



Joe Schiavoni
State Senator



John Bocchieri
Michele Lepore-Hagan
State Representatives

November 20, 2017

Ohio Ethics Commission
ATTN: Executive Director Paul Nick
30 W. Spring St.
Columbus, OH 43215

Dear Mr. Nick and Members of the Ohio Ethics Commission:

We write to you to request clarification on the ethical guidelines that apply to school district chief executive officers (CEOs) appointed under the statutory authority of House Bill 70 of the 131st General Assembly, and outlined in Ohio Revised Code Section 3302.10. Our local Youngstown City School District is currently under the oversight of an Academic Distress Commission, and we have concerns about recently disclosed cases of impropriety regarding the Youngstown CEO's relationship with contracting companies that received taxpayer dollars.

Analysis of the powers granted to the Youngstown CEO in ORC 3302.10 suggest that the position retains carte blanche authority over the district, or "complete operational, managerial, and instructional control." We wish to better understand whether the privatization of this public position still allows it to fall under the umbrella of state ethics statutes for "public official[s] or employee[s]" in ORC Section 102.01, as traditional school district superintendents must adhere to these statutes that prevent conflicts of interest.

With regard to this issue, we would appreciate answers to the following questions:

1. Must a school district CEO abide by the ethical guidelines outlined in ORC Section 102?
2. If a school district CEO issues a contract to a private vendor that partners with a firm who paid the CEO as a consultant during the same period in which the contract was executed, does the issuance of that contract and such use of public money constitute a conflict of interest that 'interfere[s] with the public interest,' as stated in ORC Section 102?

Your analysis of this situation will help the Legislature and our citizens understand if there are inherent ethical boundaries in the privatization of public positions such as school district superintendents. The execution of the duties of a school district superintendent are important not only for public integrity, but also for sustaining our children's future educational needs.

Thank you and we look forward to hearing from you.

Sincerely,

Handwritten signature of John Bocchieri.

JOHN BOCCIERI
State Representative
59th House District

Handwritten signature of Michele Lepore-Hagan.

MICHELE LEPORE-HAGAN
State Representative
58th House District

Handwritten signature of Joe Schiavoni.

JOE SCHIAVONI
State Senator
33rd Senate District