



Weston Public Schools
International Travel – Ethics Forms

Finance and Operations Office
 89 Wellesley Street
 Weston, MA 02493

Procedure:	Ethics Forms	Revised Date:	May, 2012
Policy: To ensure all employees disclose the financial interest in chaperoning international student trips.			
The purpose of the International Travel – Ethics Forms is to request permission from the appointing authority to chaperone a student field trip where travel expenses will be paid for by participating students’ families.			
Completed By:	Weston Public School’s Employee Chaperone	Reviewed By:	Assistant Superintendent for Finance and Operations
Approved By:	Assistant Superintendent for Finance and Operations or Superintendent	Entered By:	N/A
Form Title:	See Attached	Estimated Time Frame:	1 week
Process for Completion:			
<p>The Commonwealth of Massachusetts Ethics Commission requires disclosure forms to be completed by employees who are chaperoning student field trips when travel costs are borne by the participating student’s family and not the employee themselves. The following forms must be completing as the initial step to organizing and advertising a Field Trip (most likely the international field trips).</p> <ol style="list-style-type: none"> 1. (Form 1b) Disclosure by Non-Elected Municipal Employee of Financial Interest and Determination by Appointing Authority as Required by G.L. C. 268A Section 19. 2. (Form 14d) Disclosure by a Non-Elected / Appointed Employee of Travel Expenses Serving a Legitimate Public Purpose as Required by 930 CMR 5.08(2)(d)1 <p>Both forms are available on the State Ethics Commission website at: www.mass.gov/ethics/disclosure-forms/municipal-employee-disclosure-forms/</p> <p>Employee must complete both forms and submit to the Assistant Superintendent for Finance and Operations. Once the forms are reviewed, the Superintendent will review and either approve or deny the request. Original signed forms are maintained by the Business Office and a copy is returned to the employee chaperone.</p> <p>Approval of the Ethics forms does not constitute approval of the proposed field trip. The forms simply allow an employee to begin the Field Trip process.</p>			
For additional information, please contact:			
Name:	Cynthia D. Mahr	Email:	mahrc@weston.org
Phone:	781-786-5230	Fax:	781-786-5279
External URL:	www.westonschools.org		
Weston School Committee Policy:	Staff Conflicts of Interest, GBEA; Student Travel, JJH		

**INSTRUCTIONS FOR DISCLOSURE BY NON-ELECTED MUNICIPAL EMPLOYEE
UNDER G.L. c. 268A, § 19**

FINANCIAL INTEREST IN A PARTICULAR MATTER

WHEN TO USE THE § 19 DISCLOSURE FORM

You are an **appointed or non-elected municipal employee**, as defined by G.L. c. 268A, § 1(g). **Your duties as a municipal employee include participating in a particular matter. You may not participate in the matter** because one or more of the following individuals or entities listed below has a **financial interest in the matter**:

- **You;**
- **Your immediate family member** (you and your spouse, and each of your parents, children, brothers and sisters);
- Your **business partner**;
- A **business organization** for which you are serving as an **officer, director, trustee, partner or employee**;
- A **person or organization** with whom you are **negotiating or have made an arrangement about prospective employment**.

You may file a **§ 19 Disclosure** with your appointing authority describing the particular matter, your responsibilities in relation to it, and the financial interest that is preventing you from participating.

Your appointing authority has discretion to make a written **§ 19 Determination** that the financial interest you have identified is not so substantial as to be deemed likely to affect the integrity of the services which the municipality may expect from you as its employee. **You may not participate in the particular matter unless your appointing authority files a written Determination allowing you to do so.**

If you choose not to seek authorization to participate, and do not file a § 19 disclosure, you may need to inform your appointing authority or agency that you will not perform your duties as you usually would.

PARTICIPATION IN A PARTICULAR MATTER

In a § 19 disclosure, you must explain in what way you participate in a particular matter.

A **particular matter** is any judicial or other proceeding, application, submission, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, decision, determination or finding.

You are expected to **participate** through approval, disapproval, decision, recommendation, the rendering of advice, investigation or otherwise.

Explain in what way you are required to participate – e.g., reviewing a proposal, approving an application, deciding about a grant; making a recommendation about a budget, providing advice about a case, conducting an investigation, performing a task or taking an action – in relation to the particular matter.

FINANCIAL INTEREST

In the disclosure, you must explain the financial interest that prevents you from participating in a particular matter. You should include the dollar amount of the financial interest, if known.

A financial interest must be **direct and immediate or reasonably foreseeable** (and not remote, speculative or not sufficiently identifiable), and may be **large or small, positive or negative** – a gain or loss, a benefit or an obligation.

For example, a financial interest exists when the outcome of a particular matter may:

- Cause or prevent a **financial gain or loss**;
- Create or eliminate a **financial opportunity**;

- Determine who will make decisions affecting your or an immediate family member's **wages, hours or working conditions** as a municipal employee.

