



INTERNAL BOARD OPERATIONS: Ethics Code

Lobbying

- I. Except as provided in Paragraphs II and III of this policy, a person or entity who engages in any of the following Lobbying activities with the Board of Education of Baltimore County (Board) shall file a lobbying registration with the Panel or the office designated by the Board:
  - A. Communicating in the presence of a member of the school board or any school official with the intent to influence any official action of that member of the school board or official and spending over \$25 for food, entertainment or other gifts during the calendar year in connection with the communication or intent to influence; or
  - B. Engaging in activities having the express purpose of soliciting others to communicate with a school official with the intent to influence that official; and spending over \$25 in connection with the activities or intent to influence.
  
- II. The following activities are exempt from regulation under this policy:
  - A. Professional services in advising and rendering opinions to clients as to the construction and effect of proposed or pending Board actions when these services do not otherwise constitute lobbying;
  - B. Appearances before the Board upon its specific invitation or request if the person or entity engages in no further or other activities in connection with the passage or defeat of Board actions;
  - C. Appearances before an organizational unit of the school system upon the specific invitation or request of the unit if the person or entity engages in no further or other activities in connection with the passage or defeat of the Board or school system action;
  - D. Appearances as part of the official duties of a duly elected or appointed official or employee of the State or a political subdivision of the State, or of the United States, and not on behalf of any other entity;
  - E. Actions of a publisher or working member of the press, radio or television in the ordinary course of the business of disseminating news or making editorial comment to the general public who does not engage in further or other

lobbying that would directly and specifically benefit the economic, business or professional interests of the person or entity or the employer of the person or entity;

- F. Appearances by an individual before the Board at the specific invitation or request of a registered lobbyist if the person performs no other lobbying act and notifies the Board that the person or entity is testifying at the request of the lobbyist;
- G. Appearances by an individual before an organizational unit of the school system at the specific invitation or request of a registered lobbyist if the person or entity performs no other lobbying act and notifies the unit that the person or entity is testifying at the request of the lobbyist;
- H. The representation of a bona fide religious organization solely for the purpose of protecting the right of its own members to practice the doctrine of the organization; and
- I. Appearance as part of the official duties of an officer, director, member or employee of an association engaged exclusively in lobbying for counties and municipalities and not on behalf of any other entity.

### III. Limited Exemption – Employer of a Lobbyist

- A. A person or entity who employs one or more lobbyists and who would otherwise be required to register as a lobbyist is not required to file a registration and submit lobbying reports if the person or entity reasonably believes that all expenses incurred in connection with the lobbying activities will be reported by a properly registered person or entity acting on behalf of the person or entity.
- B. A person or entity exempted under this Subparagraph becomes subject to this policy immediately upon failure of the lobbyist to report any information required by this policy.

### IV. Lobbyist Registration

- A. The registration filed under this policy shall be filed on or before the later of the beginning of the calendar year in which the person or entity expects to lobby and within five days of first engaging in lobbying activities in the calendar year.

- B. The registration filed under this policy shall be dated and on a form developed by the Panel and shall include:
  - 1. The lobbyist's full and legal name and permanent address;
  - 2. The name, address and nature of the business of any person or entity on whose behalf the lobbyist acts;
  - 3. The written authorization of any person or entity on whose behalf the lobbyist acts or an authorized officer or agent, who is not the lobbyist, of the person or entity on whose behalf the lobbyist acts;
  - 4. A statement of whether the person or entity on whose behalf the lobbyist acts is exempt from registration under Subparagraph III, above;
  - 5. The identification, by formal designation, if known, of matters on which the lobbyist expects to act;
  - 6. Identification of the period of time within a single calendar year during which the lobbyist is authorized to engage in these activities, unless terminated sooner; and
  - 7. The full legal signature of the lobbyist and, when appropriate, the person or entity on whose behalf the lobbyist acts or an agent or authorized officer of the person or entity on whose behalf the lobbyist acts.
  
- V. A lobbyist shall file a separate registration for each person or entity that has engaged or employed the lobbyist for lobbying purposes.
  
