

**ALL PERSONNEL**

**Non-School Employment**

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

An outside activity shall be considered inconsistent, incompatible, or inimical to EDCOE 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 EDCOE's name, prestige, time, facilities, equipment, or supplies for private gain; and/or
4. Involves service which will be wholly or in part subject to the approval or control of another EDCOE 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 the Superintendent or designee describing the nature of the employment and the time required. The Superintendent or designee shall evaluate each request based on the employee's specific duties within the EDCOE and determine whether to grant authorization for such employment.

The Superintendent or designee shall inform the employee whether the outside employment is prohibited. 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 EDCOE student shall first request authorization from his/her Program Manager in accordance with this policy. If authorization is granted, the employee shall not use EDCOE facilities, equipment, or supplies when providing the tutoring service.

Legal references on next page.

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)

New Policy: March 2018