

BOARD OF EDUCATION OF BALTIMORE COUNTY

ETHICS REVIEW PANEL

ADVISORY OPINION 11-02

This Advisory Opinion is in response to a request made by the petitioner, an employee of the Baltimore County Public Schools ("BCPS"), inquiring if a teacher may tutor a paraeducator on school property when school is not in session.

The relevant section of the Ethics Code is as follows:


*Policy 8363 Conflict of Interest 1.(c)*

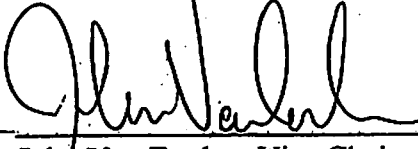
1. *Outside Employment*

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

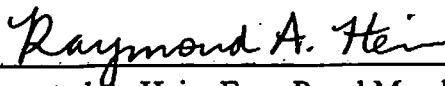
The matter before the Ethics Review Panel is whether a teacher may tutor another BCPS employee on school property when school is not in session. Policy 8363 1. (c) of the Ethics Code prohibits the tutoring, for compensation, of any student currently being taught by the teacher. Since the individual being tutored in this case is not a student, the panel has concluded that there is no violation of the Ethics Code. Although the use of school property is not within the purview of the Ethics Code, the panel recommends that the petitioner review Policy 1300, Use of School Facilities, with regard to restrictions on the use of school facilities for personal gain.

This opinion has been signed by the Ethics Review Panel members and adopted on February 17, 2011.

  
Philip Abraham, Esq., Chair

  
John Van Emden, Vice Chair

  
Mary C. Burke, LCSW-C, BCD, Panel Member

  
Raymond A. Hein, Esq., Panel Member