

BOARD OF EDUCATION OF BALTIMORE COUNTY

ETHICS REVIEW PANEL

ADVISORY OPINION 00-06

Advisory Opinion 00-06 is a request by [REDACTED] ("Petitioner"), asking if teachers could be hired to help students in their respective schools with homework in after school-located child care Play Centers, Inc. Teachers would be compensated by Play Centers, Inc. for working with students who attend the schools and go to Play Centers located in their own particular schools. These after school child care students would be receiving additional professional help that other students who do not attend these child care groups would not receive.

The relevant section of the Ethics Code is 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 manner 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.

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 actions of the employee*
 - *affects the performance of the employee*
- (b) *A person engaged in outside employment may not:*
- *benefit from business with the school or from relationship with students*
 - *represent any party before the school system*
 - *use confidential information acquired in his or her official school system position from 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.*

According to the Baltimore County Public Schools Ethic Code, this type of employment by a business entity located in the schools would be considered unethical as it could impair impartiality or independence of judgment of the teacher who would be working with current and future students in that teacher's school. In addition a teacher may not tutor for compensation his/her own student, which could be a likely possibility in this case.

Therefore, in answer to the Petitioner's query, the Ethics Review Panel finds that employment of teachers by Play Centers, Inc. is not in accordance with the provisions of Section 8363.

This Advisory Opinion has been signed by the Ethics Panel members and adopted

on September 21, 2000

Joy Skillman
Joy Skillman, Chair

Roland L. Unger/dlb
Roland L. Unger, C.P.A., Panel Member

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Karen W. Strand, R.N., Vice Chair

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