

BOARD OF EDUCATION OF BALTIMORE COUNTY

ETHICS REVIEW PANEL

ADVISORY OPINION 98-13

This Advisory Opinion 98-13 is in response to a request made by [REDACTED] employee of the Board of Education, inquiring as to whether it is appropriate for her to grant permission for the [REDACTED] Church to rent space in the school where she serves as principal. The Pastor of the [REDACTED] Church is her son.

Policy 8363 of the Ethics Code prohibits employees from using their position to benefit an immediate family member.

The relevant sections of the Ethics Code are as follows:

ETHICS CODE: Conflict of Interest

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.

6. Prohibitions

(a) *No Board member or employee shall:*

represent any party, for a contingent fee, before or involving the Board of Education
act as a compensated representative of another party in connection with a case, contract, or any specific matter in which he or she participated substantially as a Board member or employee, within one (1) year following termination of service to the school system
use the prestige of office for personal benefit or that of another
use confidential information acquired in an official school system position for personal benefit or that of another.

(b) *An employee may not be in a position that directly supervises, evaluates, or disciplines an immediate family member. An employee may not use his or her position to benefit an immediate family member.*

The matter before the Ethics Panel is whether the principal of a school may grant permission to her son, who is pastor in a religious order, to rent to his church a portion of the school to be used for religious services.

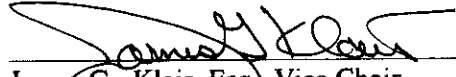
The Ethics Panel has been advised by the Board's attorney that use of Baltimore County Public School property may not be unreasonably denied to non-profit organizations as a matter of law. Therefore, the Panel concurs that the request to rent the premises, of which the Petitioner is principal, is a reasonable request which may be granted by the Petitioner. The fact that the pastor of the Church requesting use is her son is coincidental and not relevant to the question.

In reference to Advisory Opinion 98-13, it is the opinion of the Panel that permission to rent the premises should be granted.

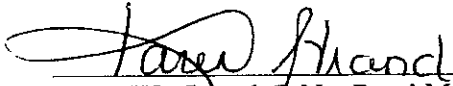
This opinion has been signed by the Ethics Panel members and adopted on December 17, 1998



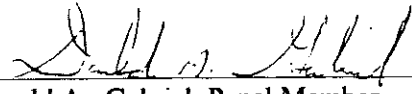
Roland L. Unger, C.P.A., Chair



James G. Klair, Esq., Vice Chair



Karen W. Strand, R.N., Panel Member



Donald A. Gabriel, Panel Member

ABSENT

Joy Shillman, Panel Member