

CONFLICTS OF INTEREST (Tutoring Policy)

Due to the nature of an employee's responsibilities, which entail the promotion of the public interest and the preservation of the public's trust, it may, in some cases, be necessary to restrict the activities of a district employee to ensure that a conflict of interest does not appear to exist.

The purpose of this policy is to provide guidance on activities that may constitute a conflict of interest, but is not designed to be exhaustive. Regardless whether a particular activity is not specifically addressed within this policy, District employees including those on any form of paid or unpaid leave from a position of employment with the District shall inform their supervisors in writing of all reasonably foreseen potential or actual conflicts of interest.

DEFINITION: A conflict of interest is any situation in which a district employee, either for himself/herself or some other person(s), attempts to promote a private or personal interest which results or appears to result in the following:

- an interference with the objective exercise of his/her district duties;
- a gain or an advantage by virtue of his/her position in the District.

Employees will not engage in any activity that conflicts with his/her duties and responsibilities. Such activities where a conflict of interest may exist include but are not limited to:

- Receiving economic benefit from selling or promoting the sale of goods or services to the students or their parents where the knowledge of the employee's relationship to the District is in any way utilized to influence the sale. (This also applies to non school sponsored activities such as travel.)
- Receiving economic benefit from the sale of instructional and training materials and/or equipment created as part of an employee's job duties. In such instances, the District will retain a proprietary interest.
- Encouraging a student who is enrolled in one or more of the certificated employee's classes to take private lessons, therapy, or to engage tutoring for a fee from the employee, a relative of the employee, or a member of the employee's household.
- Using or providing for others a list of names and home addresses obtained from school records or school-related contacts for purposes of identifying potential client or customer contacts.
- Participating in any way in the selection process for materials, books, or equipment when an item developed by or authored by the employee or a member of his/her family, or a member of the employee's household is under consideration for approval for District use.
- Being involved in the selection of an applicant or in the appointment, evaluation, or supervision of any other employee who is a family member. Family member is defined as son, daughter, father, mother, brother and sister, including in laws and husband/wife, grandparents, grandchildren of the employee, or employee's spouse.
- Using the interschool mail to promote sales of a product in which an employee or a member of the employee's household has a financial interest.
- Providing an employee or student directory for use in promoting sales of a product or service.

- Purchasing or otherwise acquiring surplus district property, where the employee was involved in or had influence in the process of declaring the item(s) as surplus.
- Receiving substantial gifts or extensive travel from a vendor that would result in a personal gain or benefit outside of work related activities for the person receiving the gift or benefit. This provision is not meant to prohibit the acceptance of small gifts from students or parents on an occasional basis. However, employees must take precautions to avoid potential conflicts of interest, the appearance of conflicts of interest, or the appearance of inappropriate relationships when presented with any gifts related to their employment or their role as an employee. If a district officer or employee has any question regarding the propriety of a gift, disclosure of the gift or proposed gift should be made to the Superintendent or Executive Director of Personnel Services for determination of the proper course of action.
- Using District property, funds, position or power for personal or political gain.
- An employee's outside employment or business activities and interests must not interfere with the employee's regular duties nor represent a conflict of interest.

Certificated staff may engage in tutoring, private instruction and/or other employment outside the established regular school day so long as this activity does not interfere with their contractual duties and responsibilities.

Any deliberate act in the course of professional practice which requires or pressures students to purchase equipment, supplies, or services from the education practitioner in a private remunerative capacity is an act of unprofessional conduct.

A certificated staff member shall not tutor students assigned to his/her class unless approved by the Superintendent or designee. The Superintendent or designee may grant permission for certificated staff to tutor students enrolled in their class under the following circumstance:

The student is not enrolled in a core academic class (e.g., Language Arts, Social Studies, Math, and Science at the secondary level or Math, Science, Social Studies, Reading and Writing at the elementary level) with the certificated staff member.

Any deliberate act by an employee in the course of professional practice that requires or pressures District students and/or parents to purchase equipment, supplies or services from the employee, a relative of the employee, or member of the employee's household in a private remunerative capacity is found by the Board to be an act of unprofessional conduct that the District will report to the Office of Professional Practices. In addition, any violation of this policy by an employee may result in disciplinary action, up to and including termination of employment from the District.

Legal Reference WAC 181-87-090 Improper remunerative conduct

Adoption Date: 10.20.08

Issaquah School District

Formerly: Policy 6004; Policy 5251 "Release From Contract" re-numbered to Policy 5280.2

Revised: