

BOARD OF EDUCATION OF BALTIMORE COUNTY

ETHICS REVIEW PANEL

ADVISORY OPINION 01-01

This advisory opinion is in response to a request made by ██████████ a teacher in the Baltimore County Public Schools' (BCPS) system. ██████████ has asked for an opinion involving several questions related to his providing educational consulting services to BCPS educators. ██████████ asks if it is possible to conduct a curriculum workshop for BCPS educators and to receive payment for consulting. ██████████ questions if he could conduct such activity during a professional development day, not receive the regular teacher salary at that time, use the day as a personal business day, and receive payment as an educational consultant. ██████████ inquires if a curriculum workshop could be conducted during the summer months and payment received as an educational consultant.

The relevant section of the Ethics Code is as follows:

Section 8363

Board members, employees, and volunteers shall not participate on behalf of the school system in any matter which would, to their knowledge, have a direct financial impact, as distinguished from the public generally, on them, their spouse, dependent child, ward, parent, or other who shares the Board member's, employee's, or volunteer's legal residence or a business entity with which they are affiliated.

1. Outside Employment

(a) Board members, employees, and volunteers may not participate in outside employment if the work:

- is incompatible with the proper performance of official duties*
- impairs the impartiality or independence of judgment or action of the employee*
- affects the performance of the employee.*

(b) A person engaged in outside employment may not:

- benefit from business with the school system or from relationships with students*
- represent any party before the school system*
- use confidential information acquired in his or her official school system position for personal benefit or that of another.*

(c) Any employee with instructional responsibility shall not tutor, for compensation, any student whom he or she is currently teaching.


In each of the questions that are being considered for an advisory opinion, the teacher is receiving payment for services rendered to Baltimore County Public Schools' educators. The scenarios presented to the Ethics Panel imply that the teacher would be entering into this relationship as a consultant. Section 8363 specifically states that a person engaged in outside employment may not benefit from business with the school system or from relationships with students.

Therefore, this relationship would be considered a conflict of interest as stated in Section 8363.


This Advisory Opinion has been signed by the Ethics Panel members and adopted on March 15, 2001.




Karen Strand, Chair



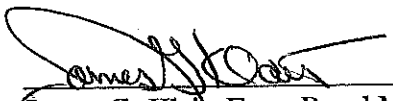
Joy Shillman, Panel Member



Donald A. Gabriel, Vice Chair



Roland Unger, C.P.A., Panel Member



James G. Klair, Esq., Panel Member