

Memo

To: Jane McQueen
Head Start/ Early Head Start
Community Action Agency

From: Ardyth Walker
Staff General Counsel

Date: 7/30/2008

Re: INQUIRY 08-129

I received your request for an informal opinion regarding whether you may pay an honorarium to Head Start Teachers who are participating in a professional development program. The Executive Director and I have reviewed this matter and I am issuing this staff opinion based on the facts in your request.

In your request, you informed me that the Head Start Program has partnered with the Museum of Science to provide educational opportunities for staff and children. The Early Childhood Hands on Science program is an early science readiness program. The program includes a professional development component where teachers are trained to teach their colleagues about the program. The Department of Education has awarded the Museum of Science a grant that permits incentive payments for teacher participants. The participants (who include twenty-eight CAA staff members) will attend training on five Saturdays.

The Conflict of Interest and Code of Ethics ordinance permits the CAA staff members to receive the incentive payments for participation in the train the trainer program. The incentive payments are not considered a gift under the Conflict of Interest ordinance. Section 2-11.1(e) defines a gift as the transfer of anything of economic value whether in the form of money, service, loan, entertainment, hospitality, item or promise or in any other form without lawful and adequate consideration. Because the teachers are working additional hours to qualify for the payment, there is consideration for the incentive payment. Therefore, the payment is not a gift and the

staff members may accept the payment for participating in the train the trainer sessions.

This opinion construes the Miami-Dade Conflict of Interest and Code of Ethics ordinance only and is not applicable to any conflict under state law. Please contact the State of Florida Commission on Ethics if you have any questions regarding possible conflicts under state law.

Please call me at 350-0616 or e-mail me at awalker@miamidade.gov if you have any additional questions or need additional information.

Walker, Ardyth (COE)

From: McQueen, Jane
Sent: Tuesday, July 29, 2008 6:12 PM
To: Walker, Ardyth (COE)
Cc: Meyers, Robert (COE); Edwards, Julie (CAA); Atkins, William (CAA)
Subject: Potential Conflict of Interest

Ms. Walker:

I am soliciting an opinion on whether we would have a conflict of interest if staff receives an "honorarium payment". The Head Start Program has partnered with the Museum of Science for approximately five years in providing educational opportunities for both staff and children. The Early Childhood Hands on Science (ECHOS) Project is a comprehensive early science readiness curriculum and corresponding teacher professional development program that focuses on eight (8) units of science. The teacher professional development portion includes a train the trainer component. The Museum has been awarded a grant through the U.S. Department of Education's, Institute of Educational Sciences Division, which is the research component of the Department. In the past we have concentrated professional development at 5 locations. This grant allows for incentives that could be awarded to teaching staff for their participation.

It is anticipated that teaching staff that participate will attend training sessions on 5 selected Saturdays. The grant allows an honorarium payment to be given to those participants. I am seeking an opinion if staff would be in violation of any regulation or if this would pose a conflict of interest if the payment is accepted by staff. Approximately 28 staff persons would be involved in the project. Your immediate response is appreciated.