

## Administration

### **CONFLICT OF INTEREST CODE: INCOMPATIBLE ACTIVITIES SR 2300.00**

**Purpose:**To designate applicable County Office positions and identify potential activities in conflict with the duties of the position held.

**Timeline:**Done in response to form sent by County of Mendocino each fall.

This regulation is applicable to all Mendocino County Office of Education (MCOE) positions as designated in SP 2300-Conflict of Interest Code: Designated Personnel. It identifies activities which are inconsistent, incompatible, or conflicting with their duties, imposes a responsibility on designated employees to disclose those activities, and specifies actions to be taken by MCOE management.

## Regulations

Designated employees shall not engage in any activity or enterprise for compensation which is inconsistent with or inimical to either his/her own duties with MCOE or to the functions or responsibilities of MCOE.

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

1. Use of district time, facilities, equipment, supplies, or name for private gain or advantage.
2. Receipt or acceptance of money or other consideration from other than MCOE for activity which the employee is expected to render in the regular course or hours of his/her employment with MCOE.
3. Employment involving time demands which would render performance of his/her duties as an MCOE employee less efficient.
4. Sale or promotion, on MCOE property during the employee's duty hours, of products or services, rental of property or products, or promotion of any academic or nonacademic enterprise in which the employee may have a pecuniary interest.
5. Acceptance of remuneration, direct or indirect, for tutoring a student who is, or was during the past two semesters, enrolled in MCOE classes. No employee shall engage in tutoring for which he/she receives a fee on any of the campuses of MCOE nor may any equipment belonging to MCOE be used for this purpose.
6. Outside employment and attendance at classes/courses at colleges and universities which conflict with the assigned hours of MCOE employment.
7. Submission of bids to purchase surplus MCOE property when such is offered for public sale by MCOE, if the employee participated in the decision to declare the property surplus.
8. Outside activity which involves the use for private gain or advantage of the prestige or influence of the individual's position as an MCOE employee. This includes the use of information not readily available to the general public, gained in the course of MCOE employment, for private gain or advantage, or the gain or advantage of another.

9. Performance, outside of MCOE, or any work service for compensation where any part of his/her efforts will be subject and approved in accordance with Section 1 and 2 below.

### **Implementation**

1. All designated employees shall apprise MCOE management, 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 MCOE's Conflict of Interest Code.

2. When a possible incompatibility exists, the issue shall be resolved in the following sequence:
  - a. MCOE management will notify the employee of its belief that activities engaged in by the employee violate a specific prohibition of this regulation. If initial notification is oral, a follow-up written memo shall be sent both to the employee and the County Superintendent confirming and detailing this belief.
  - b. The employee shall be informed of his/her right to appeal any determination of conflict of interest of incompatible activity and from its application in his/her specific case.
  - c. If the employee desires to appeal, such appeal will be made to the County Superintendent.
  - d. If, on appeal, the County Superintendent determines that the employee's activities do violate this regulation, the employee will cease those activities or alternatively terminate his/her employment status with MCOE. Failure to take one of these actions shall be cause for disciplinary action which could result in dismissal.
3. The existence of procedures in Section 2 above shall not be construed to preclude disciplinary action against employees who willfully violate this regulation by engaging in activities which are clearly inconsistent with or inimical to his/her MCOE duties, nor to take appropriate disciplinary or other action when those activities violate any other policy or regulation.

## **MENDOCINO COUNTY OFFICE OF EDUCATION**

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**Date Adopted:** 03/22/2005

**Date Revised:**