

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS
CONFLICT OF INTEREST

DBD
(LOCAL)

Note: For conflicts of interest and gifts and gratuities related to federal grants and awards, see CB and CBB.

No employee of the District shall engage in any activity, commercial or otherwise, that would compromise the employee's ability to perform his or her duties and responsibilities. More specifically, no employee of the District shall:

1. Solicit or accept any gift, favor, or service that might reasonably tend to influence him or her in the discharge of official duties or that he or she knows or should know is being offered with the intent to influence his or her official conduct. [See CAA, CB, and CBB]
2. Accept any employment or engage in any business, professional, or social activity that could reasonably be expected to require or induce him or her to disclose confidential information acquired by reason of his or her official position.
3. Accept other employment or compensation that could reasonably be expected to impair his or her independence of judgment in the performance of official duties.
4. Intentionally or knowingly solicit, accept, or agree to accept, any benefit for having exercised his or her official powers or performed his or her official duties in favor of or against another.

**Disclosure —
General Standard**

An employee shall disclose to his or her immediate supervisor a personal financial interest, a business interest, or any other obligation or relationship that in any way creates a potential conflict of interest with the proper discharge of assigned duties and responsibilities or with the best interest of the District.

Specific Disclosures
Substantial Interest

The Superintendent shall file an affidavit with the Board President disclosing a substantial interest as defined by Local Government Code 171.002 in any business or real property that the Superintendent or any of his or her relatives in the first degree may have.

Any other employee who is in a position to affect a financial decision involving any business entity or real property in which the employee has a substantial interest, as defined by Local Government Code 171.002, shall file an affidavit with the Superintendent; however, the employee shall not be required to file an affidavit for the substantial interest of a relative.

Interest in Property

The Superintendent shall be required to file an affidavit disclosing interest in property in accordance with Government Code 553.002.

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Annual Financial
Management
Report

The Superintendent, as the executive officer of the District, shall provide to the District in a timely manner information necessary for the District's annual financial management report.

[See BBFA]

Endorsements

An employee shall not recommend, endorse, or require students to purchase any product, material, or service in which the employee has a financial interest or that is sold by a company that employs or retains the District employee during nonschool hours. No employee shall require students to purchase a specific brand of school supplies if other brands are equal and suitable for the intended instructional purpose.

Sales

An employee shall not use his or her position with the District to attempt to sell products or services.

**Nonschool
Employment**

An employee shall disclose in writing to his or her immediate supervisor any outside employment that in any way creates a potential conflict of interest with the proper discharge of assigned duties and responsibilities or with the best interest of the District. The disclosure must be made no later than three days after the employee accepts the outside employment.

For purposes of this policy, a potential conflict of interest includes, but is not limited to, tutoring, educational or diagnostic evaluations, counseling services, dyslexia therapy, and physical, occupational, or speech and language therapy.

After the employee makes the above disclosure (or after the District otherwise learns of the potential conflict of interest), the District shall determine whether the employee may continue with the outside employment and if so, whether any conditions on the outside employment shall be required by the District. If the District places conditions on the outside employment, the employee must comply with those conditions. If the District determines that the outside employment may not continue, then the employee shall be required to terminate the outside employment.

Private Tutoring

Tutoring is defined as instruction for compensation by teachers (or other professional personnel employed by the District) of individuals or small groups.

Between the time when teachers are scheduled to report for duty and the beginning of the regular instructional day, teachers shall be available to those students who need help beyond that which they receive in the classroom. Teachers shall receive no additional pay for such service. Individual help during the regular school day may lessen or remove the need for tutoring.

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Recommendations by teachers, counselors, administrators, and other professional personnel for tutoring shall be considered only after all reasonable efforts within the regular program have been exhausted.

An employee shall disclose in writing to his or her immediate supervisor any private tutoring of District students for pay.

Teachers or other professional personnel shall not tutor for pay students from their own classes or students whom they counsel or whose needs they diagnose. Tutoring for pay shall not be performed on school premises and teachers shall be encouraged not to accept more than one tutoring job on any one school day. Tutoring shall be done outside of regular school hours, and tutors shall not be authorized to give grades to their students.

**Private Educational
or Diagnostic
Evaluations and
Physical,
Occupational, and
Speech and
Language Therapy**

Educational diagnosticians, licensed specialists in school psychology, occupational therapists, physical therapists, counselors, dyslexia therapists, and speech and language pathologists shall not provide private diagnostic, counseling, or therapy services to any District student. Additionally, these employees shall not use District facilities or materials in providing private diagnostic, counseling, or therapy services or provide such private services during the workday. [See GKD(LOCAL)]

An educational diagnostician, licensed specialist in school psychology, occupational therapist, physical therapist, counselor, dyslexia therapist, and speech and language pathologist shall promptly disclose in writing to his or her immediate supervisor any private diagnostic, counseling, therapy, or similar services the employee provides to District students.

If an employee provides private diagnostic, counseling, therapy, or similar services to a person who was not a District student, but the employee learns the person has thereafter become a District student, the employee must:

1. Notify his or her immediate supervisor; and
2. Refrain from becoming involved in District-related evaluations or services regarding the student without prior permission from the employee's supervisor.