

MEMORANDUM

TO: Commissioners
FROM: Steven J. Zuilkowski, Deputy Executive Director & General Counsel
DATE: September 4, 2025
RE: File 2817

Staff has written a new draft addressing the opinion request in File 2817, consistent with the vote of the Commission at its July meeting. For the sake of simplification, staff has reorganized the questions to be answered as follows:

- Question 1 now concerns selling services to students.
- Question 2 now concerns volunteering in schools.
- Question 3 now concerns marketing the business in the schools.
- Question 4 now concerns hiring district personnel to work at the private business.
- Question 5 now concerns sponsoring school teams in exchange for logo placement on team shirts.

Please note that, per your request, Question 1 now has two versions for your consideration: "Version 1A" and "Version 1B." The first 6½ pages of both versions are completely identical. We indicate in both versions where they begin to diverge. Questions 2-5 each have a single version outlining the staff recommendation.

Ultimately, you will be asked to approve an advisory opinion that addresses all five questions.

Also, per your request, staff has included copies of all the opinions cited in the draft. We have underlined the relevant portions in each opinion for your convenience.

---End of Memorandum---

QUESTION 1
"SELLING"

VERSION 1A

Question 1 has two alternative draft responses.
Version 1A and Version 1B are the same until page 7.
We have noted where the versions begin to diverge.
This is "Version 1A."

CONFLICT OF INTEREST

**SCHOOL BOARD MEMBER AND PRIVATE BUSINESS OWNER VOLUNTEERING
ON BEHALF OF HER PRIVATE BUSINESS AND PROMOTING HER PRIVATE
BUSINESS WITHIN HER DISTRICT'S SCHOOLS**

To: *Name withheld at person's request (Flagler County)*

SUMMARY:

[Summary will go here]. Referenced are CEO 78-86, CEO 80-19, CEO 80-35, CEO 82-13, CEO 82-28, CEO 82-85, CEO 84-111, CEO 89-47, CEO 90-42, CEO 94-5, CEO 03-7, CEO 04-17, CEO 05-14, CEO 07-9, CEO 09-3, CEO 09-10, CEO 10-3, CEO 10-12, CEO 10-15, CEO 12-23, CEO 13-13, CEO 13-16, CEO 13-21, CEO 14-21, CEO 14-27, CEO 15-2, CEO 15-14, CEO 16-9, CEO 16-12, CEO 19-23, CEO 22-1, CEO 22-3, CEO 22-4, CEO 23-2, and CEO 23-5.

QUESTION 1:

Would a prohibited conflict of interest be created for a member of a school board if their business sells services to students of the school district?

This question is answered as follows.

NOTE TO COMMISSIONERS

The first 6½ pages of Question 1 are the same in Version 1A and 1B.

Commission staff have noted on page 7 where Version 1A and 1B begin to differ.

According to your inquiry, you are a recently-elected School Board member. In your private capacity, you are the owner of a small business that provides medical training, courses,

and certifications. Your inquiry asks whether certain aspects of your business will conflict with your public office.

You describe your business as having two client bases for enrollment in its courses and trainings: adults and minors. Through your attorney, you informed Commission staff that your business has serviced 776 total clients in the last 2.5 years, consisting of 539 adults and 237 minors.

For adults, your business offers courses for certification and recertification for medical assistants and phlebotomists, which cost at least \$1,299. Your business also offers stand-alone trainings in CPR and first aid, among other topics; the pricing of those offerings range from \$25 to \$120. Your business's most popular offering for adults (61% of all adult clients) is a stand-alone course in basic life support, the average cost of which is \$75.

For minors, your business offers youth medical camps, which cost \$600 for five days or \$135 per day, and other courses appropriate for minors, which cost \$25. Your business's most popular offering to minors (59.1% of all minor clients) is a babysitting certification course, which costs \$135. These offerings to minors are unrelated to school curriculum and, you state, they are unrelated to the District's effort to comply with the new law requiring that school districts provide basic training to students on first aid and CPR. See Ch. 2025-67, Laws of Fla.

You state that your business's sales to minors are not essential to your business and that your business could discontinue such sales without completely closing.

Your inquiry included several questions about whether your volunteerism, marketing strategy, and hiring practices would coincide with your public responsibilities to create a prohibited conflict of interest. However, in order to provide you with the full spectrum of ethical

guidance, we must first address a preliminary issue: whether you would have a conflict of interest if your business sold its services to students of the District.

Relevant to your inquiry, Section 112.313(7)(a), Florida Statutes, provides:

No public officer or employee of an agency shall have or hold any employment or contractual relationship with any business entity or any agency which is subject to the regulation of, or is doing business with, an agency of which he or she is an officer or employee . . . ; nor shall an officer or employee of an agency have or hold any employment or contractual relationship that will create a continuing or frequently recurring conflict between his or her private interests and the performance of his or her public duties or that would impede the full and faithful discharge of his or her public duties.

Because your business is not selling to the District and is not regulated by the District, which is a concern that would be addressed by the first part of this statutory provision, our analysis in this question is confined to second part of the statute. The second part of Section 112.313(7)(a) "establishes an objective standard which requires an examination of the nature and extent of the public officer's duties together with a review of his private employment to determine whether the two are compatible, separate and distinct or whether they coincide to create a situation which tempts dishonor." Zerweck v. State Comm'n on Ethics, 409 So. 2d 57, 61 (Fla. 4th DCA 1982) (internal quotations omitted).

As we have opined, "the statute is entirely preventative; it is directed at what might happen." CEO 07-9. In fact, it "does not require an actual transgression to occur for a conflict of interest to be found." CEO 22-3, Question 1 (citing CEO 05-14). While other provisions of the Code of Ethics address actual transgressions, the second part of Section 112.313(7)(a) only addresses the potential incompatibility of one's public position with a particular employment or contractual relationship. CEO 10-3, Question 1. The public need not hope that a public officer or

employee will voluntarily refrain from acting on a conflict of interest because the statute entitles the public to a public officer who is free from prohibited conflicts of interest in the first place.

Our application of the second part of Section 112.313(7)(a) to the sale of goods and services to students by district officials and teachers has evolved over the 51-year history of this agency. Early on, we did not identify the sale of goods and services to students by district officials and teachers as an issue that concerned the second part of Section 112.313(7)(a).

For example, in 1980, we reviewed a scenario where an assistant superintendent of a school district would sell athletic supplies to students and found "no provision [of the Code of Ethics] which would prohibit this situation." CEO 80-35. We analyzed the scenario under several provisions of the Code of Ethics, but did not specifically analyze the scenario under Section 112.313(7)(a), and, perhaps for that reason, we did not discuss in the opinion the various aspects of the assistant superintendent's business model (e.g., whether the business sold equipment only to students or to the community at large, whether it was a retail establishment serving anonymous customers or another business model where the customer relationships were more involved, etc.).

Similarly, in CEO 80-19, which was issued that same year, we reviewed a schoolteacher's travel agency selling a trip to Mexico to a school-related organization comprised of the parents of gifted children from within the District. There, we opined that there would be no conflicting contractual relationship because "the particular organization of parents of gifted students involved here is not receiving financial support from the schools and is not directly controlled by the schools," which is to say that they were not regulated by or doing business with the school district, which is merely a concern for the first part of Section 112.313(7)(a). It does not appear we analyzed the second part of the statute.

Two years later, in CEO 82-85, we issued an opinion to a director of food service for a school district, opining that a prima facie conflict of interest under Section 112.313(3) would have been present if he sold photography services in his private capacity to his school district, but Section 112.313(3) would not be violated because he only wanted to sell his services to district students. Once again, we did not explicitly analyze the business model to determine whether the sale to students was a conflicting contractual relationship under Section 112.313(7)(a).

Starting in 2004, however, we began to recognize that some contractual relationships between district officials or teachers and district students could compromise the objective pursuit of their public responsibilities to those students, and could harm the public trust the Code of Ethics was intended to steward. Reflecting this recognition, the second part of Section 112.313(7)(a) became more prominent in our analyses of these contractual relationships.

For example, we opined that a teacher would have a prohibited conflict of interest if he sold tutoring services to the students in his classes. CEO 04-17, Question 3. We recognized that contractual relationships of this nature tempted the dishonor of teachers' public responsibilities, opining:

[a] teacher who has a private contractual relationship with the parents of some of his or her students may be tempted to demonstrate favoritism to those students in grading, assignment of roles in school performances and events, and other in-class treatment. . . . By this we do not mean to suggest that the teacher would actually succumb to such temptation and thereby compromise his public duties in favor of his private interests. The statute is entirely preventative in nature. [CEO 04-17, Question 3.]

A few years later, we affirmed our opinion that some contracts between teachers and students could tempt one to dishonor his or her public responsibilities. In CEO 10-15, we opined that a public-school art teacher could operate an art camp as a private business, but that the

second part of Section 112.313(7)(a) would prohibit her from selling admittances to the art camp to the students in her public school classes. In that opinion, we specifically identified the temptation creating the conflict of interest as "the potential for the teacher's responsibility to treat the child impartially to be impeded by the desire to maintain a harmonious and profitable relationship with the child and parents in his or her private endeavor." CEO 10-15.

Two years later still, we again opined that a public school teacher or coach could tutor or instruct children for compensation only as long as those children were not students in the teacher's classes or on the coach's teams (and tryouts). CEO 12-23. As we applied the second part of Section 112.313(7)(a) in that opinion, we emphasized "our recognition that the conflicts found are based on a teacher (public school district employee) having public capacity power or duties regarding a student at the same time that the teacher seeks to do secondary business with the student (or parents) or engages in secondary employment tutoring or instructing the student." Id. (parentheticals there).

In 2015, we considered a teacher who owned a company that sold shirts. In CEO 15-2, we opined that the teacher "could sell to customers who pay with their personal funds, without limitation, unless they are students in your classes or in your public charge."

In 2016, we considered a teacher selling not remedial or nonremedial tutoring, coaching, or camps, but legal services. There, we opined that a teacher who maintained outside employment as an attorney could not have students in his classes (or subordinate district employees) as clients. CEO 16-12, note 3.

We have not limited our application of the second part of Section 112.313(7)(a) to teachers; we have also recognized that the staff of a school and even school board members may also be tempted to dishonor their public responsibilities when selling goods or services to

students within their districts. In CEO 13-21, we considered an opinion request from a middle school teacher for exceptional and special education (ESE) students, who also served the entire middle school as an ESE support facilitator and the ESE department chair. We advised that his business, which sold therapy and counseling services, could not sell to students of his middle school because the "temptation extends to all students in the teacher's middle school, given the breadth of his several ESE roles at the school." In CEO 14-27, we addressed a school board member who owned a private education company that sold tutoring services. We found the company's sale of tutoring services to district students created a prohibited conflict of interest under the second part of Section 112.313(7)(a) because it could undermine the school board member's objectivity regarding student matters.

