

Employee Involvement in work outside of school contract hours.

This policy provides direction and parameters for employees who provide or participate in private related activities outside of their public education employment. Specifically, this policy defines when an employee is acting within the scope of employee duties with respect to school activities, identifies when an employee does not represent the school, and provides notice to employees regarding disclosure duties.

I. Definitions

1. "Activity Sponsor" means a private or public individual or entity from which the employees of the school receive compensation of any sort and in which public school students participate.
2. "Extra-Curricular Activities" means activities for students who are recognized or sanctioned (but not necessarily sponsored) by the school or school that may supplement or complement required programs or regular curriculum.
3. "Private but Public Education-Related Activities" means an activity in which an employee participates and receives compensation from current or prospective students of the school. Such education-related activities include but are not limited to:
 - a. Tutoring
 - b. Lessons
 - c. Clinics*
 - d. Camps*
 - e. Travel Opportunities

II. Employees shall not charge a fee for any tutoring services provided to students at the school either within or outside regular school hours from any current student at Esperanza Elementary School.

III. Employee Participation in Private but Public Education Related Activities

1. An employee may participate in a private but public education-related activity if the activity is separate and distinguishable from employment in the school and does not interfere with performing the duty of employment with the school in any way.
2. In promoting a private activity, an employee may not:

- a. Contact any students at public schools except as stated in 2.3 of this policy.
 - b. Use education records or information obtained through employment with the school unless the records or information have been made available to the general public and the requirement of the Federal Education Rights Privacy Act (FERPA) has been met.
 - c. Use school time and/or materials to promote, discuss, or prepare for the private activity.
 - d. State or imply to any person or entity that participation in a private activity is required for any school program.
 - e. Give or withhold credit based on participation in the private activity, including but not limited to clinics, camps, private programs or travel activities that are not equally and freely available to all students.
3. In promoting a private activity, an employee may:
- a. Offer public education-related services, programs or activities to students provided they are not advertised or promoted during school time and consistent with the policy.
 - b. Discuss the private activity with students or parents only outside of the classroom and the regular school day.
 - c. Use directories that are available to the general public to identify prospective clients such as school phone directories distributed or made available to the public.
 - d. Use student or school publications in which commercial advertising is allowed to advertise and promote the private activity.

IV. Directives Regarding Advertising of Private Activities

The following directives apply to advertising private activities where employees are involved or affiliated in any way with the group, entity, association or company promoting or sponsoring the private activity:

1. An employee may purchase advertising space to advertise an activity or service in a publication that accepts advertising, whether or not sponsored by schools in the school or by the school. Such publications include school newspapers, e-flyers, and yearbooks but not school newsletters.

2. The advertisement may identify the activity participants and leaders or service providers by name, provide non-school telephone numbers, and provide details of the employee's employment experience and qualifications.
 3. Posters and brochures may be posted or distributed only at times and in areas of schools and school buildings where members of the general public are allowed to do so.
 4. Unless the activity is sponsored by the school, the advertisement shall state clearly and distinctly in bold lettering that the activity is NOT sponsored by the school or school.
 5. Neither the school nor the school shall be named in the advertisement except in connection with the employee's employment history or, if school facilities will be used under the school public civic-center use policy.
- V. Employees may not involve any current student in after school activities where students pay a fee. Esperanza Elementary School students may not be charged a fee for any type of instruction or participation in after school activities or for supplies or materials by current employees or services rendered by current employees.