Staff Personnel

Series 400

Policy Title  Employee Conflict of Interest  Code No.  427

Employees' use of their positions with the school district for financial or personal gain shall be considered a conflict of interest with their positions as employees and may subject employees to disciplinary action. In order to foster an environment for learning, and to avoid the potential for a conflict of interest, this policy has been established to address potential conflict of interest relationships among employees, faculty, administrators, the Board of Directors, and students. Employee includes any employee, faculty, staff or administrator.

Employees have access to information and a captive audience that could award the employee personal or financial gain. No employee may solicit other employees or students for personal or financial gain to the employee without the approval of the Superintendent. If the approval of the Superintendent is given, the employee must conduct the solicitations within the conditions set by the Superintendent. Further, the Superintendent may, upon five days notice, require the employee to cease such solicitations as a condition of continued employment.

Employees shall not act as an agent or dealer for the sale of textbooks or other school supplies for the Pleasant Valley Community School District. Employees shall not participate for personal financial remuneration in outside activities wherein their position on the staff is used to sell goods or services to students or to parents. Employees shall not engage in outside work or activities where the source of information concerning the customer, client, or employer originates from information obtained because of the employee's position in the school district.

It shall also be a conflict of interest for an employee to engage in any outside employment or activity that is in conflict with the employee's official duties and responsibilities. In determining whether outside employment or activity of an employee creates a conflict of interest, situations in which an unacceptable conflict of interest shall be deemed to exist shall include, but not be limited to, any of the following:
(1) The outside employment or activity involves the use of the school district's time, facilities, equipment, or supplies or the use of the school district's badge, uniform, business card, or other evidence of office to give the employee or the employee's immediate family an advantage or pecuniary benefit that is not available to other similarly situated members or classes of members of the general public. For purposes of this section, a person is not "similarly situated" merely by being related to an employee who is employed by the school district.

(2) The outside employment or activity involves the receipt of, promise of, or acceptance of money or other consideration by the employee or a member of the employee's immediate family from anyone other than the school district for the performance of any act that the employee would be required or expected to perform as part of the employee's regular duties or during the hours during which the employee performs service or work for the school district.

(3) The outside employment or activity is subject to the official control, inspection, review, audit, or enforcement authority of the employee during the performance of the employee's duties.

If the outside employment or activity is employment or activity in (1) or (2) above, the employee must cease the employment or activity. If the activity or employment falls under (3), then the employee must:

• Cease the outside employment or activity; or
• Publicly disclose the existence of the conflict and refrain from taking any official action or performing any official duty that would detrimentally affect or create a benefit for the outside employment or activity. Official action or official duty includes, but is not limited to, participating in any vote, taking affirmative action to influence any vote, or providing any other official service or thing that is not available generally to members of the public in order to further the interests of the outside employment or activity.

It shall be the responsibility of each employee to be aware of and take the necessary action to eliminate a potential conflict of interest should it arise.

From time to time, the School District may employ individuals who have familial relationships with one another or with students of the District. This policy governs the relationship and reporting mechanisms of those family members.

The following definitions apply to this policy:

- **Familial Relationship/Family Member:** Spouse, Parent, Step-Parent, Child, Step-Child, Sibling, Grandparent, Parent-In-Law, Child-In-Law, Sibling, or Siblings-In-Law.
- **Direct Reporting Relationship:** The term "Direct Reporting Relationship" refers to situations in which an employee is in a direct reporting or supervisory role with another employee either directly or indirectly.

Employees shall not exercise employment control, including discipline, over an employee that has a Familial Relationship with him or her. No individual, including any administrator, faculty member, or employee supervisor shall discipline or otherwise be involved in employment decisions involving a Family Member. No employee, administrator, faculty, or employee supervisor shall take any action to exert influence or control over the employment relationship of a Family Member with the District. In situations where an employee is in a potential Direct Reporting Relationship, procedures will be developed that allow an employee to bypass the Family Relationship. In situations where the Superintendent has a Family Relationship with an employee, all employment and disciplinary decisions should be made by the Assistant Superintendent, who will report directly to the Board of Directors.
Staff Personnel

Series 400

Policy Title  Employee Conflict of Interest (Continued)  Code No. 427

From time to time, students have Family Relationships with teachers, administrators, and coaches. Every attempt should be made to avoid an appearance of impropriety and favoritism. For example, students should not be assigned to a Family Member's class, if another reasonable alternative exists. Nothing in this policy prevents a student from taking any class offered by the District or a Family Member from coaching a student. Any District discipline taken against a student shall not be made by a Family Member; in situations of Student/Administrator Familial Relationships, the Administration shall develop procedures to bypass the Familial Relationship.

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Legal Reference: (Code of Iowa)
Iowa Code 20.7; 279.8; 301.28
1993) Iowa Code Supp. ch 68B
1993

Related Administrative Rules and Regulations: Cross Reference: Board of Director's Conflict of Interest. Gifts to Employees. Employees Outside Employment. Solicitation from Outside. Licensed Employee Suspension