

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: December 2, 2008

TO: **BOARD OF EDUCATION**

FROM: Dr. Joe A. Hairston, Superintendent

SUBJECT: **CONSIDERATION OF THE PROPOSED CHANGES TO BOARD OF EDUCATION POLICY 8364 – ETHICS CODE: FINANCIAL DISCLOSURE**

ORIGINATOR: Frances A. S. Harris

RESOURCE PERSON(S): Margaret-Ann F. Howie, Esq., General Counsel
Edward J. Novak, Esq., Associate General Counsel

RECOMMENDATION

That the Board of Education approves the proposed changes to Policy 8364. This policy has been reviewed and approved by the State Ethics Commission but a subsequent change recommended by the legislative auditors will still require its approval. This is the third reading.

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Attachment I – Policy Analysis
Attachment II – Policy 8364

**Policy Analysis for
Board of Education Policy 8364
Financial Disclosure**

Statement of Issues or Questions to be Addressed

Board of Education Policy 8364 was revised to include recommendations that were made by the State Ethics Commission and the legislative auditors.

Cost Analysis and Fiscal Impact on School System

No fiscal impact is anticipated by this revision.

Relationship to other Board of Education Policies

None

Legal Requirements

Annotated Code of Maryland, State Government §15-813

Similar Policies Adopted by Other Local School Systems

None

Draft of Proposed Policy

Attached

Other Alternatives Considered by Staff

None

Timeline:

First reading: October 21, 2008

Public comment: November 5, 2008

Third reading: December 2, 2008

ETHICS CODE: Financial Disclosure

- A. Board members and employees listed below as officials shall file annually no later than April 30 of each calendar year during which they hold office, a statement with the Ethics Review Panel disclosing any gifts exceeding a \$[25]50 market value received during the preceding calendar year from any person under the authority of the school system or having a contract with the school system. The statement shall identify the donor of the gift and its approximate retail value at the time of receipt. A Board of Education member or required employee who has not filed a statement of financial disclosure and who is appointed to fill a vacancy to a position listed under officials required to file shall file a statement covering the calendar year in which the official is appointed within 30 days after appointment.

- B. Officials required to file:
 - (i) Board of Education members
 - (ii) Superintendent
 - (iii) Deputy Superintendent
 - (iv) ASSISTANT SUPERINTENDENTS
 - (v) Superintendent’s Staff members
 - (vi) Office heads in the positions of Executive Director, Director, Manager, and Coordinator
 - (vii) Principals
 - (viii) PURCHASING AGENTS
 - (ix) Any other employees who have authority to make the final decision to commit the school system to the expenditure of public funds
 - (x) Other employees so designated by the Board of Education as periodic review would suggest.

- C. All specified officials shall file a statement with the Ethics Review Panel disclosing any interest or employment the holding of which would require disqualification from participation pursuant to conflict of interest of the Ethics Code, sufficiently in advance of any anticipated action to allow adequate disclosure to the public.
 - (i) All statements filed pursuant to this policy shall be on a form developed by the Ethics Review Panel.
 - (ii) Disclosure statements filed pursuant to this policy shall be maintained by the Ethics Review Panel as public records available for public inspection and copying.

POLICY 8364

Legal Reference: *Annotated Code of Maryland*, State Government Article, §[10-611 et seq.] 15-813

RELATED POLICIES: SUPERINTENDENT'S RULE 2373, *PUBLIC INFORMATION REQUESTS: SCHEDULE OF FEES*

Policy
Adopted: 10/18/96
Revised: 8/12/97
REVISED: _____

Board of Education of Baltimore County