



# Ethics Training for Baltimore County Public Schools' Employees

*As Prepared by the  
Ethics Review Panel  
of the  
Board of Education of Baltimore County*





# Welcome...

The Ethics Review Panel of the Board of Education is required to establish a **public information and education program** regarding the purpose and implementation of the Ethics Code.





# Why this training?

In the following training, you will:

- Learn about the Ethics Code Policies to which **all** board employees are subject;
- Learn about your responsibilities under the policies; and
- Learn about Financial Disclosure Statement forms and how they are handled by the Panel.





# *BOARD OF EDUCATION ETHICS CODE POLICIES*





# *Board of Education Ethics Code Policies 1*

## Why do we have them?

- Each Board of Education in Maryland is required to adopt a local board ethics policy pursuant to Subtitle 8 of the **Public Ethics Law** and the **Code of Maryland Regulations** (“COMAR”) 19A.05. The Board’s Ethics Code is found in [Policies 8360 through 8366](#).
- Local ethics policies must be presented to the [State Ethics Commission](#) for approval. Any changes to a previously approved local ethics policy must also be reviewed by the **State Ethics Commission**.





# *Board of Education Ethics Code Policies 2*

## Who is covered?

- **All** Board of Education members are subject to the Ethics Code.
- **All employees** are subject to the Ethics Code.
- Additionally, candidates for the Board are subject to the financial disclosure requirements.
- Financial Disclosure Statements are required to be filed by certain employees.





# *Board of Education Ethics Code Policies 3*

## What does the State Public Ethics Law require?

- **The State Public Ethics Law requires each local ethics policy to include provisions so that:**
  - ✓ Local Board members and candidates for election to the school board must disclose their financial affairs in order to meet the minimum standards of ethical conduct.
  - ✓ The Board policy may include financial disclosure provisions for employees and appointed officials.
- **The State Public Ethics Law establishes ethical guidelines and standards for local Board members and employees which:**
  - ✓ Assure impartiality and independence of judgment of local Board members and employees.
  - ✓ Help Board members and employees avoid improper influence or the appearance of improper influence.
  - ✓ Preserve the trust and confidence of the general public in their local Board of Education.





# ETHICS CODE POLICY 8366

## Role of the Ethics Review Panel





# *Role of the Ethics Review Panel 1*

## What does the Panel do?

As provided in [Policy 8366](#), the Panel shall:

1. Serve as an advisory body to the Board;
2. Create, receive, and maintain all forms required by the Ethics Code;
3. Interpret the Ethics Code and provide advisory opinions to persons subject to the Ethics Code;
4. Process and make determinations regarding complaints alleging violations of the Ethics Code;
5. Refer findings regarding complaints and other enforcement matters to the Board for action;
6. Issue a written report to the Board on each case heard by the panel; and
7. Establish a public information and education program regarding the purpose and implementation of the Ethics Code.





# *Role of the Ethics Review Panel 2*

## What are the Panel's other duties?

Duties include:

- Creating and maintaining all forms used under the Ethics Code.
- Reviewing Financial Disclosure Statements when filed.
- Creating procedures for making Financial Disclosure Statements available for public inspection and notifying filers whose forms have been inspected.
- Developing a public information program regarding the purposes and application of the Ethics Code.





# *Role of the Ethics Review Panel 3*

What does the Panel do in “enforcement actions”?

The Ethics Review Panel:

- Processes Complaints filed against Board members or employees.
- Reviews enforcement actions.
- Refers findings regarding Complaints and other enforcement matters to the Board of Education for action.

The Panel **maintains confidentiality** during the investigation process.





# *Role of the Ethics Review Panel 4*

## What are advisory opinions?

The Ethics Review Panel routinely advises persons on their obligations under the Ethics Code by providing, on request, **advisory opinions**.





# *Role of the Ethics Review Panel 5*

## What are advisory opinions?

In addition to providing opinions to persons who are subject to the Ethics Code, the Panel:

- Develops procedures and policies for applications for Advisory Opinions.
- Maintains confidentiality of requests for Advisory Opinions.
- Maintains a database of prior advice.





