

Outside Employment and Outside Business Interests

Disclosure Requirement

Using Attachment A, District employees must disclose to their direct supervisor specified information including, but not limited to, the nature of all Outside Business Interests. Also, District employees shall disclose the names of all District students who are (1) employed by or are a volunteer of the District employee in connection with any Outside Business Interest or (2) participants of any nature in a Non-District Sponsored Activity either as customers, employees or otherwise. This does not include students who are related to or share a household with the District employee. It also does not include student customers/employees/participants with whom contact is incidental and completely unsolicited.

Additional Rules for Non-District Sponsored Activities

As set forth in the accompanying Policy, “Non-District Sponsored Activity” means an Outside Business Interest which involves District students as participants. An example of a Non-District Sponsored Activities is travel involving District students outside the District by an organized group led by a guide which is neither:

1. funded in whole or in part by the District either directly or indirectly through a student organization approved by the Board; nor
2. supervised by a District employee or contractor acting within the scope of their employment or contractual relationship with the District.

To avoid any conflict with the interests of the District when a District employee sponsors or chaperones a Non-District Sponsored Activity, all District employees are required to adhere to the below provisions. Waiver of any of provisions below must be in writing from the Superintendent or designee.

1. Staff may not solicit students or their parent(s)/guardian(s) to sign up for or otherwise participate in a Non-District Sponsored Activity during work time.
 - a. The term “solicit” includes, but is not limited to, in-person conversation as well as the distribution and posting of information in a location reasonably calculated to come to the attention of students or their parents.
2. Staff may not use confidential information learned about students during the ordinary course of their employment with the District for the purpose of soliciting student participation in a Non-District Sponsored Activity.
3. Staff may not use the District’s internet, District network resources, or other District property for soliciting student participation in a Non-District Sponsored Activity or planning the Non-District Sponsored Activity.

4. There shall be no posting or distribution of information regarding a Non-District Sponsored Activity on District property or during work time.
5. No meetings may take place on District property during the school day or work hours regarding a Non-District Sponsored Activity. Meetings during non-school/work hours shall be governed by applicable Board Policy and Regulations regarding use of District facilities.
6. Compliance with Board Policy and Regulation Regulations regarding adult/student boundaries is required at all times in connection with a Non-District Sponsored Activity.
7. All materials developed to solicit student participation in Non-District Sponsored Activities must clearly indicate that the trip is not sponsored or endorsed by the District.
8. District staff members who sponsor a Non-District Sponsored Activity must notify, in writing, any students who are considering participating in such Non-District Sponsored Activity and their parents/guardians that the activity is not sponsored by the District and that the District assumes no responsibility with respect to the activity. A copy of the letter to each student shall be provided to the employee's direct supervisor.
9. All staff members who participate in a Non-District Sponsored Activity will remain responsible for all work-related responsibilities.

Complaint Procedure

Any person, including students, parents/guardians, administrators, coaches, sponsors, volunteers, District employees, representatives, agents, and contractors, who becomes aware of conduct by a District employee that violates the accompanying Policy or this Regulation are encouraged to promptly report such incidents to any District Administrator. Any District Administrator who becomes aware or is made aware of conduct by a District employee that violates the accompanying Policy and this Regulation are encouraged to promptly report such incidents to the employee's direct supervisor.

Complaints shall be handled in the same manner as other employee disciplinary investigations. Consequences for violations of this Regulation or the accompanying Policy may lead to discipline up to and including termination.

Questions regarding this Policy should be directed to the building principal or an employee's immediate supervisor.

Discipline

The District shall not issue discipline to any employee on the basis of the employee's alleged failure to comply with the above disclosure requirement where the Outside Employment and/or Outside Business Interest is permitted under the accompanying Policy unless the employee refuses to comply with a directive from a supervisor to make the disclosure.

Violations of this Administrative Regulation or the accompanying Board Policy will be handled in accordance with any applicable collective bargaining agreement or other applicable employment agreement including the just cause provision of any such agreement.

Cross References

Policy 4020 Conflict of Interest and Disclosure of Confidential Information – Prohibition (TESD Employees)

Policy and Regulation 4520 Tutoring for a Fee

Policy and Regulation 4970 Private Coaching or Training of Students by District Athletic Coaches

Policy and Regulation 5461 Maintaining Appropriate Boundaries with Students

Regulation 6146.1 Recognition of Athletic Clubs

Policy and Administrative Regulation 7040 Use of District Facilities.

**DISCLOSURE FORM
OUTSIDE BUSINESS INTERESTS**

INSTRUCTIONS: District employees should use this form to disclose outside business interests to their direct supervisor, as required by Board Policy and Regulation 4511. Please submit completed forms to your direct supervisor.

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| Date: | |
| Name of District Employee: | |
| Name of Direct Supervisor: | |

DISCLOSURE

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| List all Outside Business Interests, as Defined Below (Attach Additional Sheets if Necessary) | |
| Briefly Describe the Nature of Each Outside Business Interest (Attach Additional Sheets if Necessary) | |
| List All District Students Employed by or Volunteering in Connection with Outside Business Interest(s) or who are participating in Non-District Sponsored Activities | |

“**Outside Business Interests**” means any interests or activities undertaken by a District employee for financial or other remuneration outside their role at the District, including, but not limited to, private consulting, or owning, operating or being employed by a private business. Ownership of a private business does not include a financial interest in a legal entity engaged in business for profit which comprises no more than five percent (5%) of the equity of the business or no more than five percent (5%) of the assets of the business. In other words, if a District employee owns five percent (5%) or less of a business and is not otherwise employed by the business, then that business interest is not covered required to be disclosed in accordance with Board Policy and Regulation 44511.

“**Non-District Sponsored Activity**” means an Outside Business Interest which involves District students as participants either as customers, employees, participants, or otherwise. This definition does not include students who are related to or share a household with the District employee. It also does not include student customers with whom contact is incidental and completely unsolicited by the District employee. An example of a Non-District Sponsored Activities is overnight travel to foreign countries sponsored by private companies employing District staff.