

**All Personnel**

BP 4136

4236

**NONSCHOOL EMPLOYMENT**

4336

The Governing Board recognizes that District 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 District.

Outside paid activities are incompatible with District 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, or if they involve using for private gain the District's name, prestige, time, facilities, equipment or supplies.

*(cf. 1321 - Solicitation of Funds from and by Students)*

*(cf. 4119.21/4219.21/4319.21 - Codes of Ethics)*

*(cf. 4135 - Soliciting and Selling)*

*(cf. 4137 - Tutoring)*

District employees shall not perform, without prior Board approval, any outside paid service which will be wholly or in part subject to the approval or control of another District employee or a District officer.

*(cf. 4132 - Publication or Creation of Materials)*

*(cf. 6161.1 - Selection and Evaluation of Instructional Materials)*

*(cf. 9270 - Conflict of Interest)*

Upon determining that an employee's outside job is incompatible with District employment, the Superintendent or designee shall so inform the employee. An employee who continues to pursue an incompatible activity may be subject to disciplinary action. Appeals shall be addressed in accordance with law, Board policy and administrative regulations.

*(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

Policy

adopted: February 24, 1997

**CAPISTRANO UNIFIED SCHOOL DISTRICT**

San Juan Capistrano, California