# All of the Panel's Advisory Opinions are found on the [website](#)

The screenshot shows the Baltimore County Public Schools website. At the top left is the TEAM BCPS logo. To its right is the text "Baltimore County Public Schools" with the tagline "Raising the bar, Closing gaps, Preparing for our future". Below this is a navigation bar with links: BCPS, Tech Support, Schools, Students and Families, Staff, Community, Calendars, Leadership, System. The main content area is titled "ETHICS ADVISORY OPINIONS" and features a left sidebar with a menu: About, Ethics Advisory Opinions (highlighted), Ethics Code, Ethics Forms, Ethics Code Brochure, Ethics Code Training, Candidates, Request to Examine Financial Disclosure Statements. The main content area shows a breadcrumb trail: BCPS / Leadership / Board of Education / Ethics Review Panel / Ethics Advisory Opinions. Below this is the heading "Ethics Review Panel" and a sub-heading "Advisory Opinions of the Ethics Review Panel of the Board of Education of Baltimore County". The text states: "In accordance with [Board of Education Policy 8366](#), the Ethics Review Panel ("ERP") serves as an advisory body to the Board of Education of Baltimore County to interpret the [Ethics Code Policies](#) ("Code") and to advise all persons who are subject to the Code. These opinions represent the ERP's advice to employees and interested persons about the application of the Code to specific conduct or behavior."





# *Role of the Ethics Review Panel*

## How does the Panel handle Financial Disclosure Statements?

### The Ethics Review Panel:

- Develops a process for reviewing all Financial Disclosure Statements submitted by Board members, candidates for Board membership, and BCPS employees.
- Develops procedures for notifying Financial Disclosure Statement filers when their statements are delinquent or incomplete.
- Develops a system of notifying all filers of upcoming filing deadlines and making forms available to filers.





# ETHICS CODE POLICY 8363 CONFLICTS OF INTEREST PROVISIONS





# Conflicts of Interest

- The Conflict of Interest provisions apply to all School Board members and BCPS employees.
- Prohibits certain activities, interests, and employment as covered in Policy 8363.





# *Conflicts of Interest 1*

## What are “participation restrictions”?

- Board members or BCPS employees may not participate in any matter which would have a direct financial impact (as distinguished from the public generally) on them, their immediate family or any business entity with which they are affiliated.
- Board members or BCPS employees may not participate in certain matters involving business entities in which the employee or certain relatives have employment, contractual, creditor, ownership, or potential employment relationships.
- See [Board Policy 8363](#).





# Examples of Participation Restrictions

- A Principal should not participate in the review of contract proposals submitted by his/her spouse's employer.
- An Executive Director should not be involved in the inspection of work completed by the business that employs his/her daughter.
- A Board member should not participate in reviewing a contract submitted by his/her brother, on behalf of the company his/her brother owns.
- An employee in the Office of Purchasing should not participate in a matter involving a business owned by her spouse or child.





# Participation

## What is “Participation?”

- “Participation” could include any action taken as part of a Board member’s or employee’s official duties.
- “Participation” could mean: voting, attending meetings, participating in discussions, supervising others, reviewing or approving documents related to matter at issue.

## What should happen if an employee or Board member cannot participate in a matter?

- Document the conflict.
- Inform Board members or other employees of the conflict and nonparticipation requirement, and
- Delegate the duties and supervision of others to a person in a parallel position or in a superior position.





# *Conflicts of Interest 2*

## Are there any exceptions?

- Explicit approval by the Ethics Review Panel in an Advisory Opinion.
- Sole person authorized – Policy 8363 allows participation if the individual is “the only person authorized to act.”
- Ministerial – participation in a purely administrative or ministerial function is not prohibited, but participation in any matter affecting the outcome of an issue is prohibited.





