

BOARD OF EDUCATION OF BALTIMORE COUNTY

ETHICS REVIEW PANEL

ADVISORY OPINION 00-07

Advisory Opinion 00-07 is in response to a request by [REDACTED]

[REDACTED] and [REDACTED]

(Petitioners).

The Houghton-Mifflin Company which is a textbook vendor that sells some of its products to the Baltimore County Public School System is sponsoring a Conference for Reading to be held in Naples, Florida October 12-15, 2000. The company has invited the [REDACTED] one of the Petitioners, to this conference and Houghton-Mifflin would pay all expenses, valued at approximately \$900.00.

The Petitioners are asking if accepting this all-expense paid invitation would be appropriate, and, if so, the Petitioner would like to have the opportunity to enhance knowledge and skills related to reading and language arts education by attending the conference.

The relevant section of the Ethics Code is as follows:

ETHICS CODE: Gifts

Section 8362.2

2. Gifts to Individuals

(a) *A Board member, employee, or volunteer may not solicit gifts, gratuities, or discounts for personal use or gain.*

(b) *No Board member, employee, or volunteer may knowingly accept gifts, gratuities, or discounts for personal use or gain, directly or indirectly, from any person or business entity that he or she knows or has reason to know:*

- *is doing business with the Baltimore County Public Schools*
- *is subject to the authority of the school system*
- *has financial interests that may be substantially and materially affected, in a manner distinguishable from the public generally, by the performance or non-performance of his or her official duty*
- *is involved in lobbying.*

(c) *Unless a gift of any of the following would tend to impair the impartiality and independence of judgment of the Board member or employee receiving*

*it, or, if of significant value would give the appearance of doing so, or, if of significant value, the recipient has reason to believe that it is designed to do so, then the Board member or employee may accept the following, unless exceeding a \$25 market value:*

- *meals and beverages consumed in the presence of the donor*
- *ceremonial gifts or awards*
- *unsolicited gifts of nominal value or trivial items of information value, reasonable expenses for food, travel, lodging, and scheduled entertainment of the Board member or employee for a meeting which is given in return for participating in a panel or speaking engagement at a meeting.*
- *tickets or free admission extended to a Board member to attend a professional or intercollegiate sporting event or charitable, cultural, or political event, if the purpose of this gift or admission is a courtesy extended to the office*
- *a specific gift or class of gifts which the Ethics Review Panel exempts upon a finding, in writing, that acceptance of the gift or class of gifts would not be detrimental to the impartial conduct of the business of the school system and that the gift is purely personal and private in nature.*

*Legal References: Annotated Code of Maryland, Education Article, §1-101(e), §6-107, §6-109 et seq.*


The Petitioner has been invited to attend the reading conference by a company that is a vendor to the Baltimore County Public School System. The offer to pay all expenses is a gift to the employee (Petitioner) that could be viewed as a business solicitation or sales approach. The value of the gift far exceeds the limit imposed by the Ethics Code.


If, however, the Baltimore County Public School System administration decided that this conference would indeed be beneficial and knowledge enhancing and would serve the Petitioner and Baltimore County school students well, then the county school administration should pay the Petitioner's expenses and sponsor the Petitioner's participation in the conference.

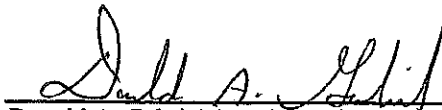
This Advisory Opinion has been signed by the Ethics Panel members and adopted

on October 19, 2000

  
Joy Shillman, Chair

  
Roland L. Unger, C.P.A., Panel Member

  
Karen W. Strand, R.N., Vice Chair

  
Donald A. Gabriel, Panel Member

ABSENT  
James G. Clair, Esq., Panel  
Member