

BOARD OF EDUCATION OF BALTIMORE COUNTY

ETHICS REVIEW PANEL

ADVISORY OPINION 15-04

This Advisory Opinion 15-04 is in response to an Application to Provide an Advisory Opinion, filed by Applicant, who requested a response to the following question: “Is it ethical or unethical for a member of the Baltimore County School Board to attend a national educational conference, paid for by the Baltimore County Public Schools, and not attend a single meeting?”

There are no provisions in the Ethics Code which directly address this issue and without being provided more information, the Panel is not able to provide a definitive response to this question. However, the Panel would note that several provisions of the Ethics Code might be implicated in the question posed by the Applicant.

Section I.A. of Policy 8361 “formally acknowledges the school system’s commitment to its institutional responsibility to the students, parents, and the community” and it “advocates positive behavior and the avoidance of impropriety or the appearance of impropriety.” In Section I.B., the Board recognizes that “our system of representative government is dependent in part upon the people maintaining the highest trust in their public officials and employees... .” Section II.B. encourages that an individual relies “on his or her good judgment, recalling that the school system’s ethical commitment is rooted in fairness, equity, and integrity.”

Section VI. of Policy 8363 provides that a School System official “may not intentionally use the prestige of office or public position for private gain of that official or the private gain of another.”

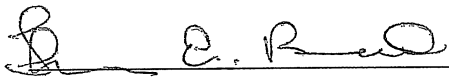
From information and experience, the Panel is aware that members of an organization often attend conferences, conventions, and meetings – local, regional, and national – that relate to the purpose and business of the organization. These events often have meetings, seminars, sessions, etc., at which individuals present information regarding issues that may be faced by the organization or its members. The Panel is also aware that the 2015-2016 Board Handbook of the Board of Education of Baltimore County references one such conference – the National School Boards Association Conference – and it notes: “It is the goal of the Board of Education to foster continuous improvement among its members, and to have members attend the conference for their own professional growth and development.” (Handbook, page 14). One of the stated “norms and operating protocols” in the Handbook is that Board members “will be expected to attend professional development opportunities at the local, state, and national level throughout the year.” (Handbook, page 23). Even if an individual does not attend the specific seminars or sessions at a conference, the individual may benefit from being present at the conference or meeting, through receiving and reviewing written materials, networking

with others, meeting with individuals to share matters of mutual concern and interest, and so forth. That individual benefit may inure to the benefit of the organization as a whole. Therefore, attendance, or lack of attendance, at the scheduled events may not be the only reason or purpose for attending such a conference or meeting.

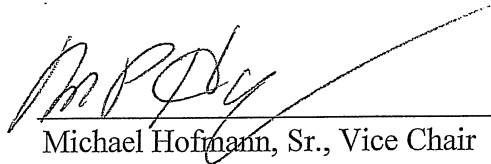
However, in light of the provisions of the Ethics Code cited above, the Panel cautions that attendance at such events, at public expense, is to promote growth and development for the Board member, in his or her capacity as a Board member and not to provide a taxpayer paid trip or vacation for the individual. If a Board Member attends a meeting or conference for reasons *other than* to benefit the Board of Education or the Baltimore County Public Schools; or if the Board Member attends the event with the *intent* of benefitting himself/herself rather than the Board or School System, the Code of Ethics provisions cited above may be applicable.

For all of the above reasons, the Panel has concluded that it is unable to definitively answer the question posed in the Application as to any specific alleged situation. However, the Applicant and Members of the Board should be aware and mindful of the provisions of the Ethics Code set forth above.


This opinion has been signed by the Ethics Review Panel members and adopted on November 19, 2015.



Theresa E. Barrett, Chair



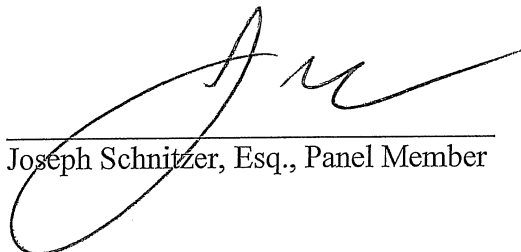
Michael Hofmann, Sr., Vice Chair



Mary C. Burke, LCSW-C, BCD,
Panel Member

Absent

Clare McSpaden, Esq., Panel Member



Joseph Schnitzer, Esq., Panel Member