NOTE TO COMMISSIONERS

**This is where Version 1A begins to differ.
Until this point, both versions are the same.
What follows here is Version 1A.**

To the best of our knowledge, since 2004, every time we have opined about the propriety of a school district officer or employee selling goods or services to students, we have performed an analysis of the second part of Section 112.313(7)(a), and each time we have concluded that the sale of goods and services cannot occur if the officer or employee has public responsibilities to that student.¹ In each of those opinions, the finding of a conflict of interest prohibited the

¹ CEO 10-12 is not an exception to that. In that opinion, we considered the inquiry of a candidate for school board who was the president of a school uniform company. The school district had named his company as a "preferred vendor." He asked whether that "preferred vendor" status would coincide with his public office to create a prohibited conflict of interest if he was elected. As part of our opinion in that matter, we concluded that the requestor would not have a conflict of interest under Section 112.313(3), Florida Statutes, because he was not selling goods or services to his own agency, as is prohibited under subsection (3), but to the parents and students of the district. We limited the scope of the advisory opinion to whether the preferred vendor status created a conflict, but never addressed whether the sale of goods and services to students of the district would create a prohibited conflict under the second part of

public officer or employee from maintaining a contractual relationship that could tempt him or her to dishonor his or her public responsibilities by showing favoritism or special attention to matters affecting a student-customer. Underpinning the reasoning of our opinions since 2004 is that a necessary predicate for showing a student favoritism is knowing the student's identity and also understanding how a public capacity action might motivate, encourage, or induce that student to continue to transact business privately.

The businesses on which we have opined since 2004 concerned tutoring (CEO 04-17), tutoring and coaching (CEO 12-23), and attendance at art camps and non-remedial tutoring (CEO 10-15). The businesses described in those opinions involve the students transacting and consuming the services of the business in an open and personal manner, and they necessarily require the employees and contractors of the business to form relationships with the students. Tutoring services and camp services require enrollment and registration and the services are impossible to provide impersonally.

On the other end of the spectrum, we can imagine, for instance, a school board member or teacher operating a fast-food restaurant where tens of thousands of customers annually order food at a drive through window or across a counter, never even having to identify themselves in the transaction, and receive their food, without the establishment having to attend to them further. There is no enrollment or registration, there is no personalized service, and there is no personal relationship formed. The business is designed to be completely anonymous, nearly instantaneous, and unobtrusive. In such a scenario, we would be hard-pressed to find that the owners of those kinds of businesses could be tempted to dishonor their public responsibilities "to maintain a harmonious and profitable relationship with the child and parents" because they

Section 112.313(7)(a). We do not find CEO 10-12 to be persuasive authority here to interpret a part of the statute it did not even analyze on a question it did not even consider.

would be, by design, unlikely to be able to identify individuals among their tens of thousands of customers or to identify what their interests might be such that a public action could be taken to motivate them to continue transacting business privately.

To understand whether your business will tempt you to dishonor your public responsibilities, we must analyze your business's place on that spectrum. We find your business is more like the tutoring businesses and the art camp, than a hypothetical fast-food restaurant. Like the tutoring businesses and the art camp, your business requires each student be identified through an enrollment process, and the service is performed in an interpersonal manner that fosters relationships with the clients. Also, like the tutoring business and the art camp, your business has serviced a numerable number of clients over a 2.5-year period, which indicates that your business model places a larger emphasis on the importance of each client than, for example, a hypothetical fast-food restaurant.

As a member of the School Board, you may infrequently undertake votes on matters affecting individual students. However, much more frequently, perhaps inevitably, you will be contacted by parents to intercede on matters affecting individual students, drawing the attention of District staff to individual student matters that might otherwise be handled without special attention, consideration, or pressure from a School Board member. While any parent might call upon a school board member to intercede on a student matter, that board member is in a position to be tempted to more freely give attention to matters affecting an identifiable client or customer of his or her business. That is a cause for concern here, as the situation creates a temptation to favor students and families of your private business over your public responsibilities.

Under the unique circumstances presented by this inquiry, we find that the sale of the services by your business to District students could tempt you to dishonor your public

responsibilities in favor of your private interests, and that is all that is required to find a conflict of interest under the second part of Section 112.313(7)(a).

In coming to this conclusion, we must acknowledge that very few of your clients are minors, and that you believe a minority of those are District students. The statute explicitly precludes contractual relationships "that will create a continuing or frequently recurring conflict between his or her private interests and the performance of his or her public duties or that would impede the full and faithful discharge of his or her public duties." [Emphasis added.] To give the meaning to the second half of that disjunction (after the "or"), which does not require that the conflict be frequently recurring, we have repeatedly opined that a single instance can give rise to a violation of the second part of Section 112.313(7)(a). See CEO 78-86 ("[A]ny representation of a client for compensation before a board of which one is a member impedes the full and faithful discharge of one's public duties"), CEO 89-47 (A public officer's firm could not represent a client before the officer's board "in any hearing"), CEO 09-10 (The representation of a client by a public officer or a member of his or her firm before the public officer's board, even a single appearance, was a prohibited conflict), CEO 13-16 (a city police officer's private investigations firm could not take on any clients from outside his city to investigate matters of marital infidelity and employee theft because, even though those matters would be unlikely to result in criminal investigations in his city, his participation in those criminal investigations would be likely if they were to arise), and CEO 15-14 (a county employee serving on the committee that determines whether a Section 8 tenant's participation in the program should be terminated would be tempted to dishonor his public responsibilities if he rented to any tenants receiving Section 8 rental vouchers from the county).

We also must acknowledge that nothing in your inquiry would indicate that you would intentionally compromise your public responsibilities in favor of your private interests. "In making our finding of a prohibited conflict, we do not impugn [your] character or personal integrity," and we do not imply that you intend to act on the conflict we have identified here. CEO 10-3, Question 1. As we said earlier, we only address the incompatibility of being a member of a school board and operating the business as described in the inquiry.

Question 1 is answered accordingly.

QUESTION 1
"SELLING"

VERSION 1B

Question 1 has two alternative draft responses.
Version 1A and Version 1B are the same until page 7.
We have noted where the versions begin to diverge.
This is "Version 1B."

CONFLICT OF INTEREST

**SCHOOL BOARD MEMBER AND PRIVATE BUSINESS OWNER VOLUNTEERING
ON BEHALF OF HER PRIVATE BUSINESS AND PROMOTING HER PRIVATE
BUSINESS WITHIN HER DISTRICT'S SCHOOLS**

To: *Name withheld at person's request (Flagler County)*

SUMMARY:

[Summary will go here]. Referenced are CEO 80-19, CEO 80-35, CEO 82-13, CEO 82-28, CEO 82-85, CEO 84-111, CEO 90-42, CEO 94-5, CEO 03-7, CEO 04-17, CEO 05-14, CEO 07-9, CEO 09-3, CEO 10-3, CEO 10-15, CEO 12-23, CEO 13-13, CEO 13-21, CEO 14-21, CEO 14-27, CEO 15-2, CEO 16-9, CEO 16-12, CEO 19-23, CEO 22-1, CEO 22-3, CEO 22-4, CEO 23-2, and CEO 23-5.

QUESTION 1:

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This question is answered as follows.

NOTE TO COMMISSIONERS

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Commission staff have noted on page 7 where Version 1A and 1B begin to differ.

According to your inquiry, you are a recently-elected School Board member. In your private capacity, you are the owner of a small business that provides medical training, courses,

and certifications. Your inquiry asks whether certain aspects of your business will conflict with your public office.

You describe your business as having two client bases for enrollment in its courses and trainings: adults and minors. Through your attorney, you informed Commission staff that your business has serviced 776 total clients in the last 2.5 years, consisting of 539 adults and 237 minors.

For adults, your business offers courses for certification and recertification for medical assistants and phlebotomists, which cost at least \$1,299. Your business also offers stand-alone trainings in CPR and first aid, among other topics; the pricing of those offerings range from \$25 to \$120. Your business's most popular offering for adults (61% of all adult clients) is a stand-alone course in basic life support, the average cost of which is \$75.

For minors, your business offers youth medical camps, which cost \$600 for five days or \$135 per day, and other courses appropriate for minors, which cost \$25. Your business's most popular offering to minors (59.1% of all minor clients) is a babysitting certification course, which costs \$135. These offerings to minors are unrelated to school curriculum and, you state, they are unrelated to the District's effort to comply with the new law requiring that school districts provide basic training to students on first aid and CPR. See Ch. 2025-67, Laws of Fla.

You state that your business's sales to minors are not essential to your business and that your business could discontinue such sales without completely closing.

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guidance, we must first address a preliminary issue: whether you would have a conflict of interest if your business sold its services to students of the District.

Relevant to your inquiry, Section 112.313(7)(a), Florida Statutes, provides:

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Because your business is not selling to the District and is not regulated by the District, which is a concern that would be addressed by the first part of this statutory provision, our analysis in this question is confined to second part of the statute. The second part of Section 112.313(7)(a) "establishes an objective standard which requires an examination of the nature and extent of the public officer's duties together with a review of his private employment to determine whether the two are compatible, separate and distinct or whether they coincide to create a situation which tempts dishonor." Zerweck v. State Comm'n on Ethics, 409 So. 2d 57, 61 (Fla. 4th DCA 1982) (internal quotations omitted).

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Similarly, in CEO 80-19, which was issued that same year, we reviewed a schoolteacher's travel agency selling a trip to Mexico to a school-related organization comprised of the parents of gifted children from within the District. There, we opined that there would be no conflicting contractual relationship because "the particular organization of parents of gifted students involved here is not receiving financial support from the schools and is not directly controlled by the schools," which is to say that they were not regulated by or doing business with the school district, which is merely a concern for the first part of Section 112.313(7)(a). It does not appear we analyzed the second part of the statute.

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For example, we opined that a teacher would have a prohibited conflict of interest if he sold tutoring services to the students in his classes. CEO 04-17, Question 3. We recognized that contractual relationships of this nature tempted the dishonor of teachers' public responsibilities, opining:

[a] teacher who has a private contractual relationship with the parents of some of his or her students may be tempted to demonstrate favoritism to those students in grading, assignment of roles in school performances and events, and other in-class treatment. . . . By this we do not mean to suggest that the teacher would actually succumb to such temptation and thereby compromise his public duties in favor of his private interests. The statute is entirely preventative in nature. [CEO 04-17, Question 3.]

