



March 20, 1990

ADMINISTRATIVE MEMORANDUM NUMBER EIGHTY-NINE
UNAUTHORIZED USE OF DISTRICT RESOURCES AND EQUIPMENT

All administrators and supervisors are asked to review with district staff the illegal nature of utilizing district assets and equipment for private purposes. Specifically at issue is the matter of employees removing valuable equipment from district premises without authorization. When such occurs, the district can only presume that the equipment is being utilized for private purposes as there was no prior approval for the equipment to be used in behalf of the district at a private location. The following references from the Utah Code and from the Granite School District Policies, Rules and Regulations of the Board of Education relate:

Utah Code: 76-8-201. "Official misconduct--Unauthorized acts or failure of duty. A public servant is guilty of a class B misdemeanor if, with an intent to benefit himself or another or to harm another, he knowingly commits an unauthorized act which purports to be an act of his office, or knowingly refrains from performing a duty imposed on him by law or clearly inherent in the nature of this office."

Board policy: IX-B-25. "The District is a public, tax supported institution. Therefore, District owned equipment and services performed must be utilized in District functions only, except in the case of public emergencies where the life or well-being of citizens are involved."

Questions have been asked about the propriety of secretaries and classified employees performing district functions at their home and receiving compensatory time for that service. With the exception of emergencies, this latter practice should only occur with the specific authorization of an appropriate member of the superintendency. The difficulty of the practice is found in the inability of the district to supervise the work effort of the employee if the efforts occur outside of the district purview of supervision.

/s/

Loren G. Burton
Superintendent