

Personnel

Outside Employment and Conflict of Interest

I. Purpose

This policy provides school district employees with guidance concerning their engagement in employment outside the district and with activities that create or give the appearance of creating a conflict of interest with their employment with the district.

II. General Statement of Policy

The school district expects its employees to appropriately complete their professional responsibilities and duties with the district. The district expects that its employees will not engage in any activity or employment that conflicts with or creates the appearance of conflict with the district.

III. Outside Employment and Conflict of Interest Standards and Procedures

- A. Employees' outside employment must not interfere with the proper performance of professional responsibilities, negatively impact their attendance, or reflect adversely on the school district.
- B. Employees must not engage in employment that would result in the release, either intentionally or unintentionally, of confidential information.
- C. Conflict of Interest Definitions
 - 1. "Family member" means any blood relative through the second degree and any person living in the same household.
 - 2. "Substantial personal interest" means an equity interest equal to more than five percent of an individual's net worth or more than five percent of the ownership of the business or outside organization.
 - 3. "Employee" means a person hired and compensated by the district to perform job duties.
- D. Employees and their family members must not engage in or have financial interest in any activity that creates a conflict of interest with their job duties and responsibilities. This includes, but is not limited to:

1. Participating for financial compensation in outside activities where their employment with the district is used to sell goods or services to students or their parents;
 2. Engaging in any type of work where the source of information concerning the customer, client, or employer originates from information obtained through the district;
 3. Using personal employment with the district, district materials, or district facilities to promote outside activities which result, or may result, in personal financial gain or advantage;
 4. Using duty hours, district equipment, or district facilities to promote any out-of-school activity resulting in personal financial gain without the authorization of the district;
 5. Owning a business or non-district organization that does business with the district, without the written authorization of the district;
 6. Rendering services as a director, officer, employee of, contractor, or consultant to a non-district organization that does business with the district or is in the business of providing for-profit educational services, without the written authorization of the district; and
 7. Representing the district in a transaction in which the employee or the employee's family member has a substantial personal interest.
- E. For the protection of both the district and its employees, employees must make timely disclosure of any potential conflict of interest. Employees must exercise good judgment when engaging in employment outside the district. All disclosures made in compliance with this policy will be treated as personnel data in compliance with applicable laws.
- F. The responsibility for disclosure of conflicts of interests rests with employees.
- G. Off-Season - Coaches
1. Coaches and other employees ('coaches") falling under the purview of the Minnesota State High School League ("MSHSL") must ensure compliance with MSHSL rules, regulations, and guidance in the provision of services/activities ("services") outside their employment with the district.
 2. Solicitations for services may be communicated directly to families, but not the student participant directly, if the solicitation includes the notification in paragraph 3 below. It is preferable that the solicitation is offered along with other alternatives for services offered by non-employee providers.
 3. In communication with students and families regarding outside services, coaches must notify students and families that participation is not required

for participation on the team or playing time while a team member and a student's participation or non-participation does not impact coaching decisions.

4. Coaches are exempt from Article III, D, 2-3, except to the extent noted in Article III.G.5.
5. Coaches must not use district materials or facilities to promote services that result or may result in personal financial gain.

H. Tutoring for Pay

1. Teachers may not arrange for a paid tutor or provide paid educational support services to students enrolled in the district without knowledge and written approval of their supervising administrator.
 2. In accordance with the Code of Ethics for Minnesota teachers, a teacher may not use professional relationships with students or parents to private advantage.
 3. A student's current teacher(s) may not provide paid tutoring for the student or the family during the student's school year.
- I. Employees who work outside the district and whose employment is deemed to be in violation of this policy could be subject to discipline. Employees are encouraged to consult with their supervisor prior to being involved in outside employment.

Legal References:

Minn. Rule 8710.2100 (Code of Ethics for Minnesota Teachers)

Policy
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