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second part of Section 112.313(7)(a) would prohibit her from selling admittances to the art camp to the students in her public school classes. In that opinion, we specifically identified the temptation creating the conflict of interest as "the potential for the teacher's responsibility to treat the child impartially to be impeded by the desire to maintain a harmonious and profitable relationship with the child and parents in his or her private endeavor." CEO 10-15.

Two years later still, we again opined that a public school teacher or coach could tutor or instruct children for compensation only as long as those children were not students in the teacher's classes or on the coach's teams (and tryouts). CEO 12-23. As we applied the second part of Section 112.313(7)(a) in that opinion, we emphasized "our recognition that the conflicts found are based on a teacher (public school district employee) having public capacity power or duties regarding a student at the same time that the teacher seeks to do secondary business with the student (or parents) or engages in secondary employment tutoring or instructing the student." Id. (parentheticals there).

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We have not limited our application of the second part of Section 112.313(7)(a) to teachers; we have also recognized that the staff of a school and even school board members may also be tempted to dishonor their public responsibilities when selling goods or services to

students within their districts. In CEO 13-21, we considered an opinion request from a middle school teacher for exceptional and special education (ESE) students, who also served the entire middle school as an ESE support facilitator and the ESE department chair. We advised that his business, which sold therapy and counseling services, could not sell to students of his middle school because the "temptation extends to all students in the teacher's middle school, given the breadth of his several ESE roles at the school." In CEO 14-27, we addressed a school board member who owned a private education company that sold tutoring services. We found the company's sale of tutoring services to district students created a prohibited conflict of interest under the second part of Section 112.313(7)(a) because it could undermine the school board member's objectivity regarding student matters.

NOTE TO COMMISSIONERS
This is where Version 1B begins to differ.
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For the reasons outlined in those opinions, we can imagine many businesses and business models that would be incompatible with a school board member's service because they might tempt the member to dishonor his or her public responsibilities. We do not, however, read these opinions to stand for the proposition that a school board member can never own a business that sells goods or services to students of their district. Instead, we recognize that an analysis of the second part of Section 112.313(7)(a) requires us to review all the relevant facts and circumstances.

In that regard, we are of the opinion that your business, in the particular circumstances you have described, will not pose a prohibited conflict of interest to you. In coming to that

conclusion, we rely upon all the following circumstances, the absence of any one of which might result in our finding of a conflict. We rely on your assertion that minors consist of only 30.5% of your client base and that 59.1% of those take your babysitting course and that 90% of those are not District students. We rely on your assertion to Commission staff that your other course offerings to minors have more non-District students than District students. We also rely on your assertion that your business does not need to sell to District students to be healthy. Lastly, we rely on your assertion that your business does not typically realize repeat business from student customers, given that you have limited course offerings for minors and there is no reason for them to repeat a particular course.

With that in mind, we distinguish your situation from those presented in CEO 04-17, CEO 10-15, CEO 12-23, and CEO 14-27, which involved businesses that primarily sold services to minors. Those businesses depended on selling to students and, therefore, created an inherent motivation "to maintain a harmonious and profitable relationship with the child and parents in his or her private endeavor" that is not present for you, under the specific facts that you have presented.

For this reason, we find you are not presented with a prohibited conflict of interest under Section 112.313(7)(a).

To be clear, this is not to say that a school board member could never have a conflict of interest when transacting business with a district student. As we did in this opinion, the determination that a particular business might tempt a public officer or employee to dishonor their public responsibilities requires an assessment of all relevant facts.

Question 1 is answered accordingly.

QUESTION 2
"VOLUNTEERING"

QUESTION 2:

May a school board member volunteer at schools to educate students on matters generally pertaining to the services your business offers?

This question is answered in the affirmative.

Next, we consider whether you may continue to volunteer at District schools by performing first aid and phlebotomy demonstrations and discussing career pathways in the medical field.²

Prior to initiating your campaign for election to the School Board, you volunteered on behalf of your business at District schools. In District high schools, you represented your business at career fairs to market your certification courses in medical assisting and phlebotomy. In District elementary and middle schools, you visited classrooms to discuss general medical topics, like stress management, self-confidence and self-care education, and dietary information. These volunteer opportunities sometimes involved demonstrations for CPR or phlebotomy. Prior to the commencement of your campaign, you wore your business's uniform emblazoned with its logo and distributed branded informational materials like pamphlets and business cards. Since then, however, you have not worn branded uniforms or distributed branded material when volunteering at District schools.

Section 112.313(6), Florida Statutes, proscribes the corrupt misuse of a public officer's or public employee's position. Specifically, it states:

MISUSE OF PUBLIC POSITION.--No public officer,
employee of an agency, or local government attorney shall

² We understand this question to be distinct from the issue of whether you may market your business by wearing branded clothes or distributing branded materials while volunteering, which is addressed in Question 3, below.

corruptly use or attempt to use his or her official position or any property or resource which may be within his or her trust, or perform his or her official duties, to secure a special privilege, benefit, or exemption for himself, herself, or others.

In a similar manner, the Florida Constitution prohibits the abuse of one's position to achieve a disproportionate benefit for oneself and certain others. Specifically, Article II, Section 8(h)(2), Florida Constitution, states:

A public officer or public employee shall not abuse his or her public position in order to obtain a disproportionate benefit for himself or herself; his or her spouse, children, or employer; or for any business with which he or she contracts; in which he or she is an officer, a partner, a director, or a proprietor; or in which he or she owns an interest.

The Commission promulgated a rule detailing several factors for determining whether a benefit, privilege, exemption, or result constitutes a "disproportionate benefit." Rule 34-18.001(3), Fla. Admin. Code; see also CEO 19-23.³

Your volunteerism is a purely gratuitous act. You visit the schools to convey information to the students. Where you are not simultaneously taking the opportunity to market your business by distributing branded materials or wearing branded clothing, the nature of your interest in the event is such that no special privilege, benefit, or exemption or disproportionate benefit results from your participation. For that reason, we find that Section 112.313(6) and Article II, Section 8(h)(2), Florida Constitution, will not operate to restrict you from volunteering at District schools.

Your question is answered accordingly.

³ According to Rule 34-18.001(3), Fla. Admin. Code, the Commission must consider several factors to determine whether a benefit is disproportionate, including the nature of the interests involved.

QUESTION 3
"MARKETING"

QUESTION 3:

May a school board member market her business to students when she volunteers at schools?

This question is answered as follows.

In your inquiry, you ask whether you may resume wearing clothing branded with your business's logo and distributing branded materials discussing your business's course offerings when volunteering in District schools. You also ask whether you may use an online digital platform called PeachJar to market your business. According to you, this platform allows local businesses, subject to approval by the individual schools, to disseminate commercial flyers to students and parents by email. Both questions involve the targeted marketing of District students in District contexts.

As noted above, a violation of Section 112.313(6), Florida Statutes, requires (1) a use or misuse of a position, (2) a benefit, privilege, or exemption to oneself or another, and (3) a corrupt intent.

First, we see your presence in a District school, or your use of any District processes through District-approved digital platforms, as an unavoidable use of your position. As an elected constitutional officer and member of the School Board, you carry the authority and gravitas of your office, at a minimum, whenever you interact with others on a District property or in a District-approved digital space and the inalienable nature of your authority distinguishes you from any other business owner that might volunteer in the schools. Emblematic of this, Section 1001.4205, Florida Statutes, allows any district school board member to, "on any day and at any

time at his or her pleasure, visit any district school in his or her school district" without any limitation by the superintendent or school principal on "the duration or scope of the visit" and without any limitation by board, district, or school administrative policy. It is clear the law intends for you to have this authority whenever you are present in a school. We also see the potential for each interaction you have with students, parents, and District staff when inside a school or in a District-approved digital space to be influenced by the inalienable nature of your authority there. You could potentially opt to wear another hat, so to speak, in other places in the community, but the setting matters, and those with whom you interact with inside a school, especially students, will likely not be able to tell the difference.

We commented on this dynamic in CEO 80-35, when we advised an assistant superintendent of a school district that he could sell athletic supplies to district students (this opinion is discussed in context in Question 1. In that opinion, we connected the use of his position to his presence on school property, cautioning:

...we would advise that you be extremely careful to avoid both the use of your position and the appearance of using your position in any manner in connection with sales of athletic supplies to individual customers who may be students in public schools or teachers employed by the school district. For example, we suggest that you be particularly cautious about personal solicitations of students and personnel of the school system *while on school property*.

[Emphasis added.]

Further demonstrating that we have found physical presence on the premises of one's office to be a use of that office, we found probable cause of a violation of Section 112.313(6) in In re Mae Beville, Complaint No. 04-233. In that case, the respondent was a county supervisor of elections who, on numerous occasions, wore a name tag with the text "Re-elect Mae Beville" when she was physically present in the office of the supervisor of elections.

Second, we also see any effort to market your business while volunteering within a District school as demonstrating an obvious commercial benefit to you and your business by raising consumer awareness of your services and brand recognition.

That brings us to third element: whether the marketing of your business to District students in District contexts would be corrupt within the meaning of the statute. It has been our position in recent years not to resolve fully the question of whether something would constitute a misuse of office under Section 112.313(6) because such would require a determination of one's state of mind. A corrupt intent is "difficult to determine outside the context of an ethics complaint, where a full investigation and administrative hearing can be conducted to collect all relevant information and judge the credibility of witness testimony." CEO 23-5, note 6 (citing CEO 22-4, Question 3, and CEO 22-3, Question 2). With that being said, we have some relevant observations that may assist you in proceeding.

The Code of Ethics defines "corruptly" to mean "done with a wrongful intent and for the purpose of obtaining, or compensating or receiving compensation for, any benefit resulting from some act or omission of a public servant which is inconsistent with the proper performance of his or her public duties."§ 112.312(9), Fla. Stat. The District Court of Appeal has interpreted the statute to find no corrupt intent where there is a valid public purpose for the use of one's position, notwithstanding that the use provides an incidental private benefit to the official. See Blackburn v. State Commission on Ethics, 589 So. 2d 431 (Fla. 1st DCA 1991).

It appears the private benefit realized by you and your business when marketing while volunteering in a District school will not be incidental to a public purpose. It is apparent that the public purpose of your volunteerism—the pedagogical benefit to the students—can be achieved without simultaneously marketing your business, and that the marketing of your business in a

school, divorced from the volunteering, achieves no separate public purpose. In short, if you are purely volunteering in schools to provide instruction or information to District students—as described in Question 2—the "benefit" and "corrupt intent" elements required to show a misuse of position will be missing. However, if you are marketing or promoting your business in any way while engaging in such volunteering, an argument can be made that all three required elements will be met and Section 112.313(6) will be violated.⁴

We recognize that other private sector businesses might volunteer in the classrooms and their representatives might wear uniforms with logos and distribute branded materials, but we do not believe they are your comparators. More appropriately, your comparators are the other District officials, faculty, and staff in the building who also cannot market their private businesses to students in a captivated setting.

