

SCIOTO COUNTY BOARD OF DEVELOPMENTAL DISABILITIES

Policy 1.03 Board Member Code of Ethics

I. Definitions

- A. Anything of Value (Ref.: ORC 1.03, 102.01 and 3517.01) – includes:
1. Money, bank bills or notes, United States treasury notes, and other bills, bonds, or notes issued by lawful authority and intended to pass and circulate as money;
 2. Goods and chattels;
 3. Promissory notes, bills of exchange, orders, drafts, warrants, checks, or bonds given for the payment of money;
 4. Receipts given for the payment of money or other property;
 5. Rights in action;
 6. Things which savor of the realty and are, at the time they are taken, a part of the freehold, whether they are of the substance or produce thereof or affixed thereto, although there may be no interval between the severing and taking away;
 7. Any interest in realty, including fee simple and partial interests, present and future, contingent or vested interest, beneficial interests, leasehold interests, and any other interest in realty;
 8. Any promise of future employment;
 9. “Contribution” meaning a loan, gift, deposit, forgiveness of indebtedness, donation, advance, payment, or transfer of funds, including a transfer of funds from an *inter vivos* or testamentary trust or decedent's estate, and the payment by any person other than the person to whom the services are rendered for the personal services of another person, which contribution is made, received, or used for the purpose of influencing the results of an election.

Any loan, gift, deposit, forgiveness of indebtedness, donation, advance, payment, or transfer of funds, including a transfer of funds from an *inter vivos* or testamentary trust or decedent's estate, and the payment by any campaign committee, political action committee, legislative campaign fund, political party, political contributing entity, or person other than the person to whom the services are rendered for the personal services of another person, that is made, received, or used by a state or county political party, other than moneys a state or county political party receives from the Ohio political party fund pursuant to Section 3517.17 of the Revised Code and the moneys an entity may receive under Sections 3517.101, 3517.1012, and 3517.1013 of the Revised Code.
 10. Every other thing of value.

SCIOTO COUNTY BOARD OF DEVELOPMENTAL DISABILITIES

- B. Compensation – Money, thing of value or financial benefit. “Compensation” does not include reimbursement for actual and necessary expenses incurred in the performance of official duties. (Ref.: ORC 102)
- C. Immediate Family – When used in parts of this policy based on ORC 102, “Immediate Family” means a spouse residing in the person’s household and any dependent child.

For parts of this policy based on ORC 5126 and OAC 5123, “Immediate Family” means parents, grandparents, brothers, sisters, spouses, sons, daughters, aunts, uncles, mothers-in-law, fathers-in-law, brothers-in-law, sisters-in-law, sons-in-law, and daughters-in-law.

- D. Honorarium – Any payment made in consideration for any speech given, article published, or attendance at any public or private conference, convention, meeting, social event, meal, or similar gathering.

Honorarium does not include ceremonial gifts or awards that have insignificant monetary value; unsolicited gifts of nominal value or trivial items of informational value; or earned income from any person, other than a legislative agent, for personal services that are customarily provided in connection with the practice of a bona fide business, if that business initially began before the public official conducting that business was appointed to office. (Ref.: ORC 102)

- E. Ministerial Functions – Includes, but is not limited to the filing or amendment of tax returns, applications for permits and licenses, incorporation papers and other documents. (Ref.: ORC 102.04)

- F. "Public contract" means (Ref.: ORC 102):

1. The purchase or acquisition, or a contract for the purchase or acquisition, of property or services by or for the use of the state, any of its political subdivisions, or any agency or instrumentality of either, including the employment of an individual by the state, any of its political subdivisions, or any agency or instrumentality of either;
2. A contract for the design, construction, alteration, repair, or maintenance of any public property.

- G. Public official - any person who is elected or appointed to an office of any public agency. (Ref.: ORC 102) For this policy, it means a member of the Scioto County Board of DD.

SCIOTO COUNTY BOARD OF DEVELOPMENTAL DISABILITIES

II. Prohibited Actions

A. Participation by a board member in a matter involving a conflict of interest

In no circumstance shall a member of a county board of developmental disabilities participate in or vote on any matter before the county board concerning a contract agency of which the member or an immediate family member of the member is also a board member or an employee. (Ref.: ORC 5126.0212)

B. Accepting compensation for the performance of or for conducting County Board business.

1. Other than that allowed by ORC 102.03, or other provisions of law, no board member shall solicit or accept any compensation to perform his/her official duties, to perform any other act or service in within his/her public capacity, for the general performance of the duties of the his/her office. (Reference ORC 2921.43) This includes:

For the Board Member's own personal or business use, soliciting or accepting anything of value in consideration of:

- a. Appointing or securing, maintaining or renewing the appointment of any person to any public office, employment or agency;
 - b. Preferring, or maintaining the status of, any public employee with respect to compensation, duties, placement, location, promotion or other material aspects of employment.
2. For the benefit of a political party, campaign committee, legislative campaign fund, political action committee or political contributing entity, no Board Member shall coerce any contribution in consideration of:
 - a. Appointing or securing, maintaining or renewing the appointment of any person to any public office, employment or agency;
 - b. Preferring, or maintaining the status of, any public employee with respect to compensation, duties, placement, location, promotion or other material aspects of employment.
 3. Members of a county board of developmental disabilities shall be reimbursed for necessary expenses incurred in the conduct of county board business, including expenses incurred in the member's county of resident in accordance with an established policy of the Board. (Ref.: ORC 5126.028) See policy on expenses reimbursement.

SCIOTO COUNTY BOARD OF DEVELOPMENTAL DISABILITIES

C. Disclosure of confidential information

No present or former Board Member shall disclose or use, without appropriate authorization, any information acquired by the Board Member in the course of the Board Member's official duties that is confidential because of statutory provisions, or that has been clearly designated to the Board Member as confidential when that confidential designation is warranted because of the status of the proceedings or the circumstances under which the information was received and preserving its confidentiality is necessary to the proper conduct of government business. (Ref.: ORC 102.03)

D. Participation within the scope of official duties in any prohibited license or rate-making proceeding. (Ref.: ORC 102.03)

E. Improper use of authority or influence of office

No public official shall use or authorize the use of the authority or influence of office to secure anything of value, or the promise or offer of anything of value, that will create substantial improper influence upon the public official in the performance of his/her duties. (Ref.: ORC 102.03)

F. Accept or seek something of value resulting in improper influence

No Board Member shall solicit or accept anything of value that will manifest a substantial improper influence upon the Board Member in the performance of his/her duties (Ref.: ORC 102.03)

G. Having an unlawful interest in a public contract as defined in ORC 2921.42

H. Representation

No present or former public official shall, during public service or for twelve months thereafter, represent a client or act in a representative capacity for any person on any matter in which the public official participated as a public official through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or other substantial exercise of administrative discretion.