

**MAYOR
CAROLINE SIMMONS**



**CITY OF STAMFORD
BOARD OF ETHICS
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March 16, 2023

Dr. Lori Rhodes
Associate Superintendent of School Development
% Stamford Public Schools
888 Washington Boulevard, Fifth Floor
Stamford, CT 06904-2152

Dear Dr. Rhodes:

The Board of Ethics (the "Board") has reviewed your January 31, 2023 email and your statements to the Board at its February 15, 2023 meeting in connection with your request for an advisory opinion ("Request") concerning your ethical obligations as an employee of Stamford Public Schools ("SPS"). You have asked whether the fact that your husband does contractual work for Domus, a vendor of SPS, while you hold the position of Associate Superintendent of School Development, trigger a violation of the Stamford Code of Ethics. We thank you for the work you do on behalf of the students at SPS and for this Request. We commend you for attending the Stamford Code of Ethics training which, in part, led you to file this Request.

Before discussing the pertinent Stamford Code of Ethics sections, it is important to set forth a few facts you shared. Your husband is an independent consultant with an expertise in communication and branding. His clients are typically nonprofits. Domus is a local, educational nonprofit that supports at risk youth in SPS. Domus has had a contractual relationship with SPS for many years to administer various educational programs.

There are three educational programs Domus administers within SPS: Middle School Family Advocates, After School Programs at several middle schools and Family Advocate Programs at Westhill and Stamford High Schools. You had no role in vetting Domus to administer these three programs and you have no responsibility for entering into financial contracts with Domus.

Coincidentally, Domus has offered your husband an eight-month contract to improve communication and branding within its nonprofit. His work has nothing to do with improving the quality of educational programming Domus administers at SPS. He plays no role in the financial contracts between Domus and SPS.

You do not supervise any SPS staff at the schools where Domus conducts Middle School Family Advocates nor do you have any supervisory roles at Westhill or Stamford High Schools. Your co-Associate Superintendents supervise Domus staff at those schools.

You do have supervision at Toquam Magnet School where Domus runs its After School Program, but going forward, you have arranged with your colleague, Michael Fernandes, to oversee Toquam staff who help administer the Domus After School Program. You therefore do not interact with Domus staff at Toquam.

Of relevance to our analysis are the following sections of Stamford Municipal Code of Ethics (the "Code") as revised on October 4, 2021 by Ordinance No. 1280: Section 19-4, Section 19-5 and Section 19-6.

Section 19-4(A) of the Code sets forth, in relevant part, the following general rule regarding conflicts of interest:

"To avoid the appearance and risk of impropriety, a city officer or employee shall not take any official action that such person knows is likely to affect the economic interests of[:] . . . (1) the officer or employee . . . or (2) such person's . . . spouse."

We conclude that that since you do not interact with Domus staff who administer the three educational programs at SPS and have no role in entering into financial contracts with Domus, you have no ability to influence the economic interest of Domus. Your husband who is paid by Domus has solely a consulting relationship with Domus and his financial remunerations with Domus have nothing to do with the success of the three Domus programs at SPS. Accordingly, there is no violation of Section 19-4. You have avoided the appearance and risk of impropriety by removing yourself from Toquam Middle School where a Domus After School Program operates.

Another relevant Code Section 19-5(A) further limits the conduct of a city employee as follows:

"General rule. A city officer or employee may not use such person's official position to advance or impede private interests."

"Private interest" is not defined in the Code, but we find that your supervisory role within SPS public schools in no way advances a private interest, whether your own or your husband's and therefore there is no violation of Section 19-5.

The last Code Section to consider is Section 19-6 which prohibits an employee from representing another person before the City of Stamford. In your position as an Associate Superintendent, you do not represent Domus before the City and Stamford and therefore do not violate this section.

This advisory opinion is a public document. The opinions stated herein are expressly based on the accuracy and completeness of the information presented to the Board and are confined to the specifics of the question(s) put to the Board in rendering such opinions. The Board wishes to emphasize that its finding pertains only to your specific circumstances and should not be construed as precedent for any future requests for an advisory opinion or complaint filed with the Board.

All citations to The Stamford Municipal Code of Ethics, §19-4, §19-5, §19-6 can be accessed herein: https://library.municode.com/ct/stamford/codes/code_of_ordinances?nodeId=COOR_CH19ETCOOF

Thank you for proactively seeking advice on compliance with the Code.

Sincerely,

A handwritten signature in black ink that reads "Allan D. Lang". The signature is written in a cursive style with a clear, legible font.

Allan D. Lang, Chair
Board of Ethics

COPY

cc: Town & City Clerk
File