# *Conflicts of Interest 3*

## What about secondary employment?

- Policy 8363, Paragraph III generally prohibits employment by, or having a financial interest in, an entity that is:
  - subject to the authority of the Board or BCPS
  - negotiating with or has entered into a contract with the Board or BCPS.
  - Doing business with BCPS.
- Policy 8363, Paragraph III further prohibits the holding of any other employment relationship that would impair the impartiality of judgment of the individual.





# *Conflicts of Interest 4*

## Secondary Employment Example

Resource teachers may not be employed by a BCPS vendor to develop IEP-related goals, even if the teachers worked on personal time and did not use BCPS resources.

See, [ERP Advisory Opinion 16-02](#)





# *Conflicts of Interest 5*

## Prohibited Conduct

Examples of Prohibited Financial Interest Restrictions:

- Attributable financial interest in spouse's business that does business with BCPS;
- Investing in relative's business that does or is seeking to do business with BCPS;
- Buying or owning stock in a vendor's company;
- Owning a personal business that is seeking to do business with BCPS.





# *Conflicts of Interest 6*

## Possible Solutions

1. Obtain explicit approval to hold interests from the Ethics Review Panel and refrain from participating in any duties involving the outside entity and BCPS, or
2. Divest yourself of your outside financial interest or secondary employment.





# *Conflicts of Interest 7*

## Post Employment Restrictions

A Board member or former employee **may not assist** or represent anyone other than the Board or BCPS for compensation in a case, contract or other specific matter involving the Board or BCPS, if that matter is one in which the individual significantly participated as a Board member or employee.





# *Conflicts of Interest 8*

## Examples of Post Employment Restrictions

- Writing the requirements for qualification for a grant for BCPS while employed by BCPS, and then applying for the grant.
- Working as the liaison for BCPS with a vendor on a project and then accepting a job with the vendor running the same project or contract for the vendor.





# Prohibition Against Disclosure or Use of Confidential Information

- Board members and employees are prohibited from disclosing confidential information acquired by reason of his or her public position.
- No Board member or employee may use confidential information for his or her own economic benefit or that of another.





# ETHICS CODE POLICY 8362 Gifts





# Gifts 1

## Prohibited Conduct

- BCPS employees/Board members **may not** solicit gifts of any kind for themselves.
- BCPS employees/Board members **may not solicit** gifts for a third party from a regulated lobbyist.
- BCPS employees/Board members may not accept gifts from anyone who:
  - Is doing or seeking to do business with BCPS;
  - Is engaged in activities that are regulated or controlled by the Board of Education;
  - Has financial interests which may be substantially affected in a specific way by the employee/Board member;
  - Is a lobbyist with respect to matters within the jurisdiction of the employee/Board member.





# Gifts 2

## Prohibited Conduct

BCPS employees/Board members **may not accept** any gift that would appear to impair the impartiality and independent judgment of the employee/Board member.





# Gifts 3

## Prestige of Office Example

An employee **may not** solicit BCPS students and their parents for summer travel opportunities in order to receive reduced or free trips from the sponsoring travel company.

See, [ERP Advisory Opinion 17-03](#)





# Gifts 4

## Prestige of Office Prohibited

- A Board member or employee may not intentionally use the prestige of his or her office for his or her own private gain or that of another.
- A Board member/employee may not use local government time, materials, personnel or other resources to benefit himself/herself or another.

**This restriction does not prohibit the performance of usual and customary constituent services by a Board member without additional compensation.**





# Gifts 5

## What is permitted?

- Unsolicited gifts of nominal value (\$20)
- Ceremonial gifts or awards that have insignificant monetary value.
- Meals and beverages consumed in the presence of the donor.
- Reasonable expenses for food, lodging, travel and scheduled entertainment for participation at a speaking engagement.
- Gifts of tickets or free admission extended to **Board members only** to attend a charitable, cultural or political event, if the purpose of the gift or admission is as a courtesy or ceremony extended to the Board of Education





# Gifts 6

## What is permitted? (continued)

- A specific gift or class of gifts that the Ethics Review Panel, exempts upon a finding in writing that the acceptance of the gift or class of gifts would not be detrimental to the impartial conduct of the business of the Board of Education, and that the gift is purely personal and private in nature.
- Gifts from a person related to the Board member or employee by blood or marriage, or other member of the school official's household.
- Honoraria for speaking to or participating in a meeting, **provided** that the offering of the honorarium is not related in any way to the Board member's or employee's official position.





