

BOARD OF EDUCATION OF BALTIMORE COUNTY

ETHICS REVIEW PANEL

ADVISORY OPINION 10-04

This Advisory Opinion 10-04 is in response to a request made by the petitioners, employees of the Baltimore County Public Schools ("BCPS"), inquiring whether it is permissible under the BCPS Ethics Code to serve as guides on trips abroad. By participating in such trips, the petitioners would have their travel expenses paid for by the sponsoring organization. The petitioners are requesting an advisory opinion regarding whether this would violate the Ethics Code.

The relevant section of the Ethics Code is as follows:

Policy 8363, Conflict of Interest


6. Prohibitions

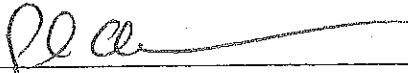
(a) *No board member or employee shall:*

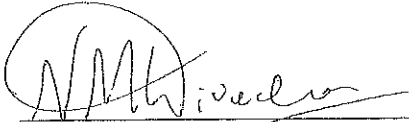
- *represent any party, for a contingent fee, before or involving the Board of Education*
- *act as a compensated representative of another party in connection with a case, contract, or any specific matter in which he or she participated substantially as a board member or employee, within one (1) year following termination of service to the school system*
- *use the prestige of office for personal benefit or that of another*
- *use confidential information acquired in an official school system position for personal benefit or that of another.*

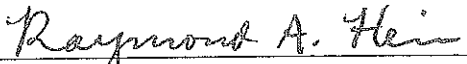
The matter before the Ethics Review Panel is whether an employee can receive free or reduced travel expenses in exchange for providing services as a guide. As previously determined in Advisory Opinion 08 AO/ERP 13, receiving compensation for this kind of trip is in violation of Policy 8363, Conflict of Interest, section 6 (a) with regard to using prestige of office for personal benefit or that of another. One of the petitioners indicated her willingness to hold meetings outside of the building and not include her name on any literature. This would still not change the fact of her involvement in this venture. Obviously, if the petitioners paid for all of their expenses, they would not be in violation of the Ethics Code. Additionally, the petitioners may wish to request that the Board of Education consider their request and the benefits provided to the students. If the Board determines that these trips are of sufficient benefit to the system, the Board may wish to allow the trips at the school system's expense.


This opinion has been signed by the Ethics Review Panel members and adopted on August 19, 2010.


Mary C. Burke, LCSW-C, BCD, Chair


Philip Abraham, Esq., Vice Chair


Nikhil M. Divecha, M.B.A., Panel Member


Raymond A. Hein, Esq., Panel Member


John Van Emden, Panel Member