Your question is answered accordingly.

⁴ The same observations are applicable to an analysis of the prohibition against abusing one's position to obtain a disproportionate benefit found in Article II, Section 8(h)(2), Florida Constitution.

QUESTION 4
"HIRING"

QUESTION 4:

Will a prohibited conflict of interest be created if a school board member hires teachers from her district to work for her private business?

This question is answered in the affirmative.

You ask whether you, as a School Board member, may hire District employees as employees or independent contractors of your private business without violating any ethical standards.

We first considered the question of whether a public employee entering into a private contractual relationship with his or her subordinate would present a conflict of interest in CEO 82-28, where we recognized the looming likelihood that "[the] private business relationship and the employee's interests in keeping that relationship harmonious, productive, and profitable would impede the employee's duty of impartially evaluating the subordinate's job performance and would lead to a frequently recurring conflict between those interests." CEO 82-28.

We went on to extrapolate that a public officer and his or her subordinate's private contractual relationship would create a conflict of interest unless: (1) the public officer had no discretion over the subordinate and (2) the scope of the private business activity between the employee and the subordinate was limited. CEO 84-111 (no conflict of interest existed where officers of a city police department also worked together privately as independent contractors doing polygraph examinations because "the officers do not evaluate the detective who owns the polygraph company and do not have the authority to hire or fire detectives"), CEO 90-42 (no conflict of interest where a city manager and his subordinate together owned rental property

because the city manager had only limited discretion regarding the subordinate's salary increases and because the scope of the private business activity between the city manager and his subordinate was comparatively limited).

We have readdressed this scenario more recently, finding that if a public officer engages in private business with a subordinate over whom she has "evaluation or recommendation responsibility," an inherent conflict of interest exists because such a private business relationship would compromise the public officer's objectivity in performing her public duty. CEO 09-3.

For example, in CEO 09-3, we considered an opinion request concerning a lieutenant of a city fire department who was the owner of a company that sold training to fire service and health care personnel. There, we opined that the lieutenant could continue to operate his business, but that he could not sell the training services to any firefighter over whom he had evaluation or personnel action recommendation responsibilities. We opined that his public job responsibilities to those employees would coincide with his private interests to create a prohibited conflict of interest, if he were allowed to sell to them.

In CEO 15-2, we again expressed our concern about forming contractual relationships with subordinate employees. In that opinion, we opined that a teacher who owned a company that sold shirts could not sell to "persons you supervise or evaluate in your public employment."

We have also investigated contractual relationships between public employees and their subordinates in our complaint process. In In re Angela Grant Sapp, Complaint No. 22-044, we found probable cause of a violation of Section 112.313(7)(a) when a member of the Quincy City Council accepted a \$20,000 loan from the city manager, where the city council had the authority to review the performance of the city manager and, if necessary, to terminate him.

In fact, we have previously considered two situations analogous to yours, and, in both, determined that the recruitment and/or hiring of district school teachers by a school board member would impede the school board member's full and faithful discharge of her public duties. First, in CEO 14-21, we determined that a school board member could not, as part of her employment with a literacy foundation, recruit district teachers to work at the foundation because "she could be tempted to act less than objectively toward teachers in her District depending on whether or not they worked for the Foundation."

Second, we expounded on that analysis CEO 14-27, where we held that a school board member could not hire a district teacher to work for her private tutoring company, even though the school board member stated her public role did not require her to review how district teachers were performing and the presentation of teacher disciplinary recommendations to school members was "fairly rare." We determined that privately hiring a district teacher would compromise the school board member's public capacity duties because it was "inescapable" that the school board had authority or responsibility regarding district teachers, regardless of how rarely disciplinary recommendations came before the board, and the school board member's private employment of certain teachers might favorably dispose her toward those teachers.

Like the school board member in CEO 14-27, you have advised that your School Board reviews disciplinary recommendations made by the District Superintendent and staff concerning particular teachers. Pursuant to the Flagler County Public Schools School Board Policy Manual, the School Board also has the explicit authority to terminate employees, to accept the resignation of administrative and instructional staff members, and to consider appeals of complaint resolutions.⁵ Your private employment of a District teacher would impede the full and faithful discharge of your public duties as a School Board member because you could be favorably

⁵ Chapter 6, Code 651, 624, and 649 of the Flagler County Public Schools School Board Policy Manual.

disposed toward any teachers you privately employ in any of their matters that come before the School Board. In other words, here, as in CEO 14-27, "questions could be raised regarding your objectivity," regardless of whether such matters coming before the School Board were "fairly rare."

You note in your inquiry that you would be willing to recuse yourself from any votes regarding any matters before your School Board that might involve District teachers who are also employees of your private business. We find it important to clarify that recusal from a vote does not negate a prohibited conflict of interest under Section 112.313(7)(a). See CEO 16-9 n.4. See also CEO 03-7, Question 1, CEO 94-5, and CEO 23-2 n.10 (citing In re Milton West, Complaint No. 16-032, Final Order No. 17-057, *aff'd* by sub nom. *Milton West v. Comm. on Ethics*, 5D17-2076 (Fla. 5th DCA 2018)). This is because the voting conflict law, found in Section 112.3143, Florida Statutes, operates distinctly from Section 112.313(7)(a). CEO 94-5. Avoiding a voting conflict does not obviate the existence of a prohibited conflict of interest arising from a conflicting employment or contractual relationship:

Nothing in Section 112.313(7)(a) indicates that compliance with Section 112.3143 creates an exemption from [its] application . . . Moreover, we do not believe that abstention should have the effect of creating an exemption, because [a public officer's] duties are not confined to voting on or participating in matters which come before [his or her board] for formal consideration[.]

CEO 23-2 n.10. Thus, recusing yourself from a vote involving a District employee who you also hired to work for your private business would not negate the prohibited conflict of interest under Section 112.313(7)(a).

For these reasons, the second part of Section 112.313(7)(a) would prohibit you from hiring a District teacher or employee to work for your private business, either as an employee or as an independent contractor, because the private contractual relationship between your business

and that employee could undermine your objectivity as a School Board member and, ultimately, would impede the full and faithful discharge of your public duties.

Your question is answered accordingly.

QUESTION 5
"TEAM SHIRTS"

QUESTION 5:

Will a prohibited conflict of interest be created if the business of a school board member sponsors a school team in exchange for the school printing the logo of the business on the team's shirts?

This question is answered in the affirmative.

Prior to your election to the School Board, your business would sponsor certain school events. For example, you state that your business recently had an opportunity to sponsor the Future Problem Solvers Team at a District school. In return for your sponsorship, the school would place your business's name and logo on the team's shirts. You inquire as to whether your business can continue to sponsor District teams in this manner, and receive similar recognition in exchange, now that you are a member of the School Board.

The answer to this question requires an analysis under Section 112.313(7)(a). With regard to the prohibition in the first part of Section 112.313(7)(a), an entity is "doing business" with an agency "if they have entered into a lease, contract, or other type of arrangement where one party would have a cause of action against the other in the event of a breach or default." CEO 22-1. We have said in our opinions that donating to an agency does not amount to "doing business" with an agency because "'doing business' contemplates an exchange of consideration, such as money, property, or services." CEO 82-13. See also CEO 22-3, Question 1.

Along those lines, we have found that making a donation to an agency with the understanding that the agency has a mutual obligation in response would likely amount to "doing business." In CEO 13-13, a member of the Sarasota Manatee Airport Authority personally

contracted to purchase some property about a half-mile from the end of one of the airport's runways and paid a deposit. The Board Member wanted to donate the purchase rights under the contract to the Airport Authority if the Airport Authority agreed to pay off the Board Member's deposit so the entirety of the deposit could be returned to the Board Member. We opined that, "in a strict sense it might be said that the Commissioner would hold a contractual relationship with a business entity (his company or his proprietorship) doing business with the Airport Authority (his public agency) by virtue of the mutual obligations of the donation." CEO 13-13.

Here, the facts as you present them indicate that your business's sponsorship of a team would consist of a one-time payment of money to the school to support a specific endeavor. In exchange for your business's sponsorship of a team, the schools will place your business's logo on the team's shirts.

Under your particular factual circumstances, we determine that the placement of your business's logo on the shirts of a school's team would constitute consideration in exchange for your business's sponsorship. And such consideration would amount to your business "doing business" with the school. Thus, such a sponsorship would violate the first prohibition of Section 112.313(7)(a). However, if your business were to simply donate the sponsorship funds to the schools, without the expectation that the school would place your business's logo on the shirts, then we would consider that transaction to be a donation, and not doing business with your agency.

Your question is answered accordingly.

LMF/sjz/ks

Steverson, Kathryn

From: Ramirez, Lauren <ramirezl@flaglerschools.com>
Sent: Friday, June 20, 2025 12:24 PM
To: Novenario, Stephanie; Steverson, Kathryn
Subject: Ethics Draft Written Response
Attachments: Ethics_Responses_LaurenRamirez_6.20.25.pdf

Hello Ms. Steverson and Ms. Novenario,

Please find my attached responses to the draft for your review prior to the meeting on July 25, 2025. I plan to attend the meeting in person and anticipate having legal representation present.

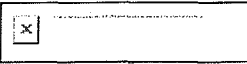
Thank you, and enjoy your weekend.



Lauren Ramirez
School Board Member
District 5 | Flagler Schools



386-437-7526 | 407-361-5082
Ramirezl@FlaglerSchools.com
<https://www.flaglerschools.com/>



SUNSHINE LAW AND PUBLIC RECORDS NOTICE:

Under Florida law, email addresses and all written communications sent to or from a Flagler County School Board member are public records. These communications are subject to disclosure upon request and may be made available to the public and media, unless exempt or confidential under Florida law. Please do not include any student-specific or confidential information in your message.

Responses to Ethics Committee Questions 1 and 2

File 2817

Lauren Ramirez

School Board Member

District 5 | Flagler Schools

Response to Ethics Committee – June 20, 2025

Responses to Ethics Committee Questions 1 and 2

File 2817

Dear Ethics Committee,

I appreciate the time and effort you have taken to engage with me on these questions. Your guidance has been helpful, and I value the opportunity to have an open dialogue.

Below for your review are my responses to Question 1 and Question 2 in advance of the upcoming committee meeting. Please feel free to reach out if any portion of my response requires further clarification.

