

Policy Code: ~~3240-7735~~ Tutoring or Providing Services to Students For Pay

~~Tutoring of students for a fee on school property or with school supplies is prohibited. Any teacher who accepts pay for tutoring students shall provide such tutoring off school property and shall limit her/his practice to students other than those in a school in which she/he teaches.~~

3240.1

~~In the case of instrumental music only, the assistant superintendent for elementary or secondary programs may grant special written permission in extenuating circumstances.~~

Any tutoring or other services permitted under this policy must comply with all applicable laws, policies, and regulations. To the extent that tutoring or other services are permitted under this policy, it is imperative that there be no pressure on students or parents to participate in such services and that there be no favoritism shown towards students who participate in such services.

For purposes of this policy, “private capacity” means serving a child (such as for childcare or non-WCPSS coaching) as an individual, a sole proprietor or through a business owned in full or part by the employee. Private capacity does not include providing tutoring or other services on behalf of the school system.

Consistent with Board Policy 6521, Personal Use of Equipment, Materials, and Supplies, no use of school system equipment, no matter how minimal, shall be for personal gain.

Prohibition for Tutoring or Providing Services to Students Being Taught or Served by an Employee

Employees are prohibited from tutoring or providing other services in an individualized private capacity for a fee to students whom they are currently assigned to teach or serve, whether on or off school system property.

Prohibition for Tutoring or Providing Services on WCPSS Property

All employees also are prohibited from tutoring students or providing other services in an individualized private capacity for a fee to any students on school system property or with school system supplies.

This subsection does not apply in the following instances:

- where the employee is being paid by the school system to provide tutoring or other services;
- where the employee is being paid by a third party that has contracted with the school system to provide tutoring or other services to students on behalf of the

school system, provided that the services provided by the employee are within the scope of the contract;

- where the employee has rented school system facilities in compliance with Board Policy 5030, Community Use of Facilities, with the understanding that the employee remains prohibited from tutoring or providing services in a private capacity for a fee to a student whom they are currently assigned to teach or serve.

Exceptions

The superintendent or designee is authorized under compelling circumstances to grant exceptions to the restrictions set forth in this policy if there are no other available resources in the local community to provide tutoring or other services to the student or if it would deny the students an educational opportunity with WCPSS. An exception will only be granted if doing so would not adversely affect the employee's implementation of the employee's regular duties. An employee's effectiveness in assisting a student does not establish a basis for an exception to this policy.

Legal Reference: [G.S. 115C-36](#) and [G.S. 115C-47](#)

Adopted: January 9, 1978

Revised: November 16, 1987

Revised: August 17, 1998

Revised:

Wake County Board of Education