

## Advisory Opinion 23-02

This advisory opinion is in response to your request, [REDACTED] regarding the permissibility of your participation as a speaker at [REDACTED] (the “Forum”).

You advise that you received an invitation to be a speaker at the Forum, [REDACTED] Sunday, March 5, 2023, through Tuesday, March 7, 2023. You would participate in the Forum as a “session roundtable speaker” and provide a “collaborative dialogue on continuous improvement processes and initiatives for schools and offices.” As a speaker at the Forum, you would be provided with “hotel accommodations for the two evenings, access to all sessions at no cost, and meals during work functions.” You state that you “will have no additional requirements following my participation in the professional learning sessions” and will receive “no additional compensation, gifts, or gratuities.”

Preliminarily, the Panel questions whether the Forum host is an entity from whom non-solicited gifts are restricted as set forth in Policy 8362 III.C.<sup>1</sup> Nonetheless, and assuming that the Forum host is such an entity, the Panel advises that the exception to the gift restrictions found at Policy 8362 III.E.4. is applicable.<sup>2</sup> Accordingly, the Panel advises that you may accept the speaking invitation and the Forum host’s coverage of the associated expenses as set forth in your inquiry above. Lastly, the

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<sup>1</sup> This section provides as follows:

C. A school official may not knowingly accept a gift, directly or indirectly, from a person that the official knows or has reason to know:

1. Is doing business with or seeking to do business with the Board of school system;
2. Is subject to the authority of the school system;
3. Is a lobbyist with respect to matters within the jurisdiction of the school official;
4. Has financial interests that may be substantially and materially affected, in a manner distinguishable from the public generally, by the performance or nonperformance of the school system duties of the school official; or
5. Is an association, or an entity acting on behalf of an association, that is engaged only in representing counties or municipal corporations.

<sup>2</sup> This section permits the acceptance of “[r]easonable expenses for food, travel, lodging, and scheduled entertainment of the school official at a meeting which is given in return for the participation of the school official on a panel or a speaking engagement at the meeting.”

Panel advises that these expenses should be reported as a gift on your Financial Disclosure Statement.

The Panel would like to express its appreciation for this request for an advisory opinion and your sensitivity to the ethical considerations which generated the request.

This Advisory Opinion has been adopted by the Ethics Review Panel members on February 24, 2023.

Tim Topoleski, Ph.D.  
Chair

Thomas Keech, Esq.  
Vice Chair

Owen Jarvis, Esq.  
Panel Member

Ralph Sapia, Esq.  
Panel Member

Cynthia Boyd, M.D. M.P.H.  
Panel Member