CONFLICT OF INTEREST – PRIVATE PRACTICE

A. The following guidelines are intended to prevent the appearance or actuality of a conflict of interest between staff’s district work and their private practice. These are not intended to be all-inclusive, or to substitute for good judgment on the part of all employees.

1. No employee shall engage in or have a financial interest, directly or indirectly, in any activity that conflicts or raises a reasonable question of conflict with his/her duties and responsibilities in the school system.

2. Employees shall not engage in business, private practice of their profession, or the rendering of services or sale of goods of any type where advantage is taken of any professional relationship they may have with any pupil, client or parents of such pupils or clients in the course of their employment with the school district.

3. Included, by way of illustration rather than limitation are the following:

   a. The provision of any private lessons or services for a fee.
   
   b. The use, sale or improper divulging of any privileged information about a pupil or client gained in the course of the employee's employment or through his/her access to school district records.
   
   c. The referral of any pupil or client for lessons or services to any private business or professional practitioner if there is any expectation of reciprocal referrals, sharing of fees or other remuneration for such referrals.
   
   d. Pupils or clients will never be required to purchase any private goods or services provided by an employee or any business or professional practitioner with whom any employee has a financial relationship as a condition of receiving any grades, credits, promotions, approvals or recommendations.
4. Employees shall not make use of materials, equipment or facilities of the school district for private practice application. Examples might be the use of facilities before, during or after regular business hours for service to private practice clients or the checking out of instructional materials center items as private practice resources.

B. Should exceptions to this policy be necessary in order to provide mandatory services to pupils or clients of the school district, all such exceptions will be made known to the employee's supervisor and will be disclosed to the Assistant Superintendent of Instruction before any private relationship shall be entered into. Should an employee be dissatisfied with the decision of the Assistant Superintendent of Instruction, he/she may appeal to the superintendent. The superintendent may prohibit such relationships in any case where he/she is not satisfied that there is compelling evidence of need.

C. It will be the responsibility of each administrator to orient his staff to this policy. This will be done initially at the first staff meeting following adoption of each year; and newly employed staff members will similarly be made aware of the policy during their orientation to the district.

D. Where appropriate, this policy will be referenced in staff handbooks.

E. With regard to non-mandatory services;

1. If a pupil, client or parent of a pupil or client requests additional services during the school year, or other time period when regular services are being provided, and such services are necessary to properly serve the pupil or client, the schedule of service should be altered to appropriately serve the pupil or client, up to the capacity/capability of the program. The provision of additional services privately for a fee by school district staff is not an option in such circumstances.

2. If additional services are similarly requested during a time period when regular service is not provided (e.g., summer), the school district will provide a list of qualified practitioners from whom services may be obtained privately.

ADMINISTRATIVE REGULATION

Adopted: September 23, 1986
Amended: July 17, 2007