

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ETHICS AND GOVERNMENT ACCOUNTABILITY



Office of Government Ethics

**VIA EMAIL TO:**

February 18, 2014

Darren Woodruff  
Vice Chair, D.C. Public Charter School Board  
[Dwoodruff@accelresearch.org](mailto:Dwoodruff@accelresearch.org)

Dear Vice Chair Woodruff:

This responds to your request for advice concerning whether you may, consistent with your ethical obligations as a member of the D.C. Public Charter School Board (“PCSB”), vote as a PCSB member on the Community Academy Public Charter School (“CAPCS”) revocation matter, which is scheduled for February 19, 2015. Based upon the information you provide in a related email, I conclude that your vote on the matter is permissible.

I understand that your wife was an employee of CAPCS during the 2009-2010 school year. Otherwise, you have no connections to this charter operator, financial or otherwise.

The Ethics Act’s Conflict of Interest provision states that, “no employee shall use his or her official position or title, or personally and substantially participate, through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, in a judicial or other proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, or other particular matter, or attempt to influence the outcome of a particular matter, in a manner that the employee knows is likely to have a direct and predictable effect on the employee’s financial interests or the financial interests of a person closely affiliated with the employee.”<sup>1</sup>

In your situation, I don’t see that, by voting on the CAPCS revocation matter, you would be violating this provision. Because your wife’s employment with CAPCS ended in 2010 and you have no other financial connections to CAPCS, it cannot be said that your vote will have a direct and predictable effect on your financial interests or the financial interest of a person closely affiliated with you. Therefore, because a financial conflict of interest does not exist, recusal is not necessary.<sup>2</sup>

In sum, I conclude that your voting on the CAPCS revocation matter is permissible.

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<sup>1</sup> D.C. Official Code § 1-1162.23(a).

<sup>2</sup> You are reminded that a separate provision of The Code of Conduct requires you to act impartially, so you must be sure that you can do so. District Personnel Manual § 1800.3(h).

Please be advised that this advice is provided to you pursuant to section 219 of the Ethics Act (D.C. Official Code § 1-1162.19), which empowers me to provide such guidance. As a result, no enforcement action for violation of the District's Code of Conduct may be taken against you in this context, provided that you (and others for you) have made full and accurate disclosure of all relevant circumstances and information in seeking this advisory opinion.

You also are advised that the Ethics Act requires this opinion to be published in the *D.C. Register* within 30 days of its issuance, but that your identity will not be disclosed unless you consent to such disclosure in writing. We encourage individuals to so consent in the interest of greater government transparency. Please, then, let me know your wishes about disclosure.

Please let me know if you have any questions or wish to discuss this matter further. I may be reached at 202-481-3411, or by email at [darrin.sobin@dc.gov](mailto:darrin.sobin@dc.gov).

Sincerely,



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DARRIN P. SOBIN  
Director of Government Ethics  
Board of Ethics and Government Accountability

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