The panel is issuing this advisory opinion pursuant to Section III(B)(5) of the Code of Ethics, which provides that “[a]ny Board member, 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.”

It has been requested that this Panel review whether the participation of an employee of City Schools in Health Systems Baltimore, as a Board Member; and as a member of the Executive Leadership Committee; Neighborhoods, as a Board Member; and Leadership Foundation, as a Board Member, constitutes a violation of the Code of Ethics. The Requestor of this Advisory Opinion has confirmed that each of the above-positions would be unpaid and uncompensated in any financial capacity.

The Code of Ethics indicates, in Section III(C)(2)(b)(i), that “[e]xcept as permitted by policy of the Board when the interest is disclosed or when the employment does not create a conflict of interest or appearance of conflict, an official may not: [b]e employed by or have a financial interest in an entity that is doing business with the Board or City Schools.”

“Doing business with” is defined to include: 1. contractual relationships with City Schools involving a commitment “of $5,000 or more of City Schools funds;” 2. a relationship “subject to the authority of the Board or City Schools;” or 3. a lobbyist relationship (Section II, paragraph (D)).

It is the understanding of this Panel that at least one of the entities has a contractual relationship with City Schools involving a commitment of $5,000 or more of City Schools funds.

However, as the Requestor of this Advisory Opinion has confirmed that there would be no involvement on the part of the Requestor in the contractual relationship of the entity that is doing business with City Schools, and as the Requestor would not be employed by or have a financial interest in any of these entities, it is the conclusion of this Panel that neither a conflict of interest or violation of the Code of Ethics is presented by the Request for Advisory Opinion referenced herein.

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: July 16, 2021

Respectfully submitted,

Brianna Davidson Jarrett, Esquire
Chair, Ethics Panel