

BOARD OF EDUCATION OF BALTIMORE COUNTY

ETHICS REVIEW PANEL

ADVISORY OPINION 11-03

This Advisory Opinion 11-03 is in response to a request made by the petitioner, an employee of the Baltimore County Public Schools ("BCPS"), regarding whether it is permissible for a student teacher intern to work as a substitute teacher for compensation at the school in which the intern is serving as an intern.

The petitioner is requesting an advisory opinion regarding whether this would violate the Ethics Code.

The relevant sections of the Ethics Code are as follows:

*ETHICS CODE: Definitions and Conflict of Interest*

*Policy 8360 Definitions*

(F) *Employee means an individual whose compensation is paid in whole or part by the Board and/or is a student teacher for the school system.*

*Policy 8363 Conflict of Interest*

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.*

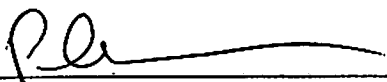
(b) *A person engaged in outside employment may not:*

- *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.*

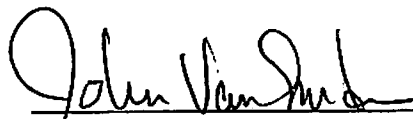
(c) *Any employee with instructional responsibility shall not tutor, for compensation, any student whom he or she is currently teaching.*

The Ethics Review Panel feels that this inquiry is not within its purview as it is not covered by the Ethics Code. The panel feels that this decision should be made in consultation with the institution of higher learning that provides the student teacher intern to make sure that such employment is not in violation of any restrictions or prohibitions that the institution may place on its students.

This opinion has been signed by the Ethics Review Panel members and adopted on July 21, 2011.



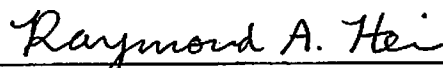
Philip Abraham, Esq., Chair



John Van Emden, Vice Chair



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



Raymond A. Hein, Esq., Panel Member