

## Conferences, Seminars and Other Travel

I receive many questions regarding whether or not an outside entity may be allowed to pay expenses (registration, travel, and lodging) for an employee to attend a conference/seminar. Below are the ethics rules related to allowing an outside entity paying for such travel.

*By definition under the ethics statutes a “person” may mean an individual, corporation, company, business...etc. A person is NOT a governmental entity.*

### **Option One – Sponsor is a Civic, Nonprofit, Educational or Political Group or Organization**

42:1123 (41)(a) states that the following is allowed:

The acceptance by a public servant of complimentary admission to, lodging reasonably related to, and reasonable transportation to and from an educational or professional development seminar or conference held in any state of the United States or Canada, provided that (i) the public servant is requested or invited to attend by the sponsoring civic, nonprofit, educational, or political group or organization, (ii) the sponsor is not a person from whom the public servant is prohibited from receiving or accepting a gift pursuant to R.S. 42:1115(A)(2), (iii) the seminar or conference is related to the public service of the public servant and is designed to enhance the knowledge or skill of the public servant as it relates to the performance of his public service, and (iv) the public servant's agency head approves the acceptance.

**Summary** – If **ALL** of the following are met, the sponsor may provide complimentary admission, related travel and lodging.

1. The event is an educational or professional development seminar or conference
2. The event is held in the US or Canada
3. The employee is requested or invited to attend by the sponsor
4. The sponsor is a civic, nonprofit, educational or political group or organization
5. The employee would NOT be prohibited from receiving a gift from the sponsor as provided for in 42:1115 (A)(2). This provides that if the sponsor is a person that is seeking, for compensation, to influence the passage or defeat of legislation by the public servant's agency, you may NOT accept.
6. The event is related to your job (enhance skills and knowledge)
7. The agency head (chancellor, director...etc.) has approved your attendance
8. If you accept such, you must file an affidavit with Ethics within 60 days of your return providing the following information.
  - a. The name of the person or organization who gave, provided, or paid in whole or in part for the admission, lodging, or transportation,
  - b. the person or organization that hosted the seminar or conference, and
  - c. The amount expended on his behalf by the person or organization on admission, lodging, and transportation

Link to the Ethics affidavit you must complete:

<http://www.ethics.state.la.us/pub/CampFinan/Forms/form413.pdf>

## **Option Two - Donation**

Ethics Advisory Opinion 97-656 provides that: A private source which is not otherwise a prohibited source to a public servant may make a donation to the public servant's agency. This donation, in turn, may be used to reimburse the public servant for travel expenses.

Under 42:1115, a prohibited source for public employees would be any person who:

- (1) Has or is seeking to obtain contractual or other business or financial relationships with the public servant's agency,
- (2) Is seeking, for compensation, to influence the passage or defeat of legislation by the public servant
- (3) Conducts operations or activities which are regulated by the public employee's agency.
- (4) Has substantial economic interests which may be substantially affected by the performance or nonperformance of the public employee's official duty.

## **Option Three - Foundation**

42:1111 (A) (1) provides in part:

“...supplementary compensation or benefits provided to an employee of a public higher education institution, board, or system from funds or property accruing to the benefit of the institution, board, or system as approved by the appropriate policy or management board, through an alumni organization recognized by the management board of a college or university within the state or through a foundation organized by the alumni or other supportive individuals of a college or university within the state the charter of which specifically provides that the purpose of the foundation is to aid said college or university in a philanthropic manner shall be deemed for purposes of this Subsection as compensation and benefits from the government to which he is duly entitled.”

Based on this exception, an alumni organization or a foundation that has been approved by our board whose purpose is to support our colleges may pay expenses related to a seminar or conference. This would be a “benefit” as provided above. The sources of the donations to the foundation would be irrelevant.

## **Option Four - Government**

If the person wishing to pay for such expenses is a governmental entity there is no problem. “Person” by definition does not include governmental entities.

## **Option Five – Bid Specifications**

If you request bids for a piece of equipment and include in the bid specifications that the successful bidder will provide training at their site on the use and maintenance of the equipment and pay for all travel costs related to such training, it is OK. The specification should be specific, such as the number of employees to be trained and the number of days of training that will be provided (such as – up to three days training). The employees sent should have job descriptions that clearly relate to the training provided.