

**Administrative Procedures for Policy #1740 (Administration) of the Board of Education
Regarding Ethics: Financial Disclosure**

- I. Definitions
 - A. All definitions are found in Administrative Procedure 1740.1 of the Board of Education Regarding Ethics – Definitions.
- II. Financial Disclosure – Members of the Board of Education and candidates to be members of the Board of Education
 - A. A member of the Board of Education and candidates to be members of the Board of Education shall file a financial disclosure statement:
 1. On a form provided by the Ethics Panel;
 2. Under oath or affirmation; and
 3. With the Ethics Panel or the office designated by the Ethics Panel.
 - B. Filing statements – Board of Education members
 1. An incumbent official shall file a financial disclosure statement annually no later than April 30 of each year for the preceding calendar year.
 2. An official who is appointed to fill a vacancy in an office for which a financial disclosure statement is required and who has not already filed a financial disclosure statement shall file a statement for the preceding calendar year within 30 days after appointment.
 3. An individual who, other than by reason of death, leaves office for which a statement is required shall file a statement within 60 days after leaving office. The statement shall cover the calendar year immediately preceding the year in which the individual left office, unless a statement covering that year has already been filed by the individual; and the portion of the current calendar year during which the individual held the office.
 - C. Filing statements - Candidates to be members of the Board of Education
 1. Except for an official who has filed a financial disclosure statement under another provision of this procedure for the reporting period, a candidate to be a member of the Board of Education shall file a financial disclosure statement each year beginning with the year in which the certificate of candidacy is filed through the year of election
 2. A candidate to be a member of the Board of Education shall file a statement required under this procedure in the year the certificate of candidacy is filed,

no later than the filing of the certificate of candidacy; in the year of the election, on or before the earlier of April 30 or the last day for the withdrawal of candidacy; and in all other years for which a statement is required, on or before April 30.

3. If a candidate fails to file a statement at least 8 days before the last day for the withdrawal of candidacy, the candidate is deemed to have withdrawn the candidacy.

D. Public Record

1. The Superintendent's Office shall maintain all financial disclosure statements filed under this procedure.
 2. The Superintendent's Office shall make financial disclosure statements available during normal office hours for examination and copying by the public subject to reasonable fees and administrative procedures established by the Panel or the Board.
 3. If an individual examines or copies a financial disclosure statement, the Superintendent's Office shall record:
 - a. The name and home address of the individual reviewing or copying the statement; and
 - b. The name of the person whose financial disclosure statement was examined or copied.
 4. Upon request by the individual whose financial disclosure statement was examined or copied, the Superintendent's Office shall provide the individual with a copy of the name and home address of the person who reviewed the individual's financial disclosure statement.
 5. For statements filed after January 1, 2019, the Panel or the office designated by the Panel may not provide public access to an individual's home address that the individual has designated as the individual's home address.
 6. The Board or office designated by the Board shall not provide public access to information related to consideration received from:
 - a. The University of Maryland Medical System;
 - b. A governmental entity of the State or a local government in the State; or
 - c. A quasi-governmental entity of the State or local government in the State.
- E. The Superintendent's Office shall retain financial disclosure statements for four (4) years from the date of receipt.
- F. An individual who is required to disclose the name of a business under this section shall disclose any other names that the business is trading as or doing business as.

