



District of Columbia State Board of Education  
DCSBOE



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**To: Members, State Board of Education**

**From: Kelly Davis, Attorney Advisor**

**Date: March 16, 2015**

**Subject: Required Submission of Public Financial Disclosure Statements (“PFDS”)**

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Good afternoon,

By Friday, **May 15, 2015**, Public Officials that have served for at least 30 days in 2014 must submit Public Financial Disclosure Statements (“PFDS”) for the previous year. Public Officials are:

- (a) Subordinate agency heads in a position designated as within the Executive Service;
- (b) Statutory office holders, such as the Mayor, Chairman, Councilmembers and the Attorney General;
- (c) Members of specific Boards and Commissions, pursuant to D.C. Official Code, Section 1-523.01(e).
- (d) District of Columbia employees paid, regardless of pay schedule, at a rate equivalent to an Excepted Service employee paid at a rate of Excepted Service. See DPM § 1810.4(a). “Each agency head shall provide to BEGA, no later than March 1st of each year, a list of all public officials within the agency, as defined by the Ethics Act.” See D.C. Official Code § 1-1161.01(47); 3 DCMR § 9900.1, or above, who makes decisions or participates substantially in areas of contracting, procurement, administration of grants or subsidies, developing policies, land use planning, inspecting, licensing, regulating, or auditing, or acts in areas of responsibility that may create a conflict of interest or appearance of a conflict of interest.

Under the above definition of Public Official and pursuant to the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Amendment Act of 2011(“Ethics Act”), effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01(2014 Supp.)) **members of the State Board of Education are considered Public Officials.** Board of Ethics and Government Accountability (BEGA) shall mail the information to each member that is qualified to file this year and notify other members that they shall be required to file the next year. Instructions on how to submit the information shall be provided in the mailed packet but if you have any questions please contact the Executive Director, Attorney Advisor, or BEGA. If you do not receive anything in the mail please contact the

Executive Director or BEGA as soon as possible. The forms can also be downloaded from the website: <http://www.bega-dc.gov/forms/public-financial-disclosure-statement-public-officials-0>.

Once you obtain the Public Financial Disclosure Statements they shall be completed and submitted to BEGA by **May 15<sup>th</sup>**. BEGA shall submit the information to DC Register so that it may be published for the public view.

In addition, according to the new ethics law under BEGA **any District of Columbia employee who fulfills certain statutorily specified duties, such as *contracting, procurement, administration of grants or subsidies, developing policies, land use planning, inspecting, licensing, policy-making, regulating, or auditing, or acts in areas of responsibility that may create a conflict of interest or appearance of a conflict of interest must file a Financial Disclosure Statement***. It has been determined that staff in the State Board of Education and in the Office of the Ombudsman that served in 2014 fulfills one of these statutory specified duties. Therefore, they also must submit a Financial Disclosure Statement (it is a public financial disclosure statement if their salary is equivalent to ES-9 employees or above, which is \$98,345) to the Executive Director or Ethics Officer **before May 15<sup>th</sup>** so that it may be reviewed by the Ethics Officer or Attorney Advisor in the agency for any conflict of interest issues that needs to be addressed by BEGA.

If there is no need to provide any information to BEGA, the information for the non-public financial disclosure statements collected shall remain confidential within the agency. This form must be downloaded from the website at <http://www.bega-dc.gov/forms/confidential-financial-disclosure-statement-employees-0>. If you click the "Download" button it will download the form. For your convenience the agency shall be sending email reminders closer to important deadlines. Please let the Executive Director or the Attorney Advisor know if you have any further questions. Thank you for your cooperation.