

## ETHICS POLICY AND REGULATIONS FOR THE ST. MARY'S COUNTY PUBLIC SCHOOLS

All Maryland school systems are required by state law to have an ethics policy that establishes standards of conduct for school system employees, school officials, Board of Education members, and candidates for election to the Board of Education. Each school system's ethics policy is subject to review and approval by the Maryland State Ethics Commission.

On May 4, 2010, the Governor signed into law Senate Bill 315 which charged the State Ethics Commission with the responsibility developing new State Ethics Regulations and of reviewing and updating the ethics policies and regulations for each local school board, county and municipality. The new State Ethics Regulations for Maryland school systems were adopted in April of 2011 and are codified at COMAR 19A.05.01.01-.03. These Regulations set forth the guidance for each local school system in Maryland.

In keeping with these requirements, the Board of Education of St. Mary's County created Board Policy BCA and Administrative Regulation BCA-R, which received preliminary approval from the State Ethics Commission on November 30, 2011. Following the preliminary approval of the State Ethics Commission, the Board adopted Policy BCA on December 14, 2011. Final approval of Policy BCA (the "Ethics Policy") and Administrative Regulation BCA-R (the "Ethics Regulations") was granted by the State Ethics Commission on January 30, 2012. The Ethics Policy and Ethics Regulations are available for review on the Board of Education's boarddocs web site at <http://www.boarddocs.com/mabe/smcps/Board.nsf/Public>.

In accordance with the Ethics Policy and the Ethics Regulations, a new St. Mary's County Public Schools Ethics Panel was appointed by the Board of Education in March 2012. The Ethics Panel is an advisory body that is charged with several important responsibilities including: (1) creating the applicable Financial Disclosure Statements, Confidential Ethics Complaint Reporting Form, and the Lobbying Registration Form, (2) reviewing and maintaining the Financial Disclosure Statements submitted by Board of Education members, Board of Education candidates, Board of Education employees and school officials, (3) reviewing requests for advisory opinions, (4) reviewing ethics complaints, and (5) providing a public information and education program to the school system regarding the Ethics Policy and Ethics Regulations.

### **St. Mary's County Public Schools Financial Disclosure Statements**

#### **Financial Disclosure Statement Form A**

This Form is to be completed by Board of Education members, Board of Education candidates, the Superintendent, the Chief Operating Officer, the Chief Academic Officer, the Chief of Fiscal Services and Human Resources, all Directors, all Supervisors, and all Principals. Financial Disclosure Statement Form A must be completed no later than April 30 of each year for the prior calendar year. You can fill this form out online in a PDF format.

#### **Financial Disclosure Statement Form B – Statement Disclosing Gifts**

The annual financial disclosure statement under this section shall be completed by all school officials (if not reported on Form A) and school system employees who, acting alone or as members of a committee, panel, or other entity under the authority of the school system or the Board of Education,

(1) exercises decision making authority, (2) acts as a principal advisor to the school system or Board of Education in making school system policy, or (3) exercises quasi-judicial, regulatory, or licensing, inspecting, or auditing functions. Reporting on this form shall be limited to the disclosure of a gift received that is greater than \$20.00 in value, or a series of gifts with a total value of \$100.00 received during the reporting period from persons or entities contracting with or regulated by the Board or the school system (this does not apply to students in a classroom setting), or who has, is, or anticipates negotiating doing business with the Board or school system, except where such gifts would not present a conflict of interest if so specifically determined by the Ethics Advisory Panel. Classroom teachers do not need to complete a Financial Disclosure Statement Form B unless they engage in other duties, beyond regular classroom instruction, that fall under one of the above categories. The gift(s) shall include: a description of the nature and value of the gift, and the identity of the person or entity from whom, or on behalf of whom, directly or indirectly, the gift was received. The Financial Disclosure Statement Form B – Statement Disclosing Gifts is to be filed on or before January 15 of each year for the preceding calendar year reporting period during which an employee holds employment disclosing gifts received by that date, or file upon receipt of a gift as defined by the regulation, or more often, during the reporting period.

**List of Business Entities.** In order to assist persons in the completion of either Financial Disclosure Form A or Financial Disclosure Form B and C, a list of all persons and entities doing business with the school system or the Board of Education shall be available on the Ethics Panel’s website.

