

Lower Merion School District

Policy No.:	460
Section:	PROFESSIONAL EMPLOYEES
Title:	TUTORING FOR A FEE
Date Adopted:	8/15/05
Date Last Revised:	5/15/17; 12/21/15

460 TUTORING FOR A FEE

In order not to unnecessarily deprive District students of access to the many qualified private tutors who are also District employees, while minimizing the potential for conflict of interest created by teachers and other instructional staff tutoring their own students, the District permits tutoring of District students by District staff and their near relatives, pursuant to the guidelines below and in accordance with Pennsylvania's *Code of Professional Practice and Conduct for Educators*, which provides in part: "The professional educator may not ... exploit a professional relationship for personal gain or advantage" (22 Pa. Code §235.9).

Definitions

For purposes of this policy:

"Teacher" includes classroom teachers, teachers of special subjects such as music and art, counselors, psychologists, performance activity advisors, aides and related services providers, including but not limited to speech therapists, occupational therapists and physical therapists.

"Tutoring" means providing additional, special, or remedial instruction to a student in the employee's assigned area(s) of certification.

"Current student" means a student on the employees' class list or case load or who is otherwise specifically assigned to the employee regardless of the time of year.

"Near relative" means an employee's spouse, their children and others with whom they make their home.

"Performance activity advisors" means individuals employed in District extra duty for extra pay classifications pertaining to activities in which District students publicly compete or perform.

Tutoring Own Students Prohibited

All District students are entitled to reasonable assistance from their teachers without additional cost. Moreover, allowing any teacher to charge a fee to their own students for tutoring could create an appearance that the student will have an unfair academic advantage. Therefore, teachers and their near relatives shall refrain from tutoring their current students for a fee either individually or in groups. Furthermore, teachers may not initiate private business or "tutoring for a fee" relationships with their current students, or those students' parents/guardians, regardless of when the tutoring may occur, whether on behalf of themselves or their near relatives. For example, a teacher cannot solicit prospective business from a current student even if the tutoring may occur when the student is no longer in his or her class, such as during the summertime.

Other Restrictions on Tutoring

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No tutoring or private lessons for which a teacher or other employee receives a fee will be carried on in the school building absent extraordinary circumstances authorized by the Superintendent.

A teacher or other employee may not use District resources such as his/her assigned computer or classroom materials, including assessments, in connection with a private tutoring business.

No solicitation for tutoring for a fee services for a teacher or their near relatives may occur on District property or through any District means of communication at any time.

Except in cases of assigned homebound instruction, employees who tutor, or whose near relatives tutor, their current students for a fee individually or in groups will be subject to discipline up to and including discharge.

Examples of Permissible Tutoring

1. An elementary music teacher could provide private music instruction to students assigned to another elementary school in the District.
2. An elementary math teacher could provide group instruction to students not assigned to that teacher but not a group containing any student assigned to the teacher.

However, even in cases where tutoring for a fee is permitted; it is still prohibited from occurring on school property.

Disclosure Requirement

Teachers must disclose to their principal the names of all District students for whom they or their near relatives provide tutoring prior to providing the tutoring.

Related References:

22 Pa.Code Section 235 (Code of Professional Practice and Conduct for Educators)