

EXECUTIVE BRANCH ETHICS COMMISSION

ADVISORY OPINION 99-17

June 8, 1999

RE: May administrative branch manager provide assistance from her home and on her own time to a postsecondary school formerly under her supervision?

DECISION: Yes.

This opinion is in response to your April 12, 1999 request for an advisory opinion from the Executive Branch Ethics Commission (the "Commission"). This matter was reviewed at the June 8, 1999, meeting of the Commission and the following opinion is issued.

You state the relevant facts as follows. You are the administrative business manager for Kentucky TECH, Department for Technical Education, Workforce Development Cabinet. You are responsible for the business operations of seven secondary technical schools. Prior to July 1, 1998, you also were responsible for the business operations of two postsecondary technical schools. The business operations of the two postsecondary schools, one which is located in the same building in which you work and one which is located in Louisville, were transferred to the Kentucky Community and Technical College System. Two accountants previously under your supervision also were transferred at that time.

Since the separation, you have been involved in transferring records from the administrative business office to the two postsecondary schools. For the school that has its business operations located in your office building, you have been simply walking the documents across hall. For the school located in Louisville, you have been mailing documents at the school's expense.

You ask whether it is an ethical violation to receive phone calls and mail at your home from the postsecondary school in Louisville in order to answer questions and provide assistance to the school. You wish to minimize interruptions and the use of state resources.

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KRS 11A.020(1)(c)and (d) provide:

(1) No public servant, by himself or through others, shall knowingly:

...

(c) Use his official position or office to obtain financial gain for himself or any members of the public servant's family; or

(d) Use or attempt to use his official position to secure or create privileges, exemptions, advantages, or treatment for himself or others in derogation of the public interest at large.

From the information provided, it appears to the Commission that assistance to the postsecondary schools formerly under your supervision is no longer a part of your official duty. The Commission believes that such assistance does not present a conflict for you, and, thus, you are not prohibited from providing assistance from your home to the postsecondary technical school in Louisville.

Sincerely,

EXECUTIVE BRANCH ETHICS COMMISSION

BY CHAIR: Don A. Wimberly

April 10, 2008

Ms. Ginny L. Stradley
110 Fairway Drive
Hodgenville, KY 42748

Reference: 060899.02

Dear Ms. Stradley:

At its June 8, 1999, meeting, the Executive Branch Ethics Commission took up your request, dated April 12, 1999, in which you ask whether an administrative branch manager may provide assistance from her home and on her own time to a postsecondary school formerly under her supervision.

The enclosed Advisory Opinion 99-17 is issued in response to your inquiry.

Sincerely,

Jill LeMaster, Executive Director

Enclosure: AO 99-17