- G. Financial disclosure statements for members of the Board of Education will include:
1. A schedule of all interests in real property wherever located. This shall include:
 - a. The nature of the property and the location of street address, mailing address, or legal description of the property;
 - b. The nature and extent of the interest held, including any conditions and encumbrances on the interest;
 - c. The date when, the manner in which, and the identity of the person from whom the interest was acquired;
 - d. The nature and amount of the consideration given in exchange for the interest or, if acquired other than by purchase, the fair market value of the interest at the time acquired;
 - e. If any interest was transferred, in whole or in part, at any time during the reporting period, a description of the interest transferred, the nature and amount of the consideration received for the interest, and the identity of the person to whom the interest was transferred; and
 - f. The identity of any other person with an interest in the property.
 2. A schedule of all interests in any corporation, partnership, limited liability partnership, or limited liability corporation, regardless of whether the corporation or partnership does business with the school system or Board of Education. This shall include:
 - a. The name and address of the principal office of the corporation, partnership, limited liability partnership, or limited liability corporation;
 - b. The nature and amount of the interest held, including any conditions and encumbrances of the interest;
 - c. With respect to any interest transferred, in whole or in part, at any time during the reporting period, a description of the interest transferred, the nature and amount of the consideration received for the interest, and, if known, the identity of the person to whom the interest was transferred. Individuals may satisfy the requirement to report the amount of the interest held by reporting, instead of a dollar amount:
 - 1) For an equity interest in a corporation, the number of shares held and, unless the corporation's stock is publicly traded, the percentage of equity interest held; or
 - 2) For an equity interest in a partnership, the percentage of equity interest held; and
 - d. With respect to any interest acquired during the reporting period: the date when, the manner in which, and the identity of the person from whom the interest was acquired; and the nature and the amount of the

consideration given in exchange for the interest or, if acquired other than by purchase, the fair market value of the interest at the time acquired.

3. A schedule of all interests in any business entity that does business with the school system or Board of Education, other than interests reported in I.e.ii. This shall include:
 - a. The name and address of the principal office of the business entity;
 - b. The nature and amount of the interest held, including any conditions to and encumbrances on the interest;
 - c. With respect to any interest transferred, in whole or in part, at any time during the reporting period, a description of the interest transferred, the nature and amount of the consideration received in exchange of the interest, and, if known, the identity of the person to whom the interest was transferred; and
 - d. With respect to any interest acquired during the reporting period: the date when, the manner in which, and the identity of the person from whom the interest was acquired; and The nature and the amount of the consideration given in exchange for the interest or, if acquired other than by purchase, the fair market value of the interest at the time acquired.
4. A schedule of each gift in excess of \$20 in value or a series of gifts totaling \$100 or more received during the reporting period from or on behalf of, directly or indirectly, any one person who does business with the school system or Board of Education or from an association or any entity on behalf of an association that is engaged only in representing counties or municipal corporations . For each gift reported, the schedule shall include:
 - a. A description of the nature and value of the gift; and
 - b. The identity of the person from whom, or on behalf of whom, directly or indirectly, the gift was received.
5. A schedule of all offices, directorships, and salaried employment by the individual or member of the immediate family of the individual held at any time during the reporting period with entities doing business with the school system or Board of Education. For each position reported, the schedule shall include:
 - a. The name and address of the principal office of the business entity;
 - b. The title and nature of the office, directorship, or salaried employment held and the date it commenced; and
 - c. The name of each school system or Board unity with which the entity is involved.

6. A schedule of all liabilities, excluding retail credit accounts, to persons doing business with the school system or Board of Education owed at any time during the reporting period:
 - a. By an individual; or by a member of the immediate family of the individual if the individual was involved in the transaction giving rise to the liability.
 - b. For each liability reported, the schedule shall include:
 - 1) The identity of the person to whom the liability was owed and the date the liability was incurred;
 - 2) The amount of the liability owed as of the end of the reporting period;
 - 3) The terms of payment of the liability and the extent to which the principal amount of the liability was increased or reduced during the year; and
 - 4) The security given, if any, for the liability.
7. A schedule of the immediate family members of the individual employed by the school system or Board of Education in any capacity at any time during the reporting period.
8. A schedule of the name and address of each place of employment and of each business entity of which the individual or a member of the individual's immediate family was a sole or partial owner and from which the individual or member of the individual's immediate family received earned income at any time during the reporting period. A minor child's employment or business ownership need not be disclosed if the school system or Board of Education does not regulate, exercise authority over, or contract with the place of employment or business entity of the minor child.
9. For a statement filed on or after January 1, 2019, if the individual's spouse is a lobbyist regulated by the Board, the individual shall disclose the entity that has engaged the spouse for lobbying purposes.
10. Relationship with University of Maryland Medical System, State or Local Government, or Quasi-Governmental Entity.
 - a. An individual shall disclose the information specified in General Provisions Article §5-607(j)(1), Annotated Code of Maryland, for any financial or contractual relationship with:
 - 1) The University of Maryland Medical System;
 - 2) A governmental entity of the State or a local government in the State; or
 - 3) A quasi-governmental entity of the State or local government in the State.

