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## *Press Release*

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FOR IMMEDIATE RELEASE:

#### **OHIO ETHICS COMMISSION ISSUES ADVISORY OPINIONS**

The Ohio Ethics Commission issued two formal advisory opinions at its meeting on November 12, 2008. Advisory opinions apply the Ethics Law and related statutes to factual situations, and provide guidance to public officials or employees before the officials or employees engage in actions that may be prohibited by the law.

In Advisory Opinion No. 2008-03, the Commission held that the Ethics Law and related statutes prohibit a public official or employee from hiring his or her step-child. The law also prohibits an official or employee from authorizing or using his or her position to obtain a public job or public contract for a step-child. While family members can work for the same public agency, to protect the public from a misuse of public authority or public money, the Ethics Law prohibits a public official or employee from getting a job for family members. Click <http://www.ethics.ohio.gov/opinions/2008-03.pdf> to read the Advisory Opinion.

Advisory Opinion No. 2008-03 formally recognizes that the familial relationship between a step-parent and step-child is such that a public official or employee could be influenced by his or her step-child's interest if the step-child is competing for employment. His or her step-child's interest could impair the official's objectivity and independence of judgment when making employment decisions.

The restriction applies to all individuals who are elected or appointed to, or employed by, any public agency, including but not limited to any state agency, county, city, township, school district, public library, and regional authority. The restriction applies regardless of whether the public official or employee is compensated/uncompensated, full-time/part-time, or temporary/permanent.

In Advisory Opinion No. 2008-04, the Ethics Commission held that the public contract law, with limited exception, prohibits a teacher or other school district employee from selling supplemental education services (SES) to the same school district in which he or she is

employed. SES include tutoring and other academic services purchased with No Child Left Behind funds for eligible students in schools that have not met state targets for school achievement.

The Ethics Law prohibits school teachers and school district employees from having a financial interest in the contracts of the school district. A teacher or other school district employee who enters into a contract with the school district where he or she is employed to provide SES to students in the district has a prohibited “interest” in the contract.

The Commission outlined an exception that may apply to teachers and district employees should a district choose to contract with such SES services. In order to meet the exception, the teacher or employee would be required to demonstrate that he or she is providing the services to the district at a lower cost than any other SES provider. Click <http://www.ethics.ohio.gov/opinions/2008-04.pdf> to read the Advisory Opinion. The Ethics Law does not require school districts to purchase services from a district teacher or employee even if the teacher or employee can show that he or she meets the exception.

The Ohio Ethics Commission is an independent state agency that applies and administers the Ethics Law for state and local public officials and employees outside of the General Assembly and judiciary. The Ethics law raises public confidence in government with standards of integrity and impartiality in Ohio public works. The Ethics Commission was created upon the enactment of the Ohio Ethics Law in 1973.