

San Marcos Unified School District

Statement on Conflict of Interest

San Marcos Unified School District, as a matter of business procedure and practice, and consistent with governing law, does not do business with, or make purchases from, businesses in which District employees have a substantial financial interest. Substantial financial interest specifically includes, but is not limited to ownership or partial ownership of the business.

No purchase or lease of goods or contract for services shall be made from any employee or near relative of an employee unless there has been a specific determination by the Associate Superintendent of Business that the goods or services are not available from any other source. District employees engaging in these prohibited activities are subject to disciplinary actions.

Code sections applicable generally to District employees

Government Code section 1090

. . . employees shall not be financially interested in any contract made by them in their official capacity, or by any body or board of which they are members. Nor shall . . . employees be purchasers at any sale or vendors at any purchase made by them in their official capacity.

Government Code section 1126

(a) . . . 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 as a local agency officer or employee or with the duties, functions, or responsibilities of his or her appointing power or the agency by which he or she is employed. The officer or employee shall not perform any work, service or counsel for compensation outside of his or her local agency employment where any part of his or her efforts will be subject to approval by any other officer, employee, board, or commission of his or her employing body. . .

(b) [employees may not participate in activities or outside employment that] . . . involve the use for private gain or advantage of his or her local agency time, facilities, equipment and supplies; or the badge, uniform, prestige, or influence of his or her local agency office or employment.

Education Code section 44421.1

Certified personnel can be disciplined by the CTC if the “knowingly and willfully use school records of pupil data in connection with, or implicitly or explicitly attempt to recruit a pupil to be a customer for any business owned by the credential holder or in which the credential holder is an employee.

Government Code section 87100-87104

Section 87100. No public official at any level of state or local government shall make, participate in making, or in any way attempt to use his official position to influence a governmental decision in which he knows or has a financial interest.