

# BOARD OF EDUCATION OF BALTIMORE COUNTY

## ETHICS REVIEW PANEL

### ADVISORY OPINION 00-02

Advisory Opinion 00-02 is in response to [REDACTED] a Baltimore County Public School employee, ("Petitioner") who is asking if it would be appropriate for CASE (Council of Administrative and Supervisory Employees) members along with the Office of Wellness and BCPS employees to co-sponsor and participate in a golf tournament for BCPS employees and guests at the end of the school year. All proceeds from this event, after expenses, are donated to the Johns Hopkins Childrens' Center.

This is a charity event that in no way violates the policies of the Ethics Code. The success of the event relies on the unpaid efforts of the various persons participating and those individuals playing in the golf tournament are paying their own fees.

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 information 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.
- (d) It is not the intent of the Code to prohibit students and employees from participating in and accepting awards exceeding a \$25 market value at events which are determined by the Ethics Review Panel to have an educational benefit.
- (e) It is not the intent of the Code to prohibit gifts from a person related by blood or marriage, or a spouse, child, ward, financially dependent parent, or other relative who share the Board member's, the Superintendent's or an employee's legal residence, or a child, ward, parent, or other relative over whose financial affairs the person has legal or actual control.

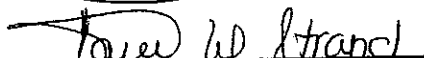
In reference to Advisory Opinion 00-02 it is the opinion of the Panel that a charity event solely for the benefit of a reputable institution is not in violation of the Ethics Code. There is nothing in the Ethics Code that precludes vendors from making contributions to a charitable activity sponsored by Baltimore County Public School employee organizations. In the situation stated there is no indication that such activity or solicitation would result in personal use or gain.

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


on


3/16/00

  
James G. Klait Esq., Panel Member

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

  
Joy Shilman, Chair

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

  
Donald A. Gabriel, Panel Member