

BOARD OF EDUCATION OF BALTIMORE COUNTY

ETHICS REVIEW PANEL

ADVISORY OPINION 20-05

This Advisory Opinion 20-05 is in response to an Application to Provide an Advisory Opinion filed by the applicant, a teacher in the Baltimore County Public Schools. The applicant is employed as a classroom teacher. The applicant also owns and operates a local dance studio and dance camp. The applicant wishes to advertise by distributing flyers at schools. The issue is whether this activity would constitute a prohibited conflict of interest as prohibited by Policy 8363.

Under Policy 8363 I, employees of the Board of Education may not participate "on behalf of the ... school system" in any matter which would have a direct financial impact on them, their immediate family or any business entity with which they are affiliated. This teacher clearly could not advocate in the classroom, or distribute in the classroom, a flyer advertising their company, because as a teacher they would be acting on behalf of the school system while promoting an enterprise in which they have a direct financial interest. The same prohibition would apply to promoting their business to a particular student while on the school premises.

The applicant points out that other camp flyers are distributed at school. The Panel notes that camp guides and other advertising information about camps (originating from non-teachers) have been at times permitted to be distributed, or at least made available, at some schools.

It is the opinion of the Ethics Panel that the applicant, while prohibited by Policy 8363 I from personally advocating or promoting in any way their dance camp in the classroom, or to a particular student, may nevertheless distribute flyers, but ONLY by the same method and to the same extent that other such flyers (that are not related to any teacher's or other employee's business) are permitted to be distributed by that particular school.

Conclusion

The Panel has determined that it would violate Policy 8363-I for the applicant to advocate for, or distribute flyers for, their dance enterprises, either in the classroom or directly to a particular student while on the school premises.

The Panel also concludes, however, that there would be no violation of the Ethics Code by the applicant's distributing advertising flyers in the same manner, and to the same extent, as permitted by their school's policy relating to flyers or advertising from business that are not related to any teacher or other Board employee.

This Opinion has been adopted by the Ethics Review Panel Members on September 25, 2020.

Samuel Johnson, Chair  
Thomas Keech, Panel Member

Ralph Sapia, Esq., Vice Chair  
Tim Topoleski, Panel Member