

BOARD OF EDUCATION OF BALTIMORE COUNTY

ETHICS REVIEW PANEL

ADVISORY OPINION 14-01

This advisory opinion is in response to the request made by a petitioner. The Petitioner indicates that he applied for a scholarship funded by the Baltimore County Retired School Personnel Association and wants to be sure that he was not using the prestige of office to obtain the scholarship.

The Ethics Review Panel considered the applicability of Board Policy 8363, *Conflict of Interest – Prohibited Conduct*, Section VI, which provides:

VI. Prestige of Office

- A. A school system official may not intentionally use the prestige of office or public position for private gain of that official or the private gain of another. This section does not prohibit the performance of the usual and customary constituent services by a member of the Board without additional compensation.

The Ethics Review Panel determined that the Petitioner was required to list his activities as part of the application process and, therefore, did not intentionally use the prestige of office or violate the Ethics Code.

The Ethics Review Panel also considered the applicability of Board Policy 8362, *Gifts*, Section III, which provides:

III. Gifts to a School System Official

- C. A school system official may not knowingly accept a gift, directly or indirectly, from a person that the official knows or has reason to know:
 - 4. Has financial interests that may be substantially and materially affected, in a manner distinguishable from the public generally, by the performance or non-performance of the school system duties of the school system official.

The Ethics Review Panel determined that the Petitioner does not vote on any matters related to collective bargaining and, therefore, was not in violation of the Ethics Code.

Furthermore, the Ethics Review Panel would like to commend the Petitioner for being proactive and seeking an advisory opinion.

This opinion has been signed by the Ethics Review Panel members and adopted on May 7, 2014.

Mary C. Burke, LCSW-C, BCD, Chair
Philip Abraham, Esq.
Michael Hofmann, Sr.

Theresa E. Barrett, Vice Chair
Raymond A. Hein, Esq.