



EMUS

C O N F I D E N T I A L

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

*out of town
teaching*

Re: Outside Employment
Case No. 96006.Q

Dear Mr. [REDACTED]:

On [REDACTED], you called the Board of Ethics to ask whether the City's Governmental Ethics Ordinance would prohibit you from accepting an invitation to teach a class offered through the U [REDACTED] Program at the S [REDACTED] Institute [REDACTED] ("S [REDACTED]"). Based on our application of the Ordinance to the facts outlined in this letter, and as staff advised you on [REDACTED], the Ordinance does not prohibit you from accepting this offer. However, there are provisions of the Ordinance that do restrict your conduct, as explained below.

You are a [REDACTED] in the Department of [REDACTED]. In this position, you manage the [REDACTED] of City-owned property for ongoing Department programs such as the [REDACTED] program. You said that you do not review applications or make decisions about approving loans extended in connection with any of the Department's [REDACTED] loan and development programs, nor do you make any decisions concerning S [REDACTED] or the students who will be taking your class.

You told staff that you were asked last fall by S [REDACTED] to co-teach, for compensation, a five evening module on [REDACTED] development as part of S [REDACTED]'s U [REDACTED] M.A. program. As you described it, the course involves the "nuts and bolts" of [REDACTED] development, including evaluating potential partners, managing the construction process, and marketing the developments. You said that in class you will not discuss matters concerning the operation of City or Departmental business or programs, but will focus on the generic elements of successful [REDACTED] development. Any information disseminated in class about the City's or your Department's programs, you said, would be publicly available,

City of Chicago
Richard M. Daley, Mayor

Board of Ethics
Dorothy J. Eng
Executive Director

Angeles L. Eames
Vice Chair

Darryl L. DePriest
Emily Nicklin
Fr. Martin E. O'Donovan

Room 303
320 North Clark Street
Chicago, Illinois 60610
(312) 744-9660
(312) 744-2793 (FAX)
(312) 744-5996 (TT/TDD)



EMUS

Case No. 96006.Q

[REDACTED]

Page 2

and, you believe, would not give anyone taking the class an advantage in dealing with the City.

The provision of the Ordinance most relevant to situations in which City employees are invited to teach outside of their City employment is §2-156-050, "Solicitation or Receipt of Money for Advice or Assistance." This provision prohibits you from accepting money or any other thing of value in return for advice or assistance on matters concerning City business. Based on your description of your teaching duties and past Board decisions, staff concludes that this provision does not prohibit you from accepting S [REDACTED]'s teaching offer, provided, that, as you believe, your class does not convey information that would give students an advantage with respect to programs or loans administered through your or any other City department.

Other provisions of the Ordinance also impose restrictions on your conduct, both in performing your City responsibilities, and in your outside teaching. Specifically, the Ordinance prohibits you from:

- (1) making, participating in, or trying to use your City position to influence a City decision or action with regard to S [REDACTED], because you would have an economic interest in it by virtue of your outside employment (§§2-156-030, -080);
- (2) using City time or City-owned property for your non-City employment (§§2-156-020, -060); and
- (3) disclosing confidential information gained in the course of your City position (§2-156-070).

Please be advised that our conclusions are based solely on our application of the Governmental Ethics Ordinance to the facts stated in this letter. Other rules or laws may apply to this situation, such as Personnel Rule XX, Section 3, and Rule XVIII, Section 1, no. 43. Also, a City department may adopt and impose rules stricter than those contained in the Ethics Ordinance. If any of the facts presented here are incorrect or incomplete, please notify us immediately, as a change in the facts may alter our opinions.

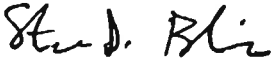
EMUS

Case No. 96006.Q

Page 3

We appreciate your calling us about this matter, and your concern to abide by the standards of the Ethics Ordinance. We enclose a copy of the Ordinance for your reference. Please do not hesitate to call us if you need any further guidance.

Yours very truly,


Steven I. Berlin
Deputy Director

Approved:


Dorothy J. Eng,
Executive Director

enclosure

sib/96006.QL