- b. For each financial or contractual relationship reported, the schedule shall include:
 - 1) A description of the relationship;
 - 2) The subject matter of the relationship; and
 - 3) The consideration.
- 11. A schedule of additional interests or information that the individual making the statement wishes to disclose.
- 12. The following interests are considered to be interests of the individual making the statement:
 - a. An interest held by a member of the individual's immediate family, if the interest was, at any time during the reporting period, directly or indirectly controlled by the individual.
 - b. An interest held, at any time during the applicable period, by a:
 - 1) Business entity in which the individual held a (10)% or greater interest [at any time during the reporting period.]; (ii) Business entity described in item (i) of this subsection in which the business entity held a 25% or greater interest;
 - 2) Business entity described in item (ii) of this subsection in which the business entity held a 50% or greater interest; and
 - 3) Business entity in which the individual directly or indirectly, though an interest in one or a combination of other business entities, holds a 10% or greater interest.
 - c. An interest held by a trust or an estate in which, at any time during the reporting period: the individual held a reversionary interest or was a beneficiary; or if a revocable trust, the individual was a settlor.
- H. The Ethics Panel shall review the financial disclosure statements submitted for compliance with the provisions of this procedure and shall notify the member of the Board of Education or candidate to be a member of the Board of Education submitting the statement of any omissions or deficiencies. The Ethics Panel or Board of Education may take appropriate enforcement action to ensure compliance with this section of the procedure.

III. Financial Disclosure – Employees and appointed officials

- A. This section only applies to the following employees and appointed officials:
 - 1. Superintendent;
 - 2. Assistant Superintendents;
 - 3. Executive Directors;
 - 4. Directors;

5. Principals of Schools

- B. A statement shall be filed with the Superintendent's Office under oath or affirmation.
- C. On or before April 30 of each year during which an official or employee holds office, an official or employee shall file a statement disclosing gifts received during the preceding calendar year from any person that contracts with or is under the authority of the Board of Education or school system, including the name of the donor of the gift and the approximate retail value at the time of receipt.
- D. An official or employee shall disclose employment and interests that raise conflicts of interest or potential conflicts of interest in connection with a specific proposed action by the employee or official sufficiently in advance of the action to provide adequate disclosure to the public.
- E. The Superintendent's Office shall maintain all disclosure statements filed under this procedure for public inspection and copying as provided in Section I. c. above.
- F. The Ethics Panel or Board of Education, as appropriate, may grant exemptions and modifications to the provisions for employees and appointed officials who are not members of the Board of Education when the Panel or Board of Education determines that application of those provisions is not required to preserve the purposes of this procedure and would
 - 1. Constitute an unreasonable invasion of privacy; and
 - 2. Significantly reduce the availability of qualified persons for public service.

IV. Reporting of Violations

- A. No Board member, school official, or employee will knowingly fail to report any violation of this procedure.
- B. Violations shall be reported to the Board of Education Ethics Panel in accordance with Calvert County Public Schools Administrative Procedure #1741.2.

V. Sanctions

- A. Violations of this procedure will constitute a violation of Calvert County Public Schools Ethics Policy #1740. Sanctions for noncompliance with this procedure will be governed by Calvert County Public Schools Administrative Procedure #1740.2.