

BOARD OF EDUCATION

ETHICS REVIEW PANEL

ADVISORY OPINION 14-02

This Advisory Opinion is in response to a request made by _____, an employee of the Baltimore County Public Schools (BCPS). Petitioner has been contacted by an educational firm, All In, to provide consultation services to several public schools in Texas. Petitioner indicates that the educational consulting firm does not do business with BCPS. Petitioner further adds that all the work would be done during the Petitioner's own time and without the use of BCPS resources.

The relevant section of the Ethics Code is as follows:

Policy 8363 Conflict of Interest – Prohibited Conduct

III. Employment and Financial Interests

- A. Except as permitted by Board policies when the interest is disclosed, or when the employment does not create a conflict of interest or appearance of a conflict, a school system official may not:
 - 1. Be employed by or have a financial interest in an entity that is subject to the authority of the Board or school system;
 - 2. Have a financial interest in or maintain secondary employment with a business entity that is negotiating with or has entered into a contract with the Board or school system; or
 - 3. Hold any other employment relationship that would impair the impartiality or independence of judgment of the official.

Based on the information provided, it is the conclusion of the Ethics Review Panel that the outside employment does not violate the Ethics Code as long as the company is not doing business with BCPS, the consulting work is done outside of work hours, and BCPS resources are not utilized.

It is noted that the Ethics Review Panel is charged with providing advice about the Ethics Policy and this Advisory Opinion is restricted to that issue. This opinion does not address any issue that might arise from any employment contract or agreement between the Petitioner and BCPS, and he is urged to review any such contract or agreement regarding any possible prohibition regarding outside consulting work.

This opinion has been signed by the Ethics Review Panel members and adopted on November 20, 2014.

Mary C. Burke, LCSW-C, BCD, Chair
Raymond A. Hein, Esq.
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Theresa E. Barrett, Vice Chair
Michael Hofmann, Sr.