Abutters and Owners of Nearby Property: The following people are presumed to have a financial interest in a particular matter regarding real estate:

- An abutter;
- An abutter to an abutter within 300 feet of the property line;
- A person who may suffer an injury in fact which is different in kind or magnitude from that suffered by members of the general public.

Competitors: Your business interest will have a financial interest if the outcome of a particular matter would affect the financial interests of a competitor in a way that would likely decrease or increase your business or the business of your immediate family, your partner, or your private employer.

FILING THE § 19 DISCLOSURE AND DETERMINATION

For the municipal employee

Sign your completed Disclosure and submit it to your appointing authority.

For the appointing authority

You have received a § 19 Disclosure from a municipal employee who may not participate in a matter because of a financial interest in the matter. **You may make a written Determination** that the financial interest is not so substantial as to be deemed likely to affect the integrity of the services which the municipality may expect from the employee. **You also may decide not to make this Determination.** If you make such a Determination, you should provide a copy to the employee. Keep a copy of the § 19 Disclosure as a public record.

If you need advice about completing the disclosure, please call the Attorney of the Day at (617) 371-9500 or e-mail the State Ethics Commission at opinions@eth.state.ma.us.

Form revised February, 2012

**DISCLOSURE BY NON-ELECTED MUNICIPAL EMPLOYEE OF FINANCIAL INTEREST
AND DETERMINATION BY APPOINTING AUTHORITY
AS REQUIRED BY G. L. c. 268A, § 19**

MUNICIPAL EMPLOYEE INFORMATION	
Name:	
Title or Position:	
Municipal Agency:	
Agency Address:	
Office Phone:	
Office E-mail:	
	My duties require me to participate in a particular matter, and I may not participate because of a financial interest that I am disclosing here. I request a determination from my appointing authority about how I should proceed.
PARTICULAR MATTER	
Particular matter E.g., a judicial or other proceeding, application, submission, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, decision, determination, or finding.	Please describe the particular matter.
Your required participation in the particular matter: E.g., approval, disapproval, decision, recommendation, rendering advice, investigation, other.	Please describe the task you are required to perform with respect to the particular matter.
FINANCIAL INTEREST IN THE PARTICULAR MATTER	
Write an X by all that apply.	<input type="checkbox"/> I have a financial interest in the matter. <input type="checkbox"/> My immediate family member has a financial interest in the matter. <input type="checkbox"/> My business partner has a financial interest in the matter. <input type="checkbox"/> I am an officer, director, trustee, partner or employee of a business organization, and the business organization has a financial interest in the matter. <input type="checkbox"/> I am negotiating or have made an arrangement concerning future employment with a person or organization, and the person or organization has a financial interest in the matter.

Financial interest in the matter	Please explain the financial interest and include a dollar amount if you know it.
Employee signature:	
Date:	

DETERMINATION BY APPOINTING OFFICIAL

	APPOINTING AUTHORITY INFORMATION
Name of Appointing Authority:	Dr. Cheryl Maloney
Title or Position:	Superintendent of Schools
Agency/Department:	Weston Public Schools
Agency Address:	89 Wellesley Street Weston, MA 02493
Office Phone:	781-786-5200
Office E-mail	maloneyc@weston.org
	DETERMINATION
Determination by appointing authority:	As appointing official, as required by G.L. c. 268A, § 19, I have reviewed the particular matter and the financial interest identified above by a municipal employee. I have determined that the financial interest is not so substantial as to be deemed likely to affect the integrity of the services which the municipality may expect from the employee.
Appointing Authority signature:	
Date:	
Comment:	

Attach additional pages if necessary.

The appointing authority shall keep this Disclosure and Determination as a public record.

**INSTRUCTIONS FOR DISCLOSURE BY NON-ELECTED EMPLOYEE
AS REQUIRED BY 930 CMR 5.08(2)(d)1.**

RECEIPT OF TRAVEL EXPENSES

WHEN TO USE THIS DISCLOSURE FORM

You are a **non-elected state, municipal or county employee, and** you are going to engage in an activity that serves a **legitimate public purpose**, i.e., it is intended to promote the interests of the Commonwealth, a county or a municipality. You are disclosing that a **non-public entity** (but not a lobbyist) **will reimburse, waive or pay \$50 or more of your travel expenses**, including:

- **Travel expenses**, including air, train, bus, and taxi fare and rental car hire.
- **Travel-related expenses**, including meals and lodging.
- **Expenses related to attendance at an event involving travel**, including the costs of registration, admission, tickets, food, refreshments, instruction, materials and entertainment.

These expenses may cover only the day or days on which you have participation or presentation responsibilities and the days on which you must travel to the event and return to the Commonwealth.

If you are reporting travel expenses related to a **“legitimate speaking engagement”** that serves a legitimate public purpose, please use the Disclosure by Appointed Public Employee of Travel Expenses Related to a Legitimate Speaking Engagement instead.

