

Liberty Union High School District

Board Policy

Classification: All Personnel

Policy No.

BP4136/4236/4336

Subject: Nonschool Employment

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Effective 5/25/94

Revised 02/11/09

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, incomparable, 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 for 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

An employee wishing to accept outside employment that may be inconsistent, incompatible, 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 despite denial 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. 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 private tutoring service.

(cf. 4119.1/4219.1/4319.1 - Civil and Legal Rights)

Legal Reference

Education Code:

35160 Authority of governing boards

35160.1 Board 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)