



INTERNAL BOARD OPERATIONS: Ethics Code

Gifts

I. Purpose

To establish firm guidelines for the acceptance or solicitation of gifts by schools and offices on behalf of the Board of Education of Baltimore County (Board).

II. Gifts to the Board, Schools and Offices

- A. The Board encourages the formation of partnerships between schools and businesses and recognizes that these relationships frequently include gifts to schools and offices to enhance the educational programs of students.
- B. The Board, schools and offices may accept any bequest or gift of money or property for a purpose deemed suitable.
 - 1. All gifts shall be accepted in the name of the Board.
 - 2. All gifts will become the property of the Board and may be designated by the Board for use in a particular school or office.
- C. Any gift presented to the Board, schools or offices must be accompanied by a document of intent from the donor for official action and recognition.

III. Criteria

- A. To be acceptable, a gift must meet the following criteria:
 - 1. Have a purpose consistent with those of the Board or the school system;
 - 2. Be offered by a donor acceptable to the Board or the school system;
 - 3. Be manageable by existing staff;
 - 4. Not begin a program with the assumption that the Board will take over if the funds are exhausted;
 - 5. Place no restrictions on the school program;
 - 6. Be appropriate to the best education of students;
 - 7. Not imply endorsement of any business or product;
 - 8. Not carry an excessive cost of maintenance or installation;
 - 9. Be consistent with the provisions of Board policies, Superintendent's rules, school system procedures and applicable federal and state laws and regulations.

- B. When installation is required, the gift will be installed under the supervision of personnel of the Board. The Board is under no obligation to replace the gift if it is destroyed or becomes worn out.
- C. A letter of appreciation will be sent to the donor.

IV. Gifts to a School Official

- A. A school official may not solicit any gift.
- B. A school official may not directly solicit or facilitate the solicitation of a gift, on behalf of another person, from an individual lobbyist.
- C. A school official may not knowingly accept a gift, directly or indirectly, from a person that the official knows or has reason to know:
 - 1. Is doing business with or seeking to do business with the Board or school system;
 - 2. Is subject to the authority of the school system;
 - 3. Is a lobbyist with respect to matters within the jurisdiction of the school official; or
 - 4. Has financial interests that may be substantially and materially affected, in a manner distinguishable from the public generally, by the performance or nonperformance of the school system duties of the school official.
- D. A Board member may not accept complimentary tickets to attend events that the Board member may know or have reason to know are from or on behalf of political candidates or elected officials.
- E. Notwithstanding the restrictions set forth in this paragraph, a school official may accept:
 - 1. Meals and beverages consumed in the presence of the donor or sponsoring entity;
 - 2. Ceremonial gifts or awards that have insignificant monetary value;
 - 3. Unsolicited gifts of nominal value that do not exceed \$20 in cost or trivial items of informational value;
 - 4. Reasonable expenses for food, travel, lodging and scheduled entertainment of the school official at a meeting which is given in

return for the participation of the school official on a panel or a speaking engagement at the meeting;

5. Gifts of tickets or free admission extended to members of the Board to attend a charitable, cultural or political event, if the purpose of the gift or admission is a courtesy or ceremony extended to the Board of Education;
6. A specific gift or class of gifts which the Panel exempts from the operation of this subparagraph 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 Board or school system and that the gift is purely personal and private in nature;
7. Gifts from a person related by blood or marriage, or any other individual who is a member of the household of the school official; or
8. An honorarium for speaking to or participating in a meeting, provided that the offering of the honorarium is in no way related to the Board or school system position of the school official.

F. Subparagraph E above does not apply to a gift, regardless of value:

1. That would tend to impair the impartiality and independence of judgment of the school system official receiving the gift;
2. Of significant value that would give the appearance of impairing the impartiality and independent judgment of the school official; or
3. Of significant value that the recipient school official believes or has reason to believe is designed to impair the impartiality and independent judgment of the official.

Legal References: *Annotated Code of Maryland*, General Provisions Article Title 5, Maryland Public Ethics Law
Annotated Code of Maryland, General Provisions Article §§5-815 to 5-821, *Local Boards of Education*
COMAR 19A.05, *Board of Education Ethics Regulations*

Related Policies: Board of Education Policy 0200, *Precepts, Beliefs and Values of the Baltimore County Public Schools*
Board of Education Policy 4002, *Obligations of Employees of the Board of Education of Baltimore County*

Board of Education Policy 4100, *Employee Conduct and Responsibilities*

Board of Education Policy 7330, *Capital Projects that are Funded by Private Donations*

Board of Education Policy 8410, *Fraud Reporting, Waste, Abuse or Unlawful Acts*

Policy

Board of Education of Baltimore County

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