

BOARD OF EDUCATION OF BALTIMORE COUNTY

ETHICS REVIEW PANEL

ADVISORY OPINION 00-01

This Advisory Opinion 00-01 is in response to a request by [REDACTED] (Petitioner). Hobsons, a software vendor company that sells its product to some Baltimore County High Schools, has invited the Petitioner to attend several days of advisory meetings sponsored by the company with all expenses paid by the company. The inquiry asks the appropriateness of attending this series of meetings and other activities such as events scheduled for "casual discussions" which would occupy the afternoons and evenings of the three days.

Policy 8362.2 of the Ethics Code prohibits employees from accepting gifts, gratuities or discounts from persons or business entities that conduct business with the Baltimore County Public Schools.

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:*

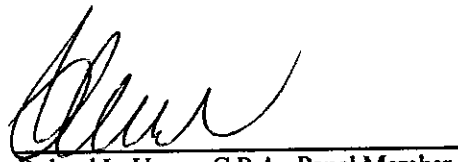
- meals and beverages consumed in the presence of the donor
- ceremonial gifts or awards
- unsolicited gifts of nominal value or trivial items of informational value
- reasonable expenses for food, travel, lodging, and scheduled entertainment of the Board member or employee for a meeting which is given 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.

The Petitioner is being solicited to attend these meetings; the company that is inviting her is a vendor to the Baltimore County School System. If the county school system were asking the Petitioner to attend for beneficial purposes such as information gathering or sharing, attendance may be appropriate. Many such information gathering forums are appropriate and beneficial. However, this is a sales approach by a vendor doing business with the Baltimore County School System, and attendance would be inappropriate. Thus the Panel finds that Ethics Code 8362.2 prohibits it.

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


on 3/16/00


 Joy Stillman, Chair


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


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


 Donald A. Gabriel, Panel Member


 James G. Klair, Esq., Panel Member