

**BALTIMORE COUNTY PUBLIC SCHOOLS**

**DATE:** March 22, 2011

**TO:** **BOARD OF EDUCATION**

**FROM:** Dr. Joe A. Hairston, Superintendent

**SUBJECT:** **REPORT ON THE PROPOSED CHANGES TO POLICY 4133,  
TUTORING/EDUCATIONAL SERVICES**

**ORIGINATOR:** Joe A. Hairston, Superintendent

**RESOURCE**  
**PERSON(S):** Donald Peccia, Assistant Superintendent, Human Resources  
George Duque, Manager, Staff Relations

**RECOMMENDATION**

That the Board of Education reviews the proposed changes to Policy 4133.  
This is the first reading.

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Attachment I – Policy Analysis  
Attachment II – Policy 4133

**POLICY ANALYSIS FOR  
BOARD OF EDUCATION POLICY 4133  
TUTORING/EDUCATIONAL SERVICES**

**Statement of Issues or Questions Addressed**

Board of Education Policy 4133 prohibits teachers from tutoring their assigned students for compensation. Staff has reviewed the Board of Education's Ethics Review Panel decisions and is recommending that the policy be revised to: (1) prohibit all teachers, as well as school-based staff members, from providing tutoring or other educational services for private gain to school system students whom they currently teach; (2) prohibit employees from using school system facilities and equipment to provide tutoring or educational services; (3) conform to the Policy Review Committee's editing conventions.

**Cost Analysis and Fiscal Impact on School System**

No fiscal impact is anticipated by the revision of this policy.

**Relationship to Other Board of Education Policies**

1. Board of Education Policy 4115, *Employee Conduct and Responsibilities*
2. Board of Education Policy 8363, *Conflict of Interest*
3. Board of Education Policy 8366, *Ethics Review Panel*

**Legal Requirements**

None

**Similar Policies Adopted by Other Local School Systems**

1. Anne Arundel County Board of Education, Policy 801.15, *Tutoring for Pay*
2. Frederick County Board of Education, Policy 315, *Tutoring/Educational Services Offered by FCPS Staff*
3. Prince George's County Board of Education, Policy 4116, *Conflicts of Interest*

**Draft of Proposed Policy**

Attached

**Other Alternatives Considered by Staff**

Staff considered deleting the policy and transferring the contents of the policy to Board of Education Policy 4115, *Employee Conduct and Responsibilities*.

**Timeline**

First reading – March 22, 2011

Public comment – April 5, 2011

Third reading/vote – May 10, 2011

PERSONNEL: Professional

[Activities:] Tutoring/EDUCATIONAL SERVICES

I. POLICY STATEMENT

THE BOARD OF EDUCATION OF BALTIMORE COUNTY'S (BOARD) ETHICS CODE POLICIES PROHIBIT SCHOOL SYSTEM EMPLOYEES AND VOLUNTEERS FROM BENEFITING FROM BUSINESS WITH THE SCHOOL SYSTEM AND FROM RELATIONSHIPS WITH STUDENTS. IN ORDER TO ENSURE THAT NO CONFLICT OF INTEREST ARISES, THE BOARD INSTITUTES THE FOLLOWING RESTRICTIONS.

II. RESTRICTIONS

- A. EMPLOYEES SHALL NOT PROVIDE TUTORING OR EDUCATIONAL SERVICES OF ANY TYPE FOR PRIVATE GAIN TO BALTIMORE COUNTY PUBLIC SCHOOL SYSTEM (BCPS) STUDENTS WHOM THE EMPLOYEES CURRENTLY TEACH. [With the exception of school-sponsored programs, teacher[s] regularly employed in a school shall not tutor for compensation any student whom he or she is currently teaching.]
  - 1. THIS RESTRICTION DOES NOT APPLY TO SCHOOL-SPONSORED PROGRAMS.
- B. BOARD EMPLOYEES SHALL NOT USE BCPS FACILITIES OR EQUIPMENT TO PROVIDE TUTORING OR EDUCATIONAL SERVICES FOR PRIVATE GAIN.

RELATED POLICIES: BOARD OF EDUCATION POLICY 4115, *EMPLOYEE CONDUCT AND RESPONSIBILITIES*  
BOARD OF EDUCATION POLICY 8363, *CONFLICT OF INTEREST*  
BOARD OF EDUCATION POLICY 8366, *ETHICS REVIEW PANEL*

[Also see the Board of Education Policy and Rule 4115 “Responsibilities and Duties” and Board of Education Policy 8363 Ethics Code: “Conflict of Interest.” Policy]

Policy  
Adopted: 08/29/68  
Revised: 02/18/09  
REVISED: \_\_\_\_\_

Board of Education of Baltimore County