Response to Question 1:

While I appreciate and understand your interpretation of Section 112.313(7)(a), when analyzing the Statute in its totality and considering case law and Attorney General Opinions interpreting the Statute, I must respectfully disagree with the conclusion that a prohibited conflict of interest arises when a Flagler County School District student independently registers for and participates in a certification or training program offered by my private business. Further, in order to avoid any appearance of impropriety, case law interpreting this Statute would permit me to recuse myself and abstain from any vote in which a conflict of interest may exist.

As a school board member, I fully understand and honor my ethical responsibilities. I do not engage in direct instruction for the vast majority of programs offered through my company, and I do not use my public position to promote, market, or benefit my business. My instructors, a combination of W-2 and 1099 workers who are not district employees, lead most programs, while I focus on administrative oversight as the business owner. My company does not advertise my public role, and I strictly separate my role as a board member from my business operations. As the owner of my small business, I operate primarily in the background. I am not typically present for instruction or training sessions, limiting any direct, face-to-face interactions with participants. My role is focused on behind-the-scenes operations and running the business I created and built, including scheduling, curriculum development, compliance, and resource management, rather than service delivery. This structure adds an additional layer of separation between myself and any individual participant, whether a student or member of the public.

Additionally, the services my business provides, such as CPR certification and training, are typically required on a biennial basis and are not offered as ongoing or recurring services. Participants generally attend a 2–4 hour course and return, if at all, two years later for recertification. Other course training would include a one-time 1-hour course with no return.

Responses to Ethics Committee Questions 1 and 2

File 2817

Our youth medical camps, primarily held in the summer, vary in duration and structure but are not ongoing programs. Families register their children for a single camp experience, lasting a few hours, with no expectation of repeated enrollment.

Programs and camps are open to the general public, including adults and children from various counties. Registrations occur through general internet searches, not through school-related channels. In other words, while students in my school district assuredly enroll in my courses, camps, etc., my courses are frequented by many people outside of my district as well. We are a training site through the American Heart Association and provide services to anyone who registers through their online portal and/or our website.

My business's interaction with Flagler students is no different than if a Flagler student chose to patronize a sports alliance, local restaurant, gym, summer camp, or any other business that caters to school-aged children owned by another public official. If the current interpretation stands that the independent, voluntary use of my business by a student constitutes a prohibited conflict, then by that same logic, no elected official could operate a business open to the public if that business is likely to be frequented by children within the district. That standard would have broad, unintended implications for public officials who own businesses unrelated to their elected duties and who operate in good faith under the assumption that members of the public, including students or parents, can choose where to spend their time and money.

The draft provided repeatedly refers to past ethical opinions related to tutoring, art camps, or continuous student services provided by individuals who may have daily and continuous interactions with district students. These examples differ substantially from the model of service provided by my business, which is not instructional support for academic subjects for our district schools and does not involve ongoing contact with any one student. For instance, there is no scenario in which the District will regulate my business, my industry, or my business model. Furthermore, I do not serve in any instructional capacity in a public school, nor do I supervise or evaluate students in my role as a school board member.

If presence or occasional interaction alone constituted an ethical conflict, then by the same standard, any elective official who coaches a team, mentors a student(s), or visits a classroom would face similar scrutiny. These roles, like my business operations, are community-facing and done in good faith, without preferential treatment or undue influence over student participation. As the sole owner of the business, my role is focused on oversight and operations rather than instruction or client interaction. Although it is my business, I do not engage directly with participants, as I manage the company from a behind-the-scenes position.

Responses to Ethics Committee Questions 1 and 2

File 2817

I recognize that I vote on student expulsions; however, these are rare occurrences and are handled in accordance with standardized procedures and documentation prepared by district staff. Your response, respectfully, fails to contemplate the permissible recusal of myself from certain votes should there be a potential conflict directly related to any student who partakes in my company's services. If a situation were ever to arise in which I had a potential conflict of interest involving a student facing expulsion, whether that student were a next-door neighbor, a friend of one of my four children, someone I had previously or currently babysit or mentor, a member of one of my four children's sports team (past or present), or, a known participant in one of my programs, I would recuse myself from the vote. This is consistent with the standard practice expected of any elected official who encounters a situation where a personal connection may present even the appearance of a conflict. Given the nature, timing, and limited duration of the services provided by my business, as well as the separation maintained between my public role and private endeavors, I do not believe that a continuing or frequently recurring conflict exists.

I've included below opinions I believe support my position that under my circumstances, no conflict of interest exists, or if one arises, recusal is the proper action:

No conflict of interest is created when a counselor in the division of vocational rehabilitation serves as member of the board of directors of a private, nonprofit corporation engaged in providing rehabilitative services to the mentally retarded and mentally disturbed; however, in order to avoid even the appearance of a conflict of interest, the public employee should recuse himself from all situations in which he might refer a client of the division to the corporation in question. Florida Op.Atty.Gen., 074-166, June 3, 1974.

If approved by his agency head and the state personnel director, the director of the Florida fine arts council may serve as the president of a private, nonprofit foundation and *be compensated for such service*. Florida Op.Atty.Gen., 073-384, Oct. 12, 1973 (emphasis added).

Legislator may serve as member of board of nonprofit organization engaged in rehabilitation of juvenile delinquents which is funded with local moneys matched by federal dollars distributed through department of health and rehabilitation services. Florida Op.Atty.Gen., 072-163, May 18, 1972.

Evidence was insufficient to support finding that town council chairman's conduct in making changes to zoning map that would have increased value of his property was inconsistent with proper performance of his public duties, as required to establish that he corruptly used his position as chairman to obtain special benefit; chairman was invited by land planner to make changes to map, his purpose in marking map was to suggest zoning

Responses to Ethics Committee Questions 1 and 2

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changes, and town commission acknowledged that elected member of town council could suggest zoning changes on his own property *provided that disclosure and recusal from voting occurred, but chairman did not vote on suggestions or fail to disclose his interest in parcels*. *Bennett v. Commission on Ethics*, 871 So. 2d 924 (Fla. 5th DCA 2004), *rehearing denied* (emphasis added).

I respectfully ask for reconsideration of the position that any participation by a District student in one of my company's publicly available services constitutes an ethical violation. I remain committed to transparency and compliance and welcome further clarification or discussion as needed.

Response to Question 2:

I understand and respect the concern about potential conflicts of interest when a School Board Member engages in any employment or contractual relationships with current District employees. However, the examples provided in your answer are very distinguishable from the facts in the current situation, as further explained below. Also, I respectfully ask for further clarification regarding the application of Section 112.313(7)(a) to 1099 independent contractors, which are materially different from W-2 employees.

Independent contractors (1099s) according to the IRS:

- Are not considered employees of a business.
- Work temporarily and only on a per-service basis without any continuing or supervisory relationship.
- Use their own tools, materials, and methods of delivering a service (e.g., CPR instruction).
- Have no ongoing relationship with a company; they simply fulfill a task and depart.
- Are self-employed and responsible for their own taxes, liability insurance, and licensing, without employee benefits or job protections.

There is no supervisory relationship with any independent worker (1099), and I do not provide performance evaluations or exercise control over how the service is delivered. My interaction is limited to scheduling and verifying that the service meets industry standards.

Given that, I would like to understand whether the committee views 1099 engagements as "contractual relationships" under the same standard as hiring someone as a W-2 employee, despite the legal, operational, and financial distinctions. According to the IRS, it is not considered a "contractual relationship." As a matter of fact, the very premise of the use of 1099 workers is due to certain protections that exist and certain legal responsibilities that do not exist in said relationships.

Responses to Ethics Committee Questions 1 and 2

File 2817

If the answer remains that even short-term, independent service provision under a 1099 arrangement constitutes a prohibited conflict, I would appreciate the committee explicitly clarifying that point in the final opinion so that I may fully understand the scope of the limitation and communicate it properly to those who inquire.

The case examples relied upon by your response are distinguishable from the facts herein, as in those examples, the employees used were primarily educational—i.e., the use of tutors and teachers. My company, while instructional, is not educational. The distinction is more than semantics, but rather, is crucial for this analysis. My company provides instruction in the medical field, not in the teaching or tutoring in the educational field. I don't recruit primarily teachers or tutors.

Finally, pertinent to both questions, you noted in the response that recusal from a vote would not cure a conflict under Section 112.313(7)(a). I appreciate this important distinction between the voting conflict statute (Section 112.3143) and the broader conflict language under Section 112.313, however, I feel we cannot set aside that possible solution as a curing mechanism in the rare occurrence of an alleged conflict of my nature. Nor do I believe we can view these Sections in isolation. On the contrary, I believe recusal is a tool intended by the Legislature to cure any possible conflicts such as this without causing unintended consequences of these very important rules.

Therefore, I would like to better understand the practical application in my scenario, wherein perhaps a District employee who provided a one-time service as an independent worker (1099) for my business where there are no ongoing ties between us, and I had to take action on them. In those scenarios, I would voluntarily:

- File a voting conflict form and publicly disclose the prior relationship.
- Recuse myself from any vote or discussion involving that individual.

In such situations, would that still be viewed as a prohibited conflict under the second clause of Section 112.313(7)(a), despite the lack of a continuing relationship?

In a similar circumstance, if a student in my District took one of my summer camps, and then in the rare occurrence of my Board voting on that student's expulsion came before us, and I was aware of the student taking my summer camp (which is also not continuing in nature), would a recusal of myself from said vote not cure any potential conflict?

The pragmatic effects of your response will not just be felt by myself and my community, but will have far-reaching effects on any and all public officials that serve their communities while also earning a living as small business owners in their communities. Surely the Legislature did not intend to prevent public officials from providing services or earning a living, which is the real-life result your response would have, not only on me, but

Responses to Ethics Committee Questions 1 and 2

File 2817

on many others. While we are public servants, sacrificing on a daily basis in order to serve, I fear such broad restrictions would preclude many who are capable and willing to serve from doing so due to the inability to then provide for their families due to having to give up their businesses or other professional careers. I do not think that is the intent of either this committee or of our Legislature.

Thank you again for taking the time to review my responses to Questions 1 and 2, and for your consideration of the circumstances surrounding my role as both a public official and small business owner. I truly value the committee's diligence and thoughtful evaluation as we work together to ensure alignment with both the letter and the spirit of our ethical standards.

Respectfully,



Lauren Ramirez
School Board Member
District 5 | Flagler Schools

From: Lauren Ramirez <lauren22ramirez@gmail.com>
Sent: Friday, February 21, 2025 3:41 PM
To: Novenario, Stephanie
Cc: Steverson, Kathryn
Subject: Re: Ethical Guidance

Hello,

Thank you for meeting with me.

Yes, please proceed.

