

**PERSONNEL-ALL PERSONNEL**

**SUBJECT: Employee Incompatible Activities**

This regulation is applicable to all employees of the Riverside County Office of Education. It identifies activities which are inconsistent, incompatible, or conflicting with their duties or offices, imposes a duty on all employees to disclose those activities, and specifies actions to be taken by all personnel. A conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

**Outside Activities**

The County Superintendent of Schools recognizes that employees may receive compensation for outside activities as long as these activities are not inconsistent, incompatible, in conflict with, or inimical to the employee's duties or to the duties, functions or responsibilities of the County Office of Education.

This prohibition includes, but is not limited to, the following incompatible activities:

- Employment for compensation involving time demands which would render performance of his/her duties as a County Office of Education employee less efficient and would affect his/her job performance.
- Solicitation or acceptance of gratuities, favors or anything of monetary value from contractors or parties to subcontracts.
- Participation in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest.
- Acceptance of remuneration, direct or indirect, for tutoring a student who is, or was during the past two semesters, enrolled in an employee's classes or programs. No employee shall engage in tutoring for which he/she receives a fee for on, or off-campus tutorial services, nor may any equipment belonging to the County Office of Education be used for this purpose to provide private fee-based tutorial services.
- Outside attendance at classes/courses at colleges and universities which conflict with assigned hours of County Office of Education employment unless prior approval by the County Superintendent or assistant superintendent.
- Outside activity which involves the use for private gain or advantage of the prestige or influence of the individual's position as a faculty or staff member, or employee of a particular department or office. This includes the use of information not readily available to the general public, gained

in the course of County Office of Education employment, for private gain or advantage, or the gain or advantage of another.

- Outside paid or voluntary activities are incompatible with County Superintendent of Schools employment if they require time periods that interfere with the proper, efficient discharge of the employee's duties; if they entail compensation from an outside source for activities which are part of the employee's regular duties.

Performance, outside of the County Office of Education, of any work service for compensation where any part of his/her efforts will be subject to approval or control by any other County Office of Education employee, unless reported and approved in accordance with the attached Outside Employment Approval Form.

Upon determining that an employee's outside job is incompatible with County Superintendent of Schools' employment or his/her conduct is a conflict of interest, the County Superintendent or designee shall so inform the employee. Employees may be subject to disciplinary action, up to and including dismissal.

### **Internal Activities**

A County Office of Education employee shall not engage in any activity or enterprise which is inconsistent with or adverse to either his/her own duties with the County Office of Education or to the functions or responsibilities of the County Office of Education.

This prohibition includes, but is not limited to, the following incompatible activities:

- Use of County Office of Education time, facilities, equipment, supplies, or name for private gain or advantage.
- Receipt or acceptance of money, services, or assistance above that provided to others, or other consideration from other than the County Office of Education for activities which the employee is expected to render in the course or hours of his/her employment with the County Office of Education.
- Sale or promotion, on County Office of Education property during employee's duty hours, of products or services, rental of property or products, or promotion of any academic or nonacademic enterprise in which the employee may have a financial interest.
- Submission of bids to purchase surplus County Office of Education personal property when such is offered for public sale by the County Office of Education, if the employee participated in the decision to declare the property surplus and is handling the sale in any way.
- Use of information pertaining to family members and/or employees and their eligibility and/or access to County Office of Education operated programs.

- Participation in governance of any Head Start or Early Head Start delegate agencies.

Exception: If an individual holds a position as a result of public election or political appointment, and such position carries with it a concurrent appointment to serve as a member of a Head Start agency governing body, and such individual has any conflict of interest as described in 2007 Head Start Act, Sec. 642(c)(1)(C)-(D), such individual shall not be prohibited from serving on such body and the Head Start agency shall report such conflict to the Division of Personnel Services; and if the position held as a result of public election or political appointment provides compensation, such individual shall not be prohibited from receiving such compensation.

**With written approval**

Teachers or other professional staff who tutor or provide professional services to other students must have prior written approval from their supervisor and must perform this service outside of school facilities. They must make their own arrangements with parents/guardians for the fees to be charged. The County Office of Education encourages teachers or professional staff to tutor only in areas for which they are certificated.

**Attachment A: Outside Employment Approval Form**

Legal Reference:

GOVERNMENT CODE

1126(a) - Incompatible Activities; Public Officers and Employees