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Technology Meets Ethics Training

By Peggy Kerns and Luke Martel

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Almost every state offers—and in some cases mandates—ethics training for legislators, staff, the executive branch and lobbyists. “It’s imperative that everyone who works inside the Capitol understands the laws and rules that help make this an ethical environment,” says Alaska Senator Gary Stevens.

State Online Training. Technology has arrived for ethics training. At least 10 states use an additional approach—interactive online training—to ensure that legislators and others understand ethics laws. At least 10 other states—Alaska, Mississippi, Nevada, North Carolina, Oklahoma, Oregon, Tennessee, Washington, West Virginia and Wisconsin—post their ethics training slide presentation online. Most of the sites also are accessible to the public.

Online interactive ethics training is offered in:

California
Connecticut
Florida
Illinois
Indiana
Massachusetts
New Jersey
New York
Rhode Island
Texas

Many online ethics training sites are interactive.

Content. Each state designs its site to engage participants. Content includes summaries and explanations of ethics laws and links or references to statutes. Participants may be presented with a scenario, required to answer questions, and told if the answers are correct or wrong, and why. The purpose is to help participants learn the ethics laws and apply them to hypothetical and, eventually, real-life situations.

Ethics 101. The Connecticut Office of State Ethics’ online course, *Ethics 101*, is offered to public officials and state employees. Learning objectives include understanding the gift law with its 17 exceptions. The quiz describes ethical situations and gives options for answers (see box).

You receive a golf shirt from a registered lobbyist valued at \$15. You know that you are only permitted under the gift provisions to accept a token item of up to \$10. You would really like to keep the shirt, however, and you give it to your son. In order to keep things on the up-and-up, you give the lobbyist \$5 to take the total value of the gift down to the acceptable \$10 limit. Is this permissible?

A. Yes.

B. No.

This is not permitted. Advisory Opinion No. 1997-15 notes that the law specifically allows only gifts “having a value of not more than ten dollars.” While the recipient may provide a partial reimbursement toward a gift worth less than \$10, the recipient may not partially reimburse a donor to bring the cost to a lobbyist to below \$10 because the overall value of the item is still greater than \$10.

Source: Connecticut Office of State Ethics online training, www.dir.ct.gov/ethics/OSE%20Online%20Learning/player.html?ethicsNav=1

California and Texas online training incorporates audio. California includes a mock employer-employee conversation regarding potential ethical pit-

National Conference
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Executive Director
William T. Pound

Denver
7700 East First Place
Denver, Colorado 80230
Phone (303) 364-7700
www.ncsl.org

Washington, D.C.
444 North Capitol Street, NW, Suite 515
Washington, D.C. 20001
Phone (202) 624-5400

falls. The Rhode Island Ethics Commission developed a training module where quizzes are offered at various stages; a final exam covers the entire module. Among the topics are conflict of interest, appearance of impropriety, recusal, post-employment, gifts and honorariums.

Ethics as Values. Ethics training, which is usually rule-based, explains the law. Alaska and Nevada add ethical principles and values. The Alaska Select Committee on Legislative Ethics' online slide presentation states that, although ethics codes (laws) transform moral obligations into binding rules, they do not make people ethical. The Nevada Commission on Ethics describes the section titled *Realities of Government Ethics and Responsible Decision Making* as "A review of the basic principles of ethics, morals, integrity and trust. [It] provides guidance on the behaviors that create ethical conflicts; common ethical rationalizations; five steps for ethical decision making; and an ethical checklist."

Ethics training can explain the law and ethical principles.

No Pass or Fail. In states that include a quiz in their ethics training, usually no passing score is required. "The purpose of our online training is so people can learn something, not to see who passes or fails," says David Reisman, executive director of the Texas Ethics Commission. "We've added a level of fun, as we want people to take the test." According to Reisman, Texas finds online training cost effective. "We save on travel expenses and train more people."

Completion of online training can satisfy a state's mandated ethics requirement. In Illinois, the Office of Executive Inspector General's Ethics Training and Compliance Center reports that, in 2007, approximately 130,000 employees of state agencies and departments, state public universities and community colleges completed online ethics training.

Legislative Action. Alaska is among the states that mandate ethics training for legislators and staff, although in-person training remains the preferred method. A video and slide presentation also are available online. The Alaska Public Offices Commission uses in-person and online training for lobbyists and their employers.

Some states mandate ethics training.

In New Jersey, ethics training is mandatory for state officials and employees. The New Jersey State Ethics Commission provides in-person training, with online training as an option. Employees must complete all modules to receive credit and complete a form to verify completion.

Whatever approach is used, state ethics training is more important than ever. A November 2007 survey by the nonprofit Ethics Resources Center concludes that the public sector is highly likely to see major ethics scandals unfold. President Patricia Harned sees improvement: "Creating a positive ethical atmosphere in the workplace goes a long way toward filling [ethical] gaps."

Resource

Ethics Resource Center. *National Government Ethics Survey*. Washington, D.C.: ERC, November 2007.

Contact for More Information

Peggy Kerns
NCSL—Denver
(303) 364-7700, ext. 1447
peggy.kerns@ncsl.org

Links to state online ethics training courses
www.ncsl.org/programs/ethics/e_traininglinks.htm