

## Bylaws of the Board

### Conflict of Interest/Incompatible Activities

This policy is applicable to all officers and employees of the Lompoc Unified School District. It specifies activities which are inconsistent, incompatible, or conflicting with their duties or offices as well as action to be taken by supervisory/management personnel.

1. A District employee or officer shall not engage in any activity or enterprise for compensation which is inconsistent with or inimical to either his/her own duties with the District or to the functions or responsibilities of the District.

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

- a. Use of District time, facilities, equipment, supplies or name for private gain or advantage.
- b. Receipt or acceptance of money or other consideration from other than the District for activity which the employee or officer is expected to render in the regular course of hours of his/her employment with the District.
- c. Employment involving time demands which would render performance of his/her duties as local agency officer or employee less efficient.
- d. Sale or promotion, on District property during employee's or officer's duty hours, of products or services, rental of property or products, or promotion of any academic or non-academic enterprise in which the employee or officer may have a pecuniary interest.
- e. Acceptance of remuneration, direct or indirect, for tutoring a student who is, or was during the past two semesters, enrolled in a faculty member's classes. No faculty member shall engage in tutoring for which he/she receives a fee on any of the campuses of the District nor may any equipment belonging to the District be used for this purpose.
- f. Outside employment and attendance at classes/courses at colleges and universities which conflict with the assigned hours of district employment.
- g. Receiving or giving of gifts, presents, or articles of value in excess of \$20.00 between an individual student and staff.

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### Conflict of Interest/Incompatible Activities (continued)

- h. Submission of bids to purchase surplus district personal property over which the employee or officer had exercised any degree of possession, supervision or control or which the employee or officer had a role in declaring surplus when such is offered for public sale by the district. Personal property is defined by statute to refer to every kind of property which is not real, in other words, all property except for example, land and permanent buildings sold with the land.
- i. 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 district employment, for private gain or advantage, or the gain or advantage of another.
- j. Performance, outside of the district, any work service for compensation where any part of his/her efforts will be subject to approval or control by any other district employees, unless reported and approved in accordance with Section 2.a and 2.b below.

## 2. Implementation

- a. All officers and employees shall apprise their immediate supervisor, in writing, when they are engaged or intend to engage in any activity, employment, or enterprise which could be in violation of the regulations enumerated above.

This requirement is in addition to the reporting requirements for designated employees covered by the District's Conflict of Interest Code.

- b. When a possible conflict of interest exists, the issue shall be resolved in the following sequence:
  - (1) The immediate supervisor/manager will confront the employee with his/her belief that activities engaged in by the employee violate a specific prohibition of this policy. (If this step is verbal, a follow-up written memo shall be sent both to the employee and Superintendent confirming and detailing this belief.

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- (2) The employee shall be informed of his/her right to appeal any determination of conflict of interest or incompatible activity and from its application in his/her specific case.
  - (3) If the employee desires to appeal, such appeal will be made to the Superintendent.
  - (4) If, on appeal, the Superintendent determines that the employee's activities do violate this policy, the employee will cease those activities or alternatively terminate his/her employment status with the district. Failure to take one of these actions shall be cause for disciplinary action which could result in dismissal.
- c. The existence of procedures in 2.a. above shall not be construed to preclude disciplinary action against employees who willfully violate this policy by engaging in activities which are clearly inconsistent with or inimical to his/her district duties or office.

Reference: California Government Code  
Section 1125, et sequitur

Lompoc Unified School District  
Adopted by Board of Education: September 1, 1987  
Revised: April 26, 1988