

EMPLOYEE CONFLICT OF INTEREST

Conflict of interest is when an employee uses his/her position with the District for personal or financial gain. Such conditions shall not exist. When they do, the employee may be subject to disciplinary action. No employee shall solicit District employees or students for personal or financial gain without the approval of the Superintendent. If approval by the Superintendent is given, the employee must conduct the solicitations within the conditions determined by the Superintendent. The Superintendent may require the employee, upon five days' notice, to cease such solicitations as a condition of continued employment.

An employee shall not act as an agent or dealer for the sale to the District of textbooks or other school supplies. Employees shall not participate for personal financial remuneration in outside activities wherein their position in the District is used to sell goods or services to District students or their 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 District.

It shall 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 District duties and responsibilities. In determining whether outside employment or activity of an employee creates a conflict of interest, situations for which a conflict of interest shall be deemed to exist includes, but not limited to, any of the following:

- a) The outside employment or activity involves the use of District time, facilities, equipment, or supplies or the use of the District's badge, uniform, business card, or other evidences 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 the purpose of this section, a person is not "similarly situated" merely by being related to an employee of the District.
- b) The outside employment or activity involves the receipt of, promise of, or acceptance of more or other consideration by the employee or a member of the employee's immediate family from anyone other than the District for the performance of any act that the employee would be required or expected to perform as part of the employee's regular District duties or during the hours during which the employee performs service or work for the District.
- c) 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 District duties.

If the outside employment or activity is employment or activity in (a) or (b) above, the employee must cease the employment of the activity. If the activity or employment falls under (c), then the employee must:

1. Cease the outside employment or activity; or

2. 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 District employee to be aware of and take the necessary action to eliminate a potential conflict of interest should it arise.

LEGAL REFERENCE: Iowa Code Chapter 68B; section 301.28

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