



**LOS ANGELES UNIFIED SCHOOL DISTRICT  
POLICY BULLETIN**

**TITLE:** **OUTSIDE DISTRICT EMPLOYMENT  
OR ACTIVITIES**

**ROUTING**  
All District Employees

**NUMBER:** BUL-049895.0

**ISSUER:** Vivian Ekchian, Interim Superintendent  
Office of the Superintendent

**DATE:** May 10, 2018

**POLICY:** All employees are expected to be fully committed to serve the mission of the District and to perform all of their duties while at work. Employees who have outside employment and other activities which may be inconsistent with the District’s mission or interfere with District work are legally required to disclose and request permission before engaging (or continuing to engage if not previously disclosed) in such activities. No District employee shall engage in any employment, activity, or enterprise for compensation which is inconsistent, incompatible, in conflict with, or inimical to his or her District duties or with the duties, functions, or responsibilities of the District.

**MAJOR CHANGES:** This is a new policy which was developed pursuant to California Government Code Section 1126, et seq.

**GUIDELINES:** Pursuant to Cal. Gov’t Code Section 1126, an employee “shall not engage in any employment, activity, or enterprise for compensation which is inconsistent, incompatible, in conflict with, or inimical to his or her duties” or “with the duties, functions, or responsibilities” of the public agency by which he or she is employed.

**A. DEFINITIONS**

An outside employment, activity or enterprise for compensation shall be considered “inconsistent, incompatible, in conflict with, or inimical” to District employment when it:

1. Involves time demands that would render performance of his or her duties as a District employee less efficient;
2. Entails compensation or other consideration from anyone other than the District for the performance of an act which the employee, if not performing such act, would be required or expected to render in the regular course or hours of his or her District employment or as part of his or her duties as a District employee;



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3. Involves using the District's name, prestige, time, facilities, equipment, supplies, influence of your office or employment for private gain or advantage;
4. Involves the performance of an act which may later be subject directly or indirectly to the control, inspection, review, audit, approval or enforcement of another District employee or Board member.

The above is not intended to be an exhaustive list as it is not feasible to contemplate every scenario of outside employment, activity or enterprise that may be inconsistent, incompatible, in conflict with, or inimical to the District employee's duties or with the duties, functions, or responsibilities of the District.

It is not the intent of this policy to prevent the employment by private business of a public employee, such as a peace officer, fireman, forestry service employee, among other public employees, who is off duty to do work related to and compatible with his regular employment, or past employment, provided the person or persons to be employed have the approval of their District supervisor and are certified as qualified by the appropriate agency.

Pursuant to Government Code Section 1128, an attorney employed by a local agency in a nonelective position may serve on an appointed or elected governmental board, commission, committee, or other body. Such service shall not, by itself, be deemed to be inconsistent, incompatible, in conflict with, or inimical to the duties of the attorney as an officer or employee of the local agency and shall not result in the automatic vacation of either such office.

Nothing in this policy bulletin is intended to abridge or otherwise restrict the rights of public employees under California Government Section 3201 et seq. as it relates to political activities.

### B. PROCEDURES

1. An employee wishing to engage in outside employment, activity or enterprise that may be inconsistent, incompatible, in conflict with, or inimical to the employee's duties shall submit a written request describing the nature and time required. See Attachment A: "Disclosure and Request to Engage in Outside Employment or Activities."
2. A form must be completed for each employment, activity or enterprise. A new form must be completed if the outside employment, activity or enterprise continues in the next fiscal year or beyond the anticipated duration.
3. The employee must clearly show that the proposed employment, activity or



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enterprise does not violate the LAUSD Employee Code of Ethics. See <https://achieve.lausd.net/Page/14037>.

4. When permission is given, the employee must schedule the outside work so as not to interfere with work for the District. Outside work may not be done during their normal District hours. Where there is an overlap between the outside work and the normal District work day, the employee must take vacation time (if available) for the hours worked and for the time required to travel to engage in the outside work. The amount of vacation to be taken is subject to approval by the supervisor or site administrator.
5. District employees shall ensure to complete a Statement(s) of Disqualification and Form 700 disclosures where appropriate and applicable. If unsure, please consult with the Ethics Office.
6. All employees shall advise their employer(s) for whom the outside employment, activity or enterprise is being performed that the District does not sponsor or endorse those activities.
7. If the request is approved, the employee shall ensure that no District work-time, funds, materials, resources, supplies or equipment are used for any outside employment activities, whether or not the outside employment activities services are compensated.
8. If the request is denied, it may be appealed to the division head or local district superintendent (or designee). See Attachment B: Appeal of Denial Request to Engage in Outside Employment or Activities.

District employees who violate this policy or continue to pursue a prohibited activity may be subject to discipline up to and including dismissal from LAUSD employment.

**RELATED  
RESOURCES:**

- California Government Code Sections 1126, 1127 & 1128
- Employee Code of Ethics

**ATTACHMENT:**

Attachment A – Disclosure and Request to Engage in Outside Employment or Activities  
Attachment B – Appeal of Denial Request to Engage in Outside Employment or Activities

**ASSISTANCE:**

For assistance or further information, please contact the appropriate Local District Superintendent, Division Head, or assigned designee.

For questions regarding the Employee Code of Ethics, please contact the Ethics Office at (213) 241- 3330.