FILING THE DISCLOSURE

Before you travel or attend the event, **you must file a written disclosure:**

- **Disclose** the facts relating to the offer, including an itemization and explanation of the travel expenses or costs related to the event.
 - o You are expected to make a reasonable effort to find out what the amount of the expenses will be. For example, you should call or e-mail the donor about the amount of the expenses or do research on the Internet about the cost of airfare or lodging.
- Provide any relevant **itinerary or agenda**.
- **Submit** the disclosure and itinerary or agenda **to your appointing authority**.

Your **appointing authority** must make a **written determination** both that:

- 1) Acceptance of reimbursement, waiver or payment of these expenses and costs will serve a **legitimate public purpose**; and
- 2) Such **public purpose outweighs any special non-work related benefit** to you or to the person providing the reimbursement, waiver or payment.

Your appointing authority should maintain your disclosure, along with the itinerary or agenda, as a **public record** and should provide you with a copy of any signed determination.

RECONCILIATION STATEMENT

If you disclose travel expenses and your actual travel expenses exceed the amount you disclosed by \$50 or more, you must submit a **Reconciliation Statement** within two weeks after your travel is completed. See the form for Reconciliation Statement as Required by 930 CMR § 5.08(2)(d)3.

ADDITIONAL § 23(b)(3) DISCLOSURE

Under § 23(b)(3), as a state, county or municipal employee, you must file a disclosure before performing official duties if you have an affiliation or relationship with a person or organization that would cause a reasonable person to conclude that someone can unduly enjoy your favor or improperly influence you when you perform your official duties. In addition to the disclosures explained above, you must **file a disclosure under § 23(b)(3)** if a particular matter involving the non-public entity that reimbursed, paid or waived your travel expenses comes before you during the **six months after** you accepted them. See Disclosure Required by 930 CMR 5.08(2)(d)4.

If you need advice about completing the disclosure, please call the Attorney of the Day at (617) 371-9500 or e-mail the State Ethics Commission at opinions@eth.state.ma.us.

Form revised February, 2012

**DISCLOSURE BY NON-ELECTED PUBLIC EMPLOYEE
OF TRAVEL EXPENSES SERVING A LEGITIMATE PUBLIC PURPOSE
AS REQUIRED BY 930 CMR 5.08(2)(d)1.**

NON-ELECTED PUBLIC EMPLOYEE INFORMATION	
Name of non-elected public employee:	
Title/ Position	
Agency/ Department	
Agency address:	
Office phone:	
Office e-mail:	
Write an X to confirm each statement.	<p>I am filing this disclosure because:</p> <p><input type="checkbox"/> I am going to engage in an activity that serves a legitimate public purpose, i.e., it is intended to promote the interests of the Commonwealth, a county or a municipality; and</p> <p><input type="checkbox"/> A non-public entity (but not a lobbyist) has offered to reimburse, waive or pay travel expenses and costs worth more than \$50.</p>
ACTIVITY THAT SERVES A LEGITIMATE PUBLIC PURPOSE	
Describe the activity which is the reason for traveling.	
Describe your participation in the activity.	
Date, time and location of activity.	
Please explain how the activity will promote the interests of the Commonwealth, a county or a municipality.	

TRAVEL EXPENSES	
Identify the person or organization that offered to reimburse, waive or pay your travel expenses.	
Address of person or organization.	
Provide information in as much detail as possible:	<i>Itemization and explanation of amounts offered:</i>
Transportation:	<i>Air, train, bus, and taxi fare and rental car hire, etc.</i>
Lodging:	<i>Overnight accommodations.</i>
Meals:	<i>Breakfast, lunch, dinner, special events.</i>
Admission:	<i>Registration, admission, tickets, etc.</i>
Other (please list):	<i>Refreshment, instruction, materials, entertainment, etc.</i>
Total:	
Write an X beside any statement that applies.	<input type="checkbox"/> I have attached the relevant itinerary. <input type="checkbox"/> I have attached the relevant agenda.
Employee signature:	
Date:	

Attach additional pages if necessary.

Complete the disclosure and submit it to your appointing authority.

DETERMINATION BY APPOINTING AUTHORITY

APPOINTING AUTHORITY INFORMATION	
Name of Appointing Authority:	Dr. Cheryl Maloney
Agency and Title/Position:	Weston Public Schools Superintendent of Schools
Agency address:	89 Wellesley Street Weston, MA 02493
Office phone:	781-786-5200
Employee who filed the disclosure:	
DETERMINATION	
To give approval, check <u>both</u> statements.	<p>Upon consideration of the facts disclosed by the employee above, I find that:</p> <p><input type="checkbox"/> Acceptance of the reimbursement, waiver or payment of travel expenses will serve a legitimate public purpose, i.e., it will promote the interests of the Commonwealth, a county or a municipality; AND</p> <p><input type="checkbox"/> Such public purpose outweighs any special non-work related benefit to the employee or the person providing the reimbursement, waiver or payment.</p>
Reason that the employee's travel or attendance will serve a legitimate public purpose:	
Appointing Authority signature:	
Date:	

Attach additional pages if necessary.

The appointing authority should maintain the disclosure as a public record and give a copy of any signed determination to the employee.