ADVISORY OPINION OF THE
Baltimore City Board of School Commissioners
ETHICS PANEL

The panel is issuing this advisory opinion pursuant to Policy BCA Code of Ethics Section III(B)(5), which provides that “[a]ny Board member, student commissioner, official, employee or other person subject to the provisions of this policy may request an advisory opinion from the Ethics Panel concerning the application of this policy.”

On August 3, 2020, the Ethics panel received a request for an Advisory Opinion from [redacted] regarding [redacted] business. [redacted] Co., Inc. The Panel was asked to consider which parties may be able to procure services from [redacted] electrical company. [redacted] is an official/employee of Baltimore City Public Schools, in which [redacted] serves as a manager.

Per Policy BCA Code of Ethics Section III(C)(1)(a) “…an official may not participate in: i.) Any matter in which, to the knowledge of the official, the official or a qualified relative of the official has an interest; or ii.) Any matter in which any of the following is a party: a) A business entity in which the official has a direct financial interest of which the official may reasonably be expected to know; b) A business entity for which the official or a qualified relative of the official is an officer, director, trustee, partner or employee.” Further, the Code indicates in Section III(C)(2)(b) “…an official may not: i.) Be employed or have a financial interest in an entity that is doing business with the Board or City Schools.” Clearly, [redacted] has a financial interest in [redacted] electrical company that [redacted] owns.

Therefore, it would be in violation of Policy for services for BCPS, or a current vendor of BCPS (for a current list: https://www.baltimorecityschools.org/sites/default/files/inline-files/Vendors-7.1.19-5.1.20-BCA.xlsx), to be procured from [redacted] company.

This advisory opinion is based solely on the facts as presented. The Panel expresses no opinion as to matters that may exist now or in the future that have not been presented. Panel decisions are based on a case-by-case examination of the relevant factual information and applicable regulations.

Date: September 8, 2020

Respectfully submitted,

The Reverend Domanic A. Smith, M.Div., CHM
Chair, Baltimore City Public Schools Ethics Panel