



**CITY OF STAMFORD
BOARD OF ETHICS
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March 16, 2023

Representative Megan Cottrell
C/o Board of Representatives
888 Washington Boulevard
Stamford, CT 06904-2152

Dear Ms. Cottrell:

In your email correspondence of January 9, 2023 to the Board of Ethics ("Board"), and during your participation in our meeting on January 18, 2023, you informed us that you are a member of the Stamford Board of Representatives, chair of its Education Committee, and a former English as a second language teacher in New York City. You summarized your past efforts to encourage the Board of Education to establish a "dual language program" in the Stamford Public Schools.

You have requested an Advisory Opinion on the following questions:

- 1) Is it okay for you to advocate for a dual language program at K.T. Murphy School, where your child is likely to attend next year? Or for a similar program at any other school?
- 2) How can you appropriately advocate for both your child to have access to a dual language program and the betterment of the Stamford Public Schools, while adhering to the Code of Ethics
- 3) Is it okay for you to participate in the Parent Teacher Organization at K.T. Murphy next year?
- 4) Is it okay for you to be part of leadership of the PTO at K.T. Murphy next year?

Of relevance to our analysis are the following sections of the Code of Ethics (the "Code"):

Section 19-5.A. sets forth the following regarding prohibited interests:

"General Rule. A city officer or employee may not use such person's official position to advance or impede private interests, or to grant or secure, or attempt to grant or secure, for any person (including for such person) any form of special consideration, treatment, exemption, or advantage..."

The Board views your advocacy for the dual language program as an effort to create a benefit beyond any private interest, but beneficial to students throughout the school population. In order to allay any misunderstanding that your efforts are intended for personal benefit, we advise that you not use your official position in City government when advocating for the dual language program. The Board also views your participation in the PTO as a permissible activity that creates a benefit beyond any private interest and does not readily present any conflict of interest or violation of the Code. As with your advocacy for the dual language program, however, we advise that you not use your official position in City Government, including your official City email, when participating in, or advocating for, any matters before the PTO.

Section 19-5.F(7) identifies actions which are not prohibited by the Code:

“An officer voting on a proposed municipal or Board of Education budget or appropriation provided that the total financial interest to the officer’s immediate family, including, but not limited to salary, health benefits, and pension, is insubstantial compared to the budget or appropriation being considered, or the appropriation is substantially unrelated to such total financial interest, and it is reasonable to expect that any likely action on said budget or appropriation will not financially or otherwise impact such officer or his or her immediate family.”

As a member of the Board of Representatives, you will be called upon to vote on appropriations for the Board of Education. You informed us that the vote will be on an overall budget, with no ability to affect line items. Any financial interest that might inure to your family’s benefit would be insubstantial compared to the total appropriation being voted on, and likely not have a direct financial impact on you or your family. We find no prohibition to your voting on appropriations for the Board of Education.

Section 19-5.F(8) identifies actions which are not prohibited by the Code:

“A municipal or Board of Education employee, or Commission or Board member preparing and advocating budgets that are acted upon by the Board of Education, and/or the Planning Board, Board of Finance and/or Board of Representatives.”

You informed us that you are chair of the Education Committee of the Board of Representatives. You asked about the propriety of your advocating for the Board of Education budget/appropriation. You informed us that the Board of Education makes the final line item allocations after receiving the appropriation. Therefore, we find no prohibition under Section 19-5.F(8) for you to advocate for the Board of Education budget /appropriation.

Section 19-8(A) sets forth the following caution regarding prohibited use of influence:

“An officer or employee shall not attempt to influence any other officer or employee about any matter before any city agency from which said officer or employee would be likely to gain or lose a benefit that is not common to the general interest of other citizens of the city...”

As a City of Stamford Representative, there may be occasions when you have the opportunity to lobby members of the Board of Education to initiate the dual language program for the betterment of the Stamford Public Schools. While you would not likely gain or lose a benefit that is not common to the general interests of other citizens of the city, the Board recommends that in your advocacy before the Board of Education, you not use your City email or your position as a City Representative in order to avoid any confusion or appearance of improper influence.

This Advisory Opinion is a public document. The opinions stated herein are expressly based on the accuracy and completeness of the information presented to the Board and are confined to the specifics of the question(s) put to the Board in rendering such opinions. The Board wishes to emphasize that its finding pertains only to your specific circumstances, and should not be construed as precedent for any future requests for an Advisory Opinion or complaint filed with the Board.

Thank you for proactively seeking advice on compliance with the Code of Ethics, and for your service to the City of Stamford.

Sincerely,

A handwritten signature in black ink that reads "Allan D. Lang". The signature is written in a cursive, flowing style.

Allan D. Lang, Chair
Board of Ethics

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