

Series 4000 – Personnel

SP 4136 / SP 4236 / SP 4336

TITLE: Non-YCOE Employment and Conflicts of Interest	
Approved by: <u>Rob Gregor</u> <i>Rob Gregor, Superintendent of Schools</i>	Series: Personnel Version: 1 Effective Date: May 1, 2024 Previous Policy Date: New Revised By: Committee Policy Number: SP 4136, 4236, 4336

In order to help maintain public trust in the integrity of Yuba County Office of Education (YCOE) operations, the County Superintendent expects all employees to give the responsibility of their position’s precedence over any other outside employment or activities. A YCOE employee may receive compensation for outside activities as long as these activities are not inconsistent, incompatible, in conflict with, or inimical to his/her YCOE duties.

An outside activity shall be considered inconsistent, incompatible, or inimical to YCOE 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 YCOE’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 YCOE employee or officer.

An employee wishing to accept outside employment/activity 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 YCOE and determine whether to grant authorization for such employment/activity.

The supervisor shall inform the employee whether the outside employment/activity is prohibited. The employee may appeal a supervisor's denial of authorization to the County Superintendent or designee. An employee who continues to pursue a prohibited activity may be subject to disciplinary action. Once granted, a waiver may be rescinded at the discretion of the supervisor.

If granted, the YCOE employee must acknowledge that they have reviewed this policy and agree to abide by it. They further acknowledge that YCOE is not represented in any way and plays no part in any contract or agreement entered into by the YCOE employee.

Elected Official Business Activities

The County Superintendent respects the role of government elected officials and recognizes the right of employees to pursue opportunities to serve as elected officials. Any activity or business conducted in an elected official capacity is deemed an outside activity and shall adhere to the policy set forth above.

More specifically, when elected official business activities are consistently scheduled during an employee's regular work hours (e.g. Regular Board Meetings), those activities will repeatedly directly interfere the employee's proper, efficient discharge of their duties. As such, such authorization will not be granted.

Conflict of Interest

Employees of the YCOE shall perform their duties in an impartial manner, free from bias caused by their own financial interests.

Gifts

The offering of any valuable thing to any employee of YCOE, with the intent to influence the action of the employee; the adoption of any textbook; the purchase of any equipment, supplies, or instructional materials or the making of any contract to which the employee is a party, or the acceptance by any employee of any valuable thing with corrupt intent is a misdemeanor under state law. No YCOE employee shall accept gifts from any person, group, or entity doing (or desiring to do) business with the County Office. All business-related gratuities are specifically prohibited except nominal-value advertising and items widely distributed. Generally, these will be items such as calendars, inexpensive holiday food packages, an occasional lunch invitation – items with a value of less than \$25.

Contracts

No employee, or members of their immediately family shall hold a vested interest in any contract made by the County Office and/or the County Board of Education. Any contract or appointment obtained from an employee by corrupt means is void. Any employee who violates any of the provisions of this policy may, in addition to any other penalty, be removed from their official position.

Use of YCOE Name, Seal or Logo

The YCOE name, seal or logo is the property of YCOE. The use in any document or any social media of the YCOE name, seal or logo is forbidden.

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State

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

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](#)

Management Resources

Attorney General Opinion
 Website
 Website
 Website

Description

70 Ops.Cal.Atty.Gen. 157 (1987)
[CSBA District and County Office of Education Legal Services](#)
[Fair Political Practices Commission](#)
[CSBA](#)

Cross References**Code**

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 3300
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 4040-E(1)
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 4119.1
 4119.21
 4119.21-E(1)
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Description

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4319.23	<u>Unauthorized Release Of Confidential/Privileged Information</u>
4332	<u>Publication Or Creation Of Materials</u>
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6161.1-E(1)	<u>Selection And Evaluation Of Instructional Materials</u>
9270	<u>Conflict Of Interest</u>
9270-E(1)	<u>Conflict Of Interest</u>