

OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

Series 4000

Personnel

BP 4136, 4236, 4336(a)

Non-school 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 duties.

(cf. 4119.21/4219.21/4319.21 – Professional Standards)

(cf. 4119.23/4219.23/4319.23 – Unauthorized Release of Confidential/Privileged)

(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 in whole 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)

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.

OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

Series 4000

Personnel

BP 4136, 4236, 4336(b)

An employee who continues to pursue an incompatible activity may be subject to disciplinary action.

(cf. 4118 - Suspension/Disciplinary Action)

(cf. 4119.1 - Civil and Legal Rights)

(cf. 4144/4244/4344 - Complaints)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

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

1127 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>

Adopted: 1-25-78

Amended: 11-17-82, 7-23-85, 2-25-92, 9-17-02, 3-16-04, 10-21-08