Personnel

NONSCHOOL EMPLOYMENT

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, incompatible, in conflict with, or inimical to his/her district duties.

(cf. 4119.21/4219.21/4319.21 - Professional Standards)
(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
(cf. 9270 - Conflict of Interest)

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 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

(cf. 1321 - Solicitation of Funds from and by Students)
(cf. 3300 - Expenditures and Purchases)
(cf. 4040 - Employee Use of Technology)
(cf. 4132/4232/4332 - Publication or Creation of Materials)
(cf. 4135/4235/4335 - Soliciting and Selling)
(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

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 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.

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

NONSCHOOL EMPLOYMENT (continued)

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 shall be subject to disciplinary action.

(cf. 4118 - Suspension/Disciplinary Action)
(cf. 4119.1/4219.1/4319.1 - Civil and Legal Rights)
(cf. 4144/4244/4344 - Complaints)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Tutoring

The Governing Board expects teachers and other members of the instructional staff to make every effort to resolve students' learning problems at school before recommending that parents/ guardians engage a tutor or other professional help. By maintaining a competent, dedicated staff and adequate instructional resources, the Board seeks to minimize the need for individual tutoring.

To preclude conflicts of interest, teachers may not accept any kind of remuneration for tutoring a student enrolled in any of their classes. Teachers who tutor other students must perform this service outside of school facilities and make their own arrangements with parents/guardians for the fees to be charged. The Board encourages teachers to tutor only in subjects or grade levels for which they are certificated.

(cf. 4119.21/4219.21/4319.21 - Code of Ethics)
(cf. 4135/4235/4335 - Soliciting and Selling)

Legal Reference:
> *EDUCATION CODE*
> *35160 Authority of governing boards*
> *35160.1 Broad 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)*
Management Resources:
> *WEB SITES*
> *CSBA: http://www.csba.org*
> *Fair Political Practices Commission: http://www.fppc.ca.gov*

Policy
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VISALIA UNIFIED SCHOOL DISTRICT
Visalia, California