

OFFICE OF THE SOLANO COUNTY SUPERINTENDENT OF SCHOOLS

Series 4000 – PERSONNEL

Policy 4136

Nonschool Employment

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

An outside activity shall be considered inconsistent, incompatible, or inimical to SCOE 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 SCOE'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 SCOE employee or officer

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 SCOE 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 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(es). An employee who wishes to tutor another SCOE student shall first request authorization from his/her supervisor in accordance with this policy. If authorization is granted, the employee shall not use SCOE facilities, equipment, or supplies when providing the tutoring service.

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

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Policy 4136 (Continued)

Legal Reference: (Continued)

ATTORNEY GENERAL OPINIONS

70 Ops.Cal.Atty.Gen. 157 (1987)

Policy Cross-Reference:

1321 Solicitation of Funds from and by Students

3300 Expenditures and Purchases

4040 Employee Use of Technology

4112.9 Employee Notifications

4118 Dismissal/Suspension/Disciplinary Action

4119.1 Civil and Legal Rights

4119.21 Professional Standards

4119.23 Unauthorized Release of Confidential/Privileged Information

4132 Publication or Creation of Materials

4135 Soliciting and Selling

4144 Complaints

6161.1 Selection and Evaluation of Instructional Materials