### **Financial Disclosure Statement Form C – Statement Disclosing Conflict of Interest**

This form is to be completed by all school officials (if not reported on Form A) and school system employees who, acting alone or as members of a committee, panel, or other entity under the authority of the school system or the Board of Education, (1) exercises decision making authority, (2) acts as a principal advisor to the school system or Board of Education in making school system policy, or (3) exercises quasi-judicial, regulatory, or licensing, inspecting, or auditing functions. The Financial Disclosure Statement Form C – Statement Disclosing Conflict of Interest must be completed no later than January 15 of each year for the prior calendar year.

**Conflicts of Interest.** In addition to filing the annual financial disclosure statement Form A and B, all school employees and school officials (that have not reflected this information on Form A) must file a Financial Disclosure Statement C to report any interests that raise a conflict of interest or potential conflict of interests that may arise. Such reporting shall be filed with the Ethics Panel sufficiently in advance of the action to provide adequate disclosure to the public.

### **Confidential Ethics Complaint Reporting Form**

Any person may file a complaint with the Ethics Panel alleging a violation of any provision of the Ethics Policy and/or Ethics Regulations. A complaint shall be on the appropriate form and submitted under oath or affirmation and under the penalties of perjury. Any person, including employees of the St. Mary's County Public Schools, who submits a Confidential Ethics Complaint in good faith and in strict accordance with the Ethics Policy and Regulations shall not be the subject of internal discipline or subjected to any form of harassment or retaliation for the filing of the Confidential Ethics Complaint. Please note that the submission of an Ethics Complaint is not the proper method of seeking an appeal over employee or student discipline matters or other matters outside of the Ethics Policy and/or Ethics Regulations that fall within the jurisdiction of the Superintendent or the Board of Education.

## **Lobbying Registration Form**

Except as provided in the Ethics Policy and/or Ethics Regulations, any person or entity that engages in lobbying shall file a Lobbying Registration Form with the Ethics Panel on or before the later of the beginning of the calendar year in which the person or entity expects to engage in lobbying and within five days of first engaging in lobbying activities in the calendar year.

## **Lobbying Activity Report**

Each lobbyist shall file a separate, semi-annual activity report, for each person or entity on whose behalf the lobbyist acts. The activity reports shall be filed by July 31 (covering the period from January 1 through June 30) and by January 31 (covering the period from July 1 through December 31) and shall include a complete and current statement of the information required to be supplied on the lobbying registration form, and a list of total expenditures on lobbying activities in each of the following categories:

- a. Total compensation paid to the lobbyist, not including expenses
- b. Office expenses of the lobbyist
- c. Professional and technical research and assistance not reported in item (a) of this subparagraph
- d. Publications, which expressly encourage persons to communicate with officials
- e. Names of witnesses, and the fees and expense paid to each witness
- f. Meals and beverages for officials
- g. Reasonable expenses for food, lodging, and scheduled entertainment of officials for a meeting which is given in return for participation in a panel or speaking engagement at the meeting
- h. Other gifts to or for officials or members of their immediate families; and
- i. Other expenses.

## **Lobbying Special Gift Report**

With the six-month activity report (described above) a lobbyist is also to submit a special gift report of all gifts from the lobbyist to Board of Education members, Board of Education candidates, school employees, school officials, or members of their immediate families (spouse, domestic partner, parent, parent-in-law, sibling, child, or other legal dependent), with a cumulative value of \$75 or more during the reporting period.

When a gift or series of gifts to a single school system official or employee exceeds seventy-five dollars (\$75.00) in value, the school system official or employee shall be identified. Information required to be disclosed is the date, beneficiary, amount or value, and nature of the gift(s) (including food, and entertainment) provided to any school system official or employee.

## **Questions**

The Ethics Policy and Ethics Regulations should serve as guidance in filing any required forms. A separate list of Frequently Asked Questions is also available for guidance. Further questions should be submitted to the St. Mary's County Public Schools Ethics Panel at the following email address: [gj\\_leur\\_cpgrB\\_smcps.org](mailto:gj_leur_cpgrB_smcps.org). Those questions will be forwarded to the St. Mary's County Public Schools' Ethics Panel to review, address, and get back to you with a reply as soon as possible.