

**CAUTION:** The following advice may be based on a rule that has been revised since the opinion was first issued. Consequently, the analysis reflected in the opinion may be outdated.

**40 IAC 2-1-7(D)**

The ICVE's Executive Director was invited by a non-profit global career and cultural training specialist to join a study group traveling to Europe for which all expenses would be paid by the specialist and a federal fund. SEC found it was acceptable for the Director to participate in the study group, all expenses paid, so long as the Director observed all other ethics rules.

89-I-19 Travel

**FACT SITUATION**

The Executive Director of the Indiana Council on Vocational Education has been invited to join the first of two study groups to travel to Germany and France for a period of about twelve days. The focus of the first tour will be to examine European vocational and technical education policies with a concentration on the transition from school to employment. This group will be made up of ten top-level Indiana vocational education policymakers. The second group will be made up of fifteen vocational education and training professionals. They will be working with their European counterparts learning about training methods and techniques.

The invitation is from the CDS International, Inc. (formerly The Carl Duisberg Society). The German Marshall Fund of the United States has funded most of the budget and a fund-raising campaign has begun for the remainder of the funds. All participants' program costs will be financed by this budget.

CDS International, Inc. is an American non-profit global career and cultural training specialist responding to national initiatives calling for practical solutions to the challenges facing the United States in her ability to compete worldwide. The German Marshall Fund is an organization that deals in charitable, educational, and service projects in which participants have an altruistic result for their community or their state. German Marshall Fund grants can be used only for charitable, scientific, literary and educational purposes.

**QUESTION**

Is it permissible to accept the costs of attending the study tour traveling to Germany and France in October 1989 and to accept the cost of attending associated meetings before and after the trip in the United States as one of the group of ten Indiana vocational education policy-makers when the funding would be provided by the German Marshall Fund of the United States and CDS International, Inc.

**OPINION**

The Commission rendered the following opinion: The acceptance by state employees of funds from non-profit corporations for travel abroad for educational purposes which benefit the state is allowed. This is especially true when there is no other way to participate. State government participants should do everything possible to avoid the appearance of impropriety while engaged in foreign travel, including not accepting gifts which do not meet the requirements of 40 IAC 2-1-6 and not accepting anything that could be deemed as compensation because it is greater than reasonable expenses.

A relevant rule, 40 IAC 2-1-7(D), provides, "Amounts assumed by a sponsor for a state officer or an employee for reasonable expenses in attendance at a sponsored activity shall not be deemed as compensation, a gift or a gratuity."

7/26/89