

**BEFORE THE ST. MARY’S COUNTY PUBLIC SCHOOLS
ETHICS PANEL**

In the Matter Of

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Advisory Opinion No.: 2012-05

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Request for Advisory Opinion

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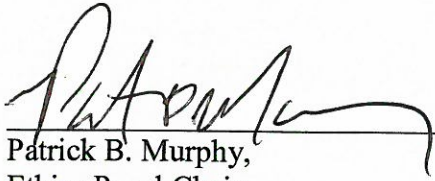
ADVISORY OPINION

At its meeting on October 18, 2012, the St. Mary’s County Public Schools Ethics Panel (the “Ethics Panel”) met in executive session to discuss a question posed for an advisory opinion from _____, Elementary School Principal, _____ Elementary School. The question posed was serving as an Elementary School Principal for St. Mary’s County Public Schools _____ would like to know if it would be a conflict of interest if purchased a vehicle from one of _____ staff member’s spouse at a dealership (Ford). _____ wanted to support him at the place of business. Can _____ go to the dealership and buy a car from him? Would this purchase/transaction be considered a conflict of interest?


The Ethics Panel’s response was that the purchase of a vehicle from a car salesman married to a school staff member would not be a *per se* conflict of interest under the Ethics Policy and Regulations. There is only a conflict of interest if there is some use of the “prestige of office” for personal gain or for the gain of another or if the transaction involved some kind of exchange of official benefit (*e.g.*, a promotion to an employee or better grades for a student) in exchange for a better deal on the vehicle purchase than the average person would obtain in an arm’s length transaction. There were no facts provided to the Ethics Panel that would indicate that this purchase is anything other than an arm’s length transaction or that the principal is obtaining a preferential purchase deal by virtue of the prestige of his/her position.

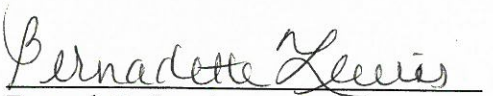
Accordingly, based upon the facts submitted to the Ethics Panel, there is no evidence of a conflict of interest.

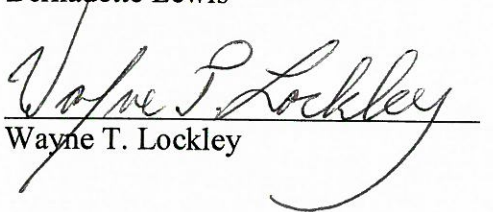
3-21-13
Date


Patrick B. Murphy,
Ethics Panel Chair

Wanda Brown


Stephen Kracinovich


Bernadette Lewis


Wayne T. Lockley