



Scott Wadland <swadland@framingham.k12.ma.us>

Fwd: School Travel Policyies

1 message

Nancy Piasecki <npiasecki@framingham.k12.ma.us>

Wed, Oct 17, 2018 at 8:23 AM

To: Scott Wadland <swadland@framingham.k12.ma.us>, Adam Freudberg <afreudberg@framingham.k12.ma.us>

Cc: Amy Kane <akane@framingham.k12.ma.us>, Joanna Hastry <jhastry@framingham.k12.ma.us>

FYI

Nancy Piasecki

Executive Director for the Office of the Superintendent

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From: **Amanda Zuretti** <azuretti@petrinilaw.com>

Date: Sun, Oct 14, 2018 at 3:12 PM

Subject: School Travel Policyies

To: Nancy Piasecki <npiasecki@framingham.k12.ma.us>

Cc: "Christopher J. Petrini" <cpetrini@petrinilaw.com>

Dear Nancy, In response to your request for a further opinion regarding School Travel Policies, we received the opinion below from State Ethics Commission ("SEC") Assistant Attorney General Kevin Larivee:

Regarding your request: Section 23(b)(2) of G.L. 268A (the conflict of interest law) prohibits any public employee from using their public position to convey an undue benefit or privilege of substantial value on any other party. A teacher using school resources, including their email or class time, to solicit students to go on a private (i.e. not school sanctioned) trip would constitute such an undue benefit or privilege for the private company and, therefore, would violate the conflict of interest law.

As you know, receipt of "substantial value" under G.L. c. [268A](#) and 930 CMR 1.00 - 5.00 means the equivalent of \$50.00 or more. We recommend accordingly that the School Travel Policy remain as is with respect to private (i.e., not school sanctioned trips).

We further recommend that school resources not be used for school-sanctioned trips until we receive confirmation from the SEC that doing so will not violate the Conflict of Interest law. Although it is our opinion that this prohibition would apply to the use school resources, or the acceptance of free or discounted travel from the provider of trip or transportation services for school-sanctioned trips, I have sent a request for further clarification on this point to AAG Larivee. Thank you for your patience, and please let us know if you need further information as we await for further response from the SEC. We will provide you with the SEC's response as soon as we receive it.

Sincerely,

Amanda Zuretti, Esq.

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