

BOARD OF EDUCATION OF BALTIMORE COUNTY
Ethics Review Panel

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TO: Principals and Office Heads
FROM: Ethics Review Panel
DATE: May 4, 2007
RE: Advisory Opinion 07-03

At its April 19, 2007, meeting, the Ethics Review Panel adopted Advisory Opinion 07-03 in response to an application received from a petitioner.

In compliance with Ethics Code Policy 8366, "any Board member, employee, volunteer, or other person subject to the provisions of the policies of the Ethics Code may request that the Ethics Review Panel issue an advisory opinion concerning the applications of these policies." In an effort to keep individuals abreast of the Panel's interpretations of the Ethics Code policies, please share this information with your staff.

Consistent with the Panel's rules of procedure, you will note the deletion of the petitioner's name and any personally identifiable information in order to ensure anonymity. As subsequent advisory opinions are issued, they will be made available through the *Superintendent's Bulletin* and Outlook.

If you or members of your staff have any questions, please contact Dr. Carol Batoff, Administrative Liaison to the Ethics Review Panel, at 4138.

BOARD OF EDUCATION OF BALTIMORE COUNTY

ETHICS REVIEW PANEL

ADVISORY OPINION 07-03

This Advisory Opinion 07-03 is in response to a request made by Petitioner, an employee of Baltimore County Public Schools, inquiring as to whether it is permissible for a BCPS vendor to host a group of BCPS principals for dinner at a local restaurant at the vendor's

expense, ostensibly for the group of principals to act as a focus group for the vendor to better understand the needs of BCPS.

The relevant sections of the Ethics Code are as follows:

Section 8362

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.

The matter before the Ethics Panel is whether a BCPS vendor may host a group of principals at the vendor's expense at a local restaurant.

The Ethics Panel has concluded that the BCPS vendor may not bear the expense of taking a group of principals to dinner at a local restaurant, regardless of the ostensible purpose of the event.

Section 8362, 2(b) of the Ethics Code prohibits any gift to an employee from a business entity that does business with the school system. Therefore, the Ethics Panel has concluded that this is a prohibited activity under Section 8362.

This opinion has been signed by the Ethics Panel members and adopted on April 19, 2007.

Roland L. Unger, CPA, Chair
Mary C. Burke, LCSW-C, BCD, Vice Chair
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