Thank you,

Lauren

On Fri, Feb 21, 2025 at 2:31 PM Novenario, Stephanie <NOVENARIO.STEPHANIE@leg.state.fl.us> wrote:

Hi Lauren,

Thank you for taking the time to speak with myself and the Ethics Commission's General Counsel, Steve Zuilkowski, today!

As mentioned during our phone call, we believe your ethical inquiry involves questions that differ a bit from most of what our established precedent covers. We feel it would be beneficial to present this question to our Commission for a formal opinion, so they can give you definitive, binding answers specific to your inquiry.

Do we have your permission to move forward with the formal opinion process?

Again, we would aim to place your formal opinion on our agenda for our April 25, 2025 meeting, which would start at 8:30 a.m. If you'd like to move forward with the formal opinion process, I'll provide you with the address where the meeting will be held once it's been confirmed!

Thank you, and I hope you have a great weekend!

Novenario, Stephanie

From: Steverson, Kathryn
Sent: Monday, February 17, 2025 9:06 AM
To: Novenario, Stephanie
Subject: FW: Ethical Guidance

Importance: High

Stephanie,

Please see below ethics request assigned to you.

Thank you,

Kathryn Steverson
Assistant to the Executive Director

*Florida Commission on Ethics
P.O. Drawer 15709
Tallahassee, FL 32317-5709
(850) 488-7864
(850) 488-3077 Fax
www.ethics.state.fl.us*

Physical address:
325 John Knox Road
Building E, Suite 200
Tallahassee, FL 32303

From: Stillman, Kerrie <STILLMAN.KERRIE@leg.state.fl.us>
Sent: Sunday, February 16, 2025 6:26 PM
To: Steverson, Kathryn <STEVERSON.KATHRYN@leg.state.fl.us>; Zuilkowski, Steven <ZUILKOWSKI.STEVEN@leg.state.fl.us>
Subject: FW: Ethical Guidance
Importance: High

We received the following opinion request. Please acknowledge, log, and assign. Thank you.

From: Lauren Ramirez <lauren22ramirez@gmail.com>
Sent: Friday, February 14, 2025 7:27 PM
To: Stillman, Kerrie <STILLMAN.KERRIE@leg.state.fl.us>
Subject: Ethical Guidance

Dear Ms. Stillman,

I hope this letter finds you well. As a newly elected School Board member, I seek guidance to ensure that I fully comply with ethical standards while continuing my commitment to community engagement and student opportunities.

I own a women-owned small business and, before being elected, was actively involved as a volunteer at most elementary, middle, and high schools, discussing health topics and health careers.

I have two specific questions for which I seek clarification:

1. Business Participation in School Career Fairs

I have been invited to participate in school-sponsored career fairs. An example is an upcoming career fair for high school seniors featuring over 150 colleges, trade schools, and employers. The event organizers have already included my business in the promotional materials; however, I have not formally committed, as I wish to ensure my participation is ethically permissible. My company provides CPR, First Aid, AEDs, medical camps, and medical assisting and phlebotomy certifications. Since this is a career fair, if my business would be allowed to participate based on ethics if a student were to ask how to sign up for one of my programs upon high school graduation, am I allowed to provide them with my business information and instructions on how to register? If I were to participate in the upcoming event, I would not attend personally but send an employee if permissible.

2. Hiring of School District Employees

Can my business hire school district employees as 1099 contractors or W-2 employees? Many teachers hold second jobs, particularly during the summer, and some have relevant skills in allied health education that align with my business services. Would it be a conflict of interest or ethics violation if a district employee were to work for my business in either capacity?

I deeply value my role as a school board member and my ability to serve our community. I intend to remain in full compliance with all ethical guidelines while continuing to support students' career development in a way that benefits our local workforce but is in compliance. I appreciate your taking the time to review my inquiry and look forward to your guidance.

Thank you for your assistance. Please feel free to contact me if additional information is required.

Sincerely,

Lauren Ramirez

Novenario, Stephanie

From: Lauren Ramirez <lauren22ramirez@gmail.com>
Sent: Friday, May 2, 2025 4:27 PM
To: Novenario, Stephanie
Subject: Re: Your Ethics Inquiry
Attachments: Lauren Ramirez_Ethics Document_5.2.25.pdf

Hi Stephanie,

Thank you!

Please see the attached form with my signature. I appreciate all of your help and patience.

Have a great weekend!

Lauren

On Fri, May 2, 2025 at 8:54 AM Novenario, Stephanie <NOVENARIO.STEPHANIE@leg.state.fl.us> wrote:

Hi Lauren,

I hope you're doing well!

I'm just re-sending the consent form that asks whether you are okay with the final order using your name. (It's on page two of the attached document). When you get a chance, please fill that out and e-mail it back to me!

I'm still working on a draft of the recommended opinion I'll present to the Commission in June, but I'll reach out to you once I have that completed!

Thank you!

Stephanie Novenario

Staff Attorney

Florida Commission on Ethics

850.488.7864 | 850.488.3077 (fax)

novenario.stephanie@leg.state.fl.us

From: Novenario, Stephanie
Sent: Tuesday, April 15, 2025 10:15 AM
To: Lauren Ramirez <lauren22ramirez@gmail.com>
Cc: Steverson, Kathryn <STEVERSON.KATHRYN@leg.state.fl.us>
Subject: RE: Your Ethics Inquiry

Hi Lauren,

The form is attached (the second page!)

I'll keep you updated on when we have a draft ready for the June meeting!

Thank you!

Stephanie Novenario

Staff Attorney

Florida Commission on Ethics

850.488.7864 | 850.488.3077 (fax)

novenario.stephanie@leg.state.fl.us

From: Lauren Ramirez <lauren22ramirez@gmail.com>
Sent: Monday, April 14, 2025 6:37 PM
To: Novenario, Stephanie <NOVENARIO.STEPHANIE@leg.state.fl.us>
Cc: Steverson, Kathryn <STEVERSON.KATHRYN@leg.state.fl.us>
Subject: Re: Your Ethics Inquiry

Thank you for all of this information. I will tentatively mark my calendar for June 6th.

Can you email me the form to review and sign? I do have the one that was mailed, but if email is faster, I can get that completed.

Thank you again,

Lauren

On Mon, Apr 14, 2025 at 9:58 AM Novenario, Stephanie <NOVENARIO.STEPHANIE@leg.state.fl.us> wrote:

Hi Lauren,

Unfortunately, I wasn't able to get a thorough draft done in time for our mail-out for our April meeting. We'll be putting your formal opinion on our June meeting, which is June 6, 2025. Our public session meetings begin at 8:30 a.m, and our formal opinions are typically one of the first things that we hear, so being there around that 8:30 time frame is ideal if you're hoping to be present.

The benefit of being present for meetings is that you're able to make any statements you might wish to make. You're also able to answer any questions the Commissioners might have of you specifically after reading the draft opinion. You'll actually also receive a copy of the draft opinion prior to the meeting, and that might help you decide whether you wish to be present or not!

I do have one more question for you – do we have your consent to use your name in the final opinion? Some requestors prefer to be left anonymous in the final opinion. I believe we mailed you a form on February 25, but I'm not sure if you received it – I can send you one via e-mail, if that's easier!

Thank you!

Stephanie Novenario

Staff Attorney

Florida Commission on Ethics

850.488.7864 | 850.488.3077 (fax)

novenario.stephanie@leg.state.fl.us

From: Lauren Ramirez <lauren22ramirez@gmail.com>
Sent: Wednesday, April 9, 2025 1:29 PM
To: Novenario, Stephanie <NOVENARIO.STEPHANIE@leg.state.fl.us>
Subject: Re: Your Ethics Inquiry

Thank you, I appreciate it!

Have a great day!

Lauren

On Wed, Apr 9, 2025 at 8:14 AM Novenario, Stephanie <NOVENARIO.STEPHANIE@leg.state.fl.us> wrote:

Hi Lauren,

It's great to hear from you! I'll begin working on a draft opinion for the Commission right away. However, I'm not yet sure I'll be able to finish a draft in time for the April meeting, as we have a

deadline for sending materials to the Commission that's earlier than the actual meeting deadline. I should know more about the timeline in a few days, and, once I know for sure which meeting we'll be able to put this on, I'll let you know more details about time/place and the benefits of attending the meeting where your opinion will be decided.

Thank you!

Stephanie Novenario

Staff Attorney

Florida Commission on Ethics

850.488.7864 | 850.488.3077 (fax)

novenario.stephanie@leg.state.fl.us

From: Lauren Ramirez <lauren22ramirez@gmail.com>
Sent: Tuesday, April 8, 2025 7:27 AM
To: Novenario, Stephanie <NOVENARIO.STEPHANIE@leg.state.fl.us>
Cc: Steverson, Kathryn <STEVERSON.KATHRYN@leg.state.fl.us>
Subject: Re: Your Ethics Inquiry

Hello again,

As we've been working through some of my recent questions, a couple more came up (yesterday actually) that I'd appreciate clarification on. Am I still allowed to sponsor school events as a local business? In the past, I've supported fundraisers where logos were placed on shirts, like one I was just asked about for the Future Problem Solvers team.

I've also previously used PeachJar, a platform that emails flyers to parents in local schools to promote business programs or events, but I'm now unsure if that can be used now?

Thank you!

Lauren Ramirez

On Mon, Apr 7, 2025 at 5:47 PM Lauren Ramirez <lauren22ramirez@gmail.com> wrote:

Hi Stephanie,

I know this is long overdue, and I sincerely apologize for the delay. I've finally had the chance to put together the responses for you, and I hope the information is still helpful to you and your team.

Could you please remind me of the date, time, and location of the meeting? I'm based in Palm Coast (about 3.5 hours from Tallahassee), so I'd like to see whether it would make sense for me to attend in person or if you feel my presence is necessary enough to make the drive.

Thank you again, and I appreciate your patience!

1. Can you give specific examples of the types of activities your company does while volunteering with students of all ages?

Yes, our volunteer activities include:

- Self-confidence and self-care education
- Stress management strategies
- Hands-only CPR demonstrations
- AED (Automated External Defibrillator) usage and the importance of AED locations in public spaces
- Entry-level medical career presentations
- Phlebotomy demonstrations using fake arms and blood, with guided student practice
- Education on lab tube colors and the correct order of draw during blood collection

2. When your company volunteers, do you bring promotional information to give to students (e.g., flyers, pencils, etc.)?

No, I wear neutral clothing and do not distribute promotional materials. Prior to my school board campaign, I wore a company uniform with a logo and carried business cards. Since campaigning began and especially after my election, I have not promoted the business during volunteer activities. However, schools have tagged or thanked my business on Facebook for donating time or services.