# ETHICS CODE POLICY 8364 FINANCIAL DISCLOSURE PROVISIONS





# Financial Disclosure Statements 1

## What is the purpose?

1. Disclose to the public possible conflicts of interest.
2. Demonstrate to the public that interests are not hidden.
3. Provide an annual opportunity to review employment and interests.
4. Allow voters to evaluate the suitability of candidates for office.





# Financial Disclosure Statements 2

## Persons Required to File

- Board members or candidates for the school board
- The Superintendent
- General Counsel
- Principals
- Employees in the position of senior executive director, executive director, administrator, controller, director, manager, coordinator and fiscal supervisor
- Purchasing agents and MBE consultants
- Other employees who have authority to make a final decision to commit BCPS to the expenditure of public funds
- Other employees designated by the Board





# Financial Disclosure Statements 3

## Filing Deadlines

- Incumbent Board members and employees file annually by **April 30<sup>th</sup>**.
- New Board members and new employees must file within **30 days** of taking office or their new position.
- Board members and employees terminating service must file a statement within **60 days of termination** for the preceding calendar year.
- Board candidates must file a statement when they file for candidacy and by April 30<sup>th</sup> each year thereafter until the election.





# Financial Disclosure Statements 4

## Financial Disclosure Statements *ARE Available for Public Inspection!*

- Requests for examining and copying Financial Disclosure Statements may be made to the Ethics Review Panel.
- The Panel keeps a record of persons who made the request.
- The individual whose Statement was examined or copied will be provided with the name and address of the person who reviewed the Statement.





# Financial Disclosure Statements 5

## What You Must Report

- Interests in real property, wherever the property is located (including any owned or rented property).
- Interests in corporations and partnerships.
- Stocks (does not include mutual funds).
- Interests in businesses, whether profit or non-profit, that do business with BCPS.
- Gifts received in excess of \$20.





# Financial Disclosure Statements 6

## What You **Must Report**

- Employment with or interest in entities doing business with BCPS, including all offices, directorships, salaried employment or similar interest in businesses that do business with BCPS. (For individual and members of immediate family.)
- Debts owed to entities doing business with BCPS.





# Financial Disclosure Statements 7

## What You **Must Report**

- Information about immediate family members employed by BCPS.
- Information about financial relationships with the University of Maryland Medical System or with governmental or quasi-governmental entities.
- Information about your spouse, if your spouse is a lobbyist.
- All sources of earned income and salaried employment of employee and members of the employee's immediate family.





# Financial Disclosure Statements 8

You **are** required to report other income you receive that is not from BCPS

Schedule H seeks the disclosure of income **earned outside** of BCPS, which includes any income earned from teaching at colleges and universities, as well as income earned from individual consulting activity, private practices, and businesses involving income-producing real property.





# Financial Disclosure Statements 9

## How should I proceed?

The Panel strongly recommends that you review carefully the **Financial Disclosure Statement Instructions**, which is a separate document from the Financial Disclosure Statement.

The instructions explain in detail the filing requirements for each form.





# QUESTIONS?

- Optional: Visit the Ethics Review Panel's webpage, at [https://www.bcps.org/board\\_of\\_education/ethics\\_review\\_panel/ethics\\_advisory\\_opinions](https://www.bcps.org/board_of_education/ethics_review_panel/ethics_advisory_opinions) where you can find Advisory Opinions, and the Ethics Code.
- Contact the Ethics Review Panel at
  - 443-809-4138 or
  - [ethics@bcps.org](mailto:ethics@bcps.org)





*The ETHICS REVIEW PANEL gratefully acknowledges the assistance of the State Ethics Commission in preparing this presentation.*

Revised: February 15, 2024

