 Interest in contract prohibited – Exceptions
RCW 42.23.040 Remote Interests
WAC 181-87-090, Improper remunerative conduct
2 CFR §200.318 General procurement standards