3. Do the promotional items you previously shared include information about your company's classes and certifications?

Yes, my business cards previously listed programs offered, including CPR, Medical Assisting, Phlebotomy, and Babysitting Certification.

4. Can you provide examples of classes/camps your company offers for different age groups?

- **Ages 4 and up:** Hands-only CPR and AED instruction

- **Grades 6–12:** Youth Medical Camp, including:
 - Babysitting Certification
 - CPR for Healthcare Providers
 - Vital Signs Training
 - Injection Administration Instruction
 - Phlebotomy (drawing blood)
 - Stop the Bleed
 - First Aid
 - Bloodborne Pathogens

5. You mentioned being able to show up as an individual rather than on behalf of your company. Are the supplies you bring branded?

No, I use unbranded equipment such as CPR manikins, fake phlebotomy arms with fake blood, and various blood tubes (color-coded tops). None of these materials display my company's name or logo.

6. How do schools/organizations typically thank you or your company for volunteering?

They often thank us publicly on Facebook or in person. During community conversations, people also express appreciation. In the past (prior to running for the school board), I was invited to thank-you dinners for sponsoring events monetarily.

7. Are you willing to attend volunteer events without any mention of your company?

Yes, absolutely.

8. Can you summarize your company's involvement with children outside of district-sponsored events?

We participate in community tabling events, often organized by the city. At these events, we offer the same educational activities mentioned above (CPR, phlebotomy demos, etc.).

9. Are certain certifications offered by your company only available to individuals who have graduated high school?

Yes, the Medical Assisting and Phlebotomy programs are typically for individuals aged 18 and older. However, we have had interested seniors who are 18 and still in high school. They may enroll with the goal of having a certification and job opportunity upon graduation.

10. When do interested students typically apply—during or after high school?

They may apply either while still in high school or after graduation.

11. What public responsibilities might you have toward individual children as a School Board member?

School board members vote on disciplinary matters such as student expulsions. In those cases, we are expected to vote on whether or not to uphold the recommendation for expulsion.

12. What public responsibilities might you have toward individual teachers as a School Board member?

We may be asked to vote on terminations if they are recommended by the District Superintendent. In the event of a potential conflict of interest (e.g., if one of my 1099 contractors were involved), I would

ask to recuse myself from the vote, similar to board members who have family members working in the district.

13. What public responsibilities might you have toward individual district staff who are not teachers?

I'm not entirely sure, but I will find out. I assume it would be similar to the process for teachers, particularly regarding terminations. Again, I would expect to be able to recuse myself in the case of a potential conflict.

Thank you,
Lauren Ramirez
407-361-5082

On Wed, Feb 26, 2025 at 4:46 PM Novenario, Stephanie <NOVENARIO.STEPHANIE@leg.state.fl.us> wrote:

Hi Lauren,

I have a list of questions for you that will help me to analyze your ethical inquiries for our staff recommendation to our Commission regarding your inquiries for the April 25 meeting. If you wouldn't mind responding to these questions by the close of business on Monday, March 10, that would be extremely helpful!

1. Can you give specific examples of types of activities your company does while volunteering with students of all ages? (For example, you noted your prior participation in career fairs for high schoolers and speaking on specific topics, like sugar and its effects on the body, for elementary school students. I'd love to know what other way your company has volunteered in the past/would like to volunteer in the future.
2. When your company volunteers, do you bring promotional information with you to give away to the students, like flyers, pencils, etc.?
3. Do the promotional items contain information about the types of classes and certifications your company offers?
4. Can you provide examples of classes/camps/opportunities your company offers for different age groups of children?
5. You mentioned on the phone that you could show up in an individual capacity with demonstratives, rather than on behalf of your company. Are the demonstratives and supplies you typically bring for volunteering branded with your company's name, logo, etc.?
6. Does the school/organization typically thank your company for coming to these events? How? (I know you mentioned thanking you on their website or social media pages, and I'm wondering if there are any other types of thanks you receive).
7. Is it possible/would you be willing to have you/your staff attend any of these events without any mention of your company?

8. Can you summarize the opportunities/activities with children your company is involved with outside of District-sponsored events?
9. Are certain certifications offered by your company only available for those who have already graduated high school?
 - a. If so, when do these individuals apply? While still in high school or after high school?
10. Could you provide me with more information about what public responsibilities you might have towards individual children as a School Board member? (For example, will you likely ever have to vote on a matter affecting individual children? Will you be involved in disciplinary actions of, or pedagogical decisions about, individual children?)
11. What public responsibilities might you have as a School Board member towards individual teachers? (Again, for example, might you be asked to review disciplinary recommendations made by the District Superintendent and staff against particular teachers?)
12. What public responsibilities might you have as a School Board member towards individual District staff members? (For example, might you be asked to review disciplinary recommendations made by the District Superintendent and staff against particular staff members who are not teachers?)

I apologize for the amount of questions, but I really appreciate not only you requesting the Commission's guidance, but also your willingness to assist us in getting you the most accurate answers we can!

Stephanie Novenario

Staff Attorney

Florida Commission on Ethics

850.488.7864 | 850.488.3077 (fax)

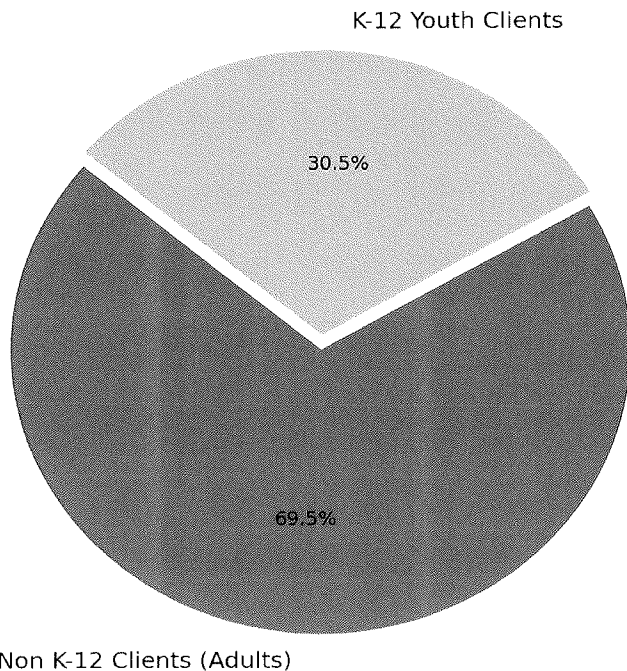
novenario.stephanie@leg.state.fl.us

Client Breakdown

Total Clients: 713

Combined Total: 776 (estimated)

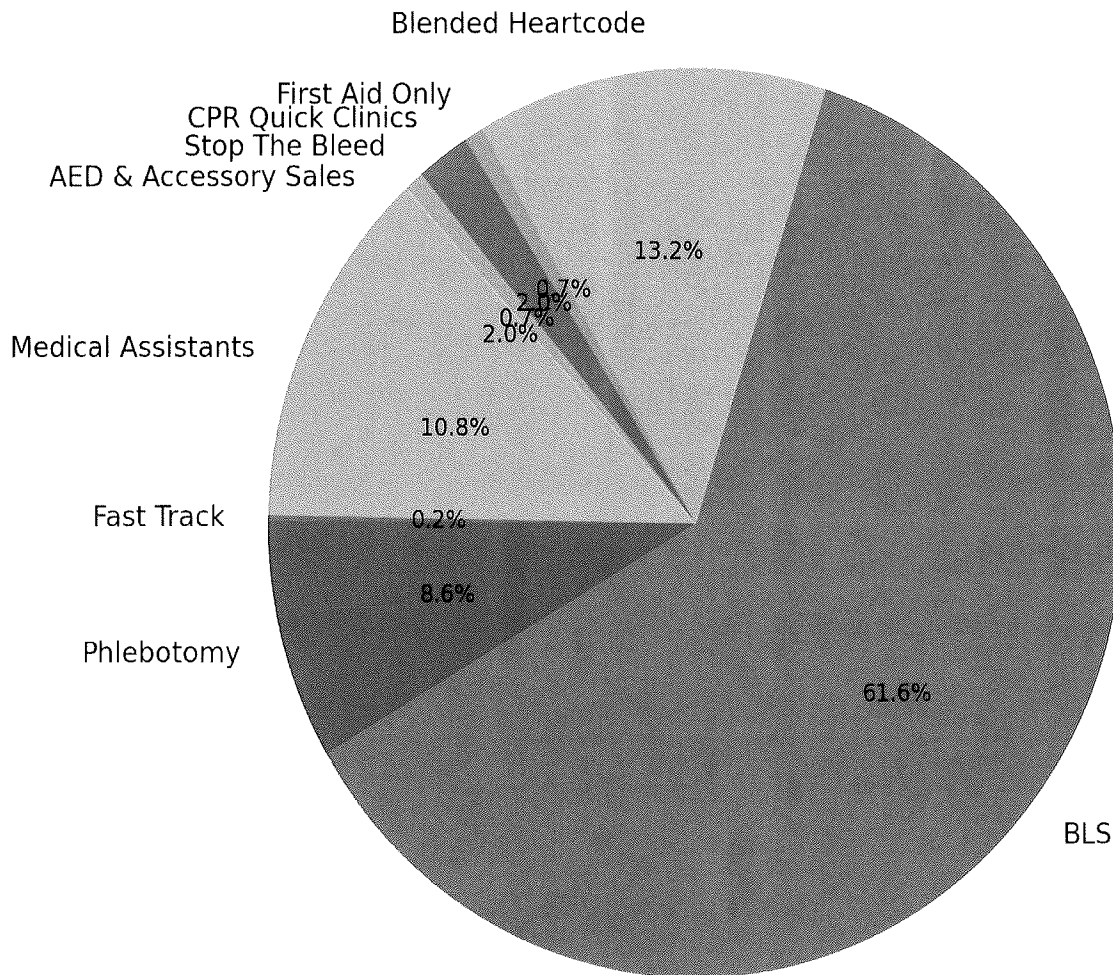
Client Breakdown (17Hats Data)



A. Non K-12 Clients – 539 Adults (~69.4%)

- **AED Clients:**
 - AED & Accessory Sales: **11**
- **Adult Programs:**
 - Medical Assistants: **58** (Avg. cost \$1,299–\$1,499)
 - Fast Track: **1**
 - Phlebotomy: **46** (Avg. cost \$1,299–\$1,499)
 - BLS: **331** (Avg. cost \$75)
 - Blended Heartcode: **71** (Avg. cost \$90–\$120)
 - First Aid Only (Adult): **4**
 - CPR Quick Clinics | Hands Only CPR: **11** (Avg. cost \$25)
 - Stop The Bleed: **4**

