

## 3214 / 4214 CONFLICT OF INTEREST

Employees are expected to avoid engaging in any conduct that creates, or gives the appearance to the public of creating a conflict of interest with job responsibilities with the school district. While there may be other conflicts of interests, employees must follow Board directives in the following areas.

### Financial Interests

An employee of the Lakewood School District will not engage or have a financial interest, directly or indirectly, in any activity that conflicts with duties and responsibilities in the school district.

#### 1. Contracts with the Board

An employee shall not do any of the following:

- a. Obtain a direct benefit from a contract that he/she is involved in making or administering on behalf of the Board; or
- b. Influence or attempt to influence anyone who is involved in making or administering a contract on behalf of the Board; or
- c. Solicit or receive any gift, reward or promise for recommending, influencing or attempting to influence the award of a contract.

An employee is involved in administering a contract if he/she oversees the performance of the contract or has authority to interpret or make decisions regarding the contract. An employee is involved in making a contract if he/she participates in the development of specifications or terms of the contract or participates in the preparation or award of the contract. An employee derives a direct benefit from a contract if the Board member or employee or his/her spouse does any of the following: (1) has more than a ten percent ownership or other interest in an entity that is a party to the contract; (2) derives any income or commission directly from the contract; or (3) acquires property under the contract.

#### 2. Non-School Employment

The Board recognizes that some employees may, in their own time, pursue additional compensation. Employees must notify the school district of any non-school employment in writing prior to engaging in it.



Any such employee will not engage in the following:

- a. Non-school employment which adversely affects the employee's availability or effectiveness in fulfilling job responsibilities for the Board;
- b. Work of any type where the sources of information concerning customer, students (current or prior), client or employer originates from any information obtained through the school district;
- c. Work of any type that materially and negatively affects the educational program of the school system, unless prior approval is provided by the Superintendent;
- d. Any type of private business using district facilities, equipment or materials for private business purposes, unless prior approval is provided by the Superintendent; or
- e. Any type of private business during school time or on school property.
- f. Using paid sick days to engage in private business.

The Superintendent may grant prior approval for work performed under subsections d. and e. above if such work enhances the employee's professional ability or professional growth for school-related work.

Any teacher, guidance counselor, child study team member, speech therapist, occupational therapist, physical therapist, administrator or other staff member may not represent, serve as an advocate for or serve as an expert for a parent in a court of law involving programs or services, as related to their current position with the Lakewood School District, without prior approval from the Superintendent of Schools, during the calendar school year, or extended school year while being employed by the district, which includes sick, personal and vacation days.



### 3. Tutoring for Pay

Principals and teachers will make every effort to help students with their difficulties at school before recommending that parents engage a tutor. However, the Board recognizes that some students may need additional help in order to meet promotion standards.

To avoid placing any teacher in a position where he or she may have or appear to have a conflict of interest, teachers are not permitted to receive money for tutoring any student taught by the teacher in the present school year, any student they will be called on to evaluate in any manner in the present school year, nor any student who has previously failed subjects or courses under that teacher's direction. However, the Superintendent is authorized to waive this requirement when a student needs tutoring and the student's teacher is the only qualified tutor available (for example, in a foreign language). Such waivers shall only be for a specific time period upon written request of the student's parent(s) and after consultation with the teacher and Principal involved and written approval of the Superintendent.

Employees may not actively solicit students for tutoring. The Board is not involved in setting tutoring fees and is not a party to tutoring contracts between parents and teachers. Fees must be mutually agreed upon by parents and teachers.

The Superintendent may establish additional rules or procedures for the purpose of eliminating potential conflicts of interests.

### 4. Professional Personnel Consulting

- a. The Board authorizes the Superintendent to review requests by professional personnel to engage in consulting activities and to approve such requests within the Superintendent's discretion. Such activities will not be permitted to infringe upon the contractual obligations of school employees or affect the educational programs of the school district. Activities that include work of any type, where the sources of information concerning customer, students (current or prior), client or employer, originates from any information obtained through the school district will not be permitted.



## Receipt of Gifts

No gifts from any person or group desiring or doing business with the school district will be accepted by a school employee except for honorariums for participating in meetings, nominally valued instructional products or advertising items which are widely distributed or meals provided at a banquet.

Students and parents who want to show appreciation for the efforts of employees should do so through oral or written expressions of gratitude, rather than through gifts. Gifts are discouraged. However, employees may accept small tokens of goodwill from students, parents or community members for holidays, special occasions or exceptional occasions, such as concerts, farewells, special achievements or death of a loved one. Employees should ensure that no student is embarrassed or otherwise mistreated because of his/her inability or unwillingness to participate in a gift giving.

No employee shall compromise his/her position by accepting gifts from individuals or special interest groups within the community when such gifts are intended to influence the business of the school or school district.

## Confidential Information

Information that pertains to the LakewoodSchool District, including its vendors and students, is strictly confidential and must not be given to anyone who is not employed by the LakewoodSchool District, deliberate or accidental.

LakewoodSchool District employees must avoid any situation in which their loyalty may be divided.

Confidential information can be protected by taking the following precautionary measures:

- Discuss work matters only with other LakewoodSchool District employees who have a specific reason to know or have access to such information.
- Do not discuss work matters in public places.
- Secure confidential information in locked desk drawers and cabinets at the end of every business day.

N.J.S.A. 18A:6-8; 18A:11-1  
Adopted: 17 October 2013