- VI. A lobbyist may terminate the lobbyist's registration by providing written notice to the Panel and submitting all outstanding reports and registrations.
  
- VII. A person or entity may not engage in lobbying activities on behalf of another person or entity for compensation that is contingent upon the passage or defeat of any action by the Board or the outcome of any school system action.
  
- VIII. Activity Report
  - A. A lobbyist shall file with the Panel or the office designated by the Board:
    - 1. By July 31, one report concerning the lobbyist's lobbying activities covering the period beginning January 1 through June 30; and
    - 2. By January 31, one report covering the period beginning July 1 through December 31.

- B. A lobbyist shall file a separate activity report for each person or entity on whose behalf the lobbyist acts.
- C. If the lobbyist is not an individual, an authorized officer or agent of the entity shall sign the form.
- D. The report shall include:
  - 1. A complete and current statement of the information required to be supplied with the lobbyist's registration form.
  - 2. Total expenditures on lobbying activities in each of the following categories:
    - a. Total compensation paid to the lobbyist not including expenses reported under items Subparagraphs VIII(D)(2)(b) through (i);
    - b. Office expenses of the lobbyist;
    - c. Professional and technical research and assistance not reported in Subparagraph VIII(D)(1);
    - d. Publications which expressly encourage persons to communicate with officials;
    - e. Names of witnesses, and the fees and expenses paid to each witness;
    - f. Meals and beverages for school officials;
    - g. Reasonable expenses for food, lodging and scheduled entertainment of school officials for a meeting which is given in return for participation in a panel or speaking engagement at the meeting;
    - h. Other gifts to or for school officials or members of their immediate families; and
    - i. Other expenses.

IX. Special Gift Report

- A. With the six-month activity report required above, a lobbyist shall report, except for gifts reported in VIII(D)(2)(h) above, gifts from the lobbyist with a cumulative value of \$75 or more during the reporting period to an official or member of the immediate family of an official.
- B. The lobbyist shall report gifts under this Paragraph regardless of whether the gift was given in connection with lobbying activities.
- C. The report shall include the date, beneficiary, amount or value and nature of the gift.

X. Notification to Official and Confidentiality

- A. If any report filed under the policy contains the name of a school official or a member of the official's immediate family, the Panel shall notify the official within 30 days.
- B. The Panel shall keep the report confidential for 60 days following receipt by the Panel.
- C. Within 30 days of the notice required by this Subparagraph, the official may file a written exception to the inclusion in the report of the name of the official or the member of the official's immediate family.

XI. The Panel may require a lobbyist to submit other reports as the Panel determines to be necessary.

XII. Public Record

- A. The Panel or office designated by the Board shall maintain all registrations and reports filed under this policy for four years from the date of receipt by the Panel. The Panel or office designated by the Board shall maintain all financial disclosure statements filed under this policy.
- B. The Panel shall make lobbying registrations and reports available during normal office hours, for examination and copying by the public subject to reasonable fees and administrative procedures established by the school system. (*See, Superintendent's Rule 2373, Public Information Act Requests.*)

XIII. The Panel shall review the registrations and reports filed under this policy for compliance with this policy and shall notify persons engaging in lobbying activities of any omissions or deficiencies. The Panel or Board may take appropriate enforcement action to ensure compliance with this policy.

XIV. Annual Report

- A. The Panel shall compute and make available a subtotal under each of the required categories in Subparagraph VIII(D) of this policy.
- B. The Panel shall compute and make available the total amount reported by all lobbyists for their lobbying activities during the reporting period.

Legal References: *Annotated Code of Maryland*, General Provisions Article §5-102,  
*Legislative Findings; Policy; Liberal Construction*  
*Annotated Code of Maryland*, General Provisions Article §§5-701 to  
5-716, *Lobbying*  
*Annotated Code of Maryland*, General Provisions Article §§5-815 to  
5-821, *Local Boards of Education*  
COMAR 19A.05.02.06, *Lobbying*

Related Rule: Superintendent's Rule 2373, *Public Information Act Requests*

Policy Board of Education of Baltimore County

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