



Superintendent Policy
SP 4236
Personnel

NON SCHOOL EMPLOYMENT

In order to help maintain public trust in the integrity of Santa Cruz County Office of Education (Santa Cruz COE) operations, the Santa Cruz County Superintendent of Schools (County Superintendent) expects all employees to give the responsibility of their positions precedence over any other outside employment. A Santa Cruz COE employee may receive compensation for outside activities as long as these activities are not inconsistent, incompatible, in conflict with, or inimical to his/her Santa Cruz COE 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 from an outside source for activities which are part of the employee's regular duties.
3. Involves using the Santa Cruz COE'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 Santa Cruz COE 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 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 Santa Cruz COE 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 County 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 Santa Cruz COE student shall first request authorization from his/her supervisor in accordance with this Superintendent policy. If authorization is granted, the employee shall not use Santa Cruz COE facilities, equipment, or supplies when providing the tutoring service.

LEGAL REFERENCE:

EDUCATION CODE

Authority of governing boards
35160.1 Broad authority of school districts
51520 Prohibited solicitation on school premises

GOVERNMENT CODE

Incompatible activities of employees
Incompatible activities; off duty work
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>