Non-District Activities

Adopted: 05/19/2009 **| Last Revised:** 02/04/2025 **| Last Reviewed**: 02/04/2025

In order to help maintain public trust in the integrity of district operations, the Board of Education expects all employees to give the responsibility of their positions precedence over 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 their district duties.

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. 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, in conflict with, or inimical to the employee's duties shall file a written request with the director of personnel describing the nature of the employment and the time required. The director shall evaluate each request based on the employee's specific duties within the district and determine whether to grant authorization for such employment.

The director of personnel shall inform the employee whether the outside employment is prohibited. The employee may appeal a director's denial of authorization to the Superintendent or designee. An employee who continues to pursue a prohibited activity may be subject to disciplinary action.

Tutoring

A certificated employee shall not accept any compensation or other benefit for tutoring a student enrolled in their class(es). An employee who wishes to tutor another district student shall first request authorization from their 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.

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.

Legal References:

STATE

EDUCATION CODE

35160 Authority of governing boards

35160.1 Broad authority of school districts

51520 Prohibited solicitations on school premises
CALIFORNIA CODE OF REGULATIONS
3 CCR 6147 Pesticides exempted from registration requirements
GOVERNMENT CODE
1126 Incompatible activities of employees
1127 Incompatible activities; off duty work
1128 Incompatible activities; attorney

MANAGEMENT RESOURCES

ATTORNEY GENERAL OPINION
70 Ops.Cal.Atty.Gen. 157 (1987)
WEBSITES
CSBA District and County Office of Education Legal Services https://legalservices.csba.org/
Fair Political Practices Commission http://www.fppc.ca.gov/
CSBA http://www.csba.org/

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