Non K-12 Adult Program Breakdown

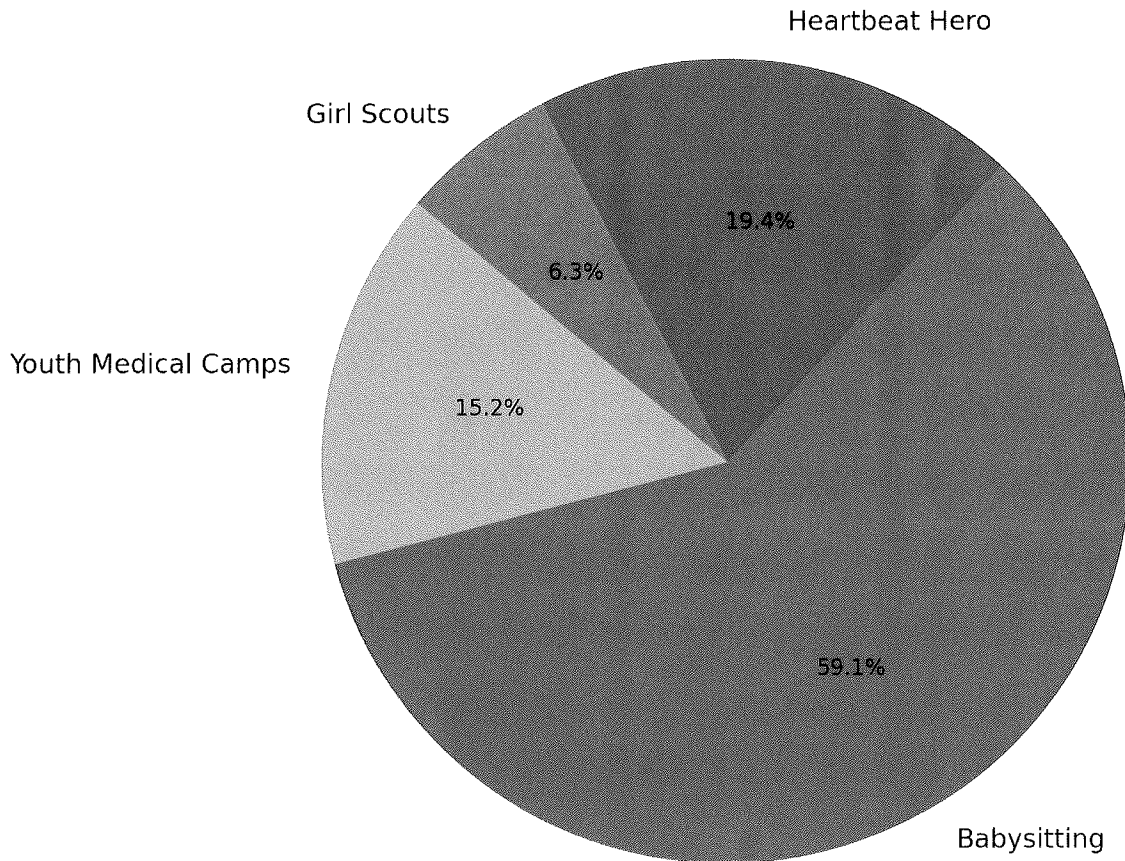


B. K-12 Youth Clients – 237 (~31%)

- **Youth Programs:**

- Youth Medical Camps: **36** (2 were age 23)
- Babysitting: **140**
- Heartbeat Hero: **46** (Avg. cost \$25)
- Girl Scouts: **15** (Avg. cost \$25)

K-12 Youth Program Breakdown

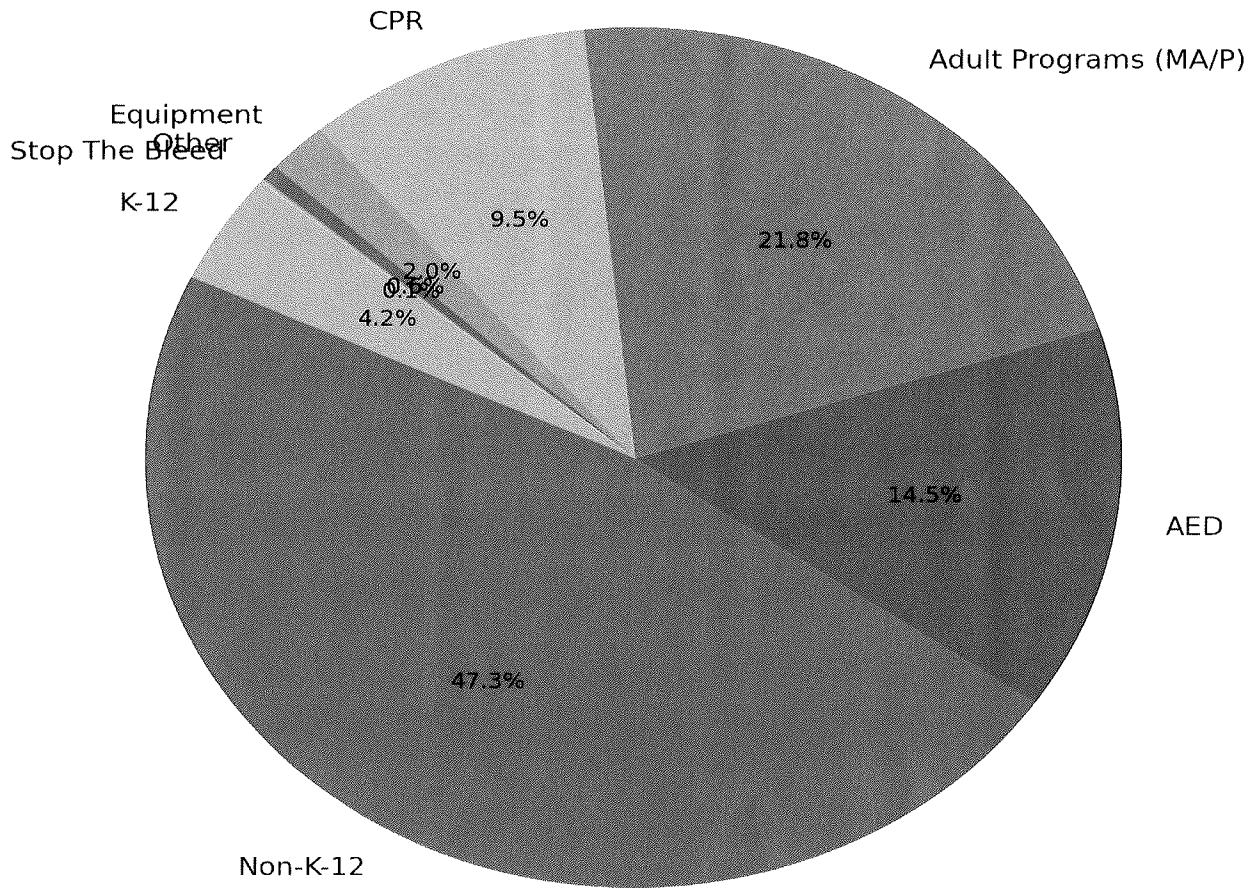


C. Estimate Flagler vs. Non-Flagler Youth

- Almost all of the babysitting courses last summer were St. Johns County students (about 90%), not Flagler.

D. Year to Date: Finance with Program-Based Percentages

Sales Distribution (\$267,496 Total Sales)



\$267,496 Total Sales

\$21,794.50 K-12

\$245,701.50 Non-K-12

\$75,599.46 AED

\$113,228.10 Adult Prog. (MA)

\$49,326.50 CPR

\$10,398.68 Equipment

\$3,120.24 Other

\$557.00 Stop Bleed

Zuilkowski, Steven

From: Zuilkowski, Steven
Sent: Monday, July 28, 2025 11:29 AM
To: tpontieri@lesaklaw.com; ramirezl@flaglerschools.com
Cc: Novenario, Stephanie; Steverson, Kathryn; jfarber@lesaklaw.com
Subject: RE: Ethics Draft Written Response

Good morning,

It was a pleasure to make your acquaintances on Friday. I imagine someone here (probably me) will reach out in the next few days to schedule a time to talk next week and confirm/collect facts for the opinion, based on the discussion on Friday. Just so you know, Stephanie is on intermittent leave for the next couple weeks, and our office's air conditioner is unexpectedly broken and due to be repaired on Wednesday, so the rest of us are out of the office, working remotely, until then. If you need anything in the meantime, please email me.

Steve

Steven J. Zuilkowski

Deputy Executive Director & General Counsel

Florida Commission on Ethics

P.O. Drawer 15709

Tallahassee, FL 32317-5709

(850) 488-7864

(850) 488-3077 (Fax)

ethics.state.fl.us

Physical address:

325 John Knox Road

Building E, Suite 200

Tallahassee, FL 32303

From: Novenario, Stephanie <NOVENARIO.STEPHANIE@leg.state.fl.us>

Sent: Monday, July 28, 2025 9:46 AM

To: Zuilkowski, Steven <ZUILKOWSKI.STEVEN@leg.state.fl.us>

Subject: Fw: Ethics Draft Written Response

From: Theresa Pontieri <tpontieri@lesaklaw.com>

Sent: Friday, July 25, 2025 11:44 PM

To: Novenario, Stephanie <NOVENARIO.STEPHANIE@leg.state.fl.us>; Ramirez, Lauren <ramirezl@flaglerschools.com>;

Steverson, Kathryn <STEVERSON.KATHRYN@leg.state.fl.us>

Cc: Jennifer Farber <jfarber@lesaklaw.com>

Subject: Re: Ethics Draft Written Response

Good Evening Stephanie,

Thank you so much once again for your time and additional consideration regarding this matter. If there is anything we can do to assist the Commission at this juncture, please let me know. Otherwise, we look forward to receiving the two additional draft opinions. I hope you have a great weekend.

Theresa Carli Pontieri, Esq.



8280 Princeton Square Blvd. W., Suite 1
Jacksonville, Florida 32256
Main: (904) 895-5796
Direct: (904) 539-5740
Email: tpontieri@lesaklaw.com
Website: www.lesaklegal.com

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FAIR DEBT COLLECTION PRACTICES ACT: This is an attempt to collect a debt, and any information obtained will be used for that purpose. Unless you dispute the validity of this debt or any portion within 30 days of receipt of this notice, we will assume this debt is valid as stated. If you write and dispute this debt, or any portion of it, within the same 30 days, we will obtain and mail verification of the debt, or a copy of the judgment, whichever is applicable. Upon written request, within the same 30 days, we will provide you with the name and address of the original creditor, if different from the current creditor.

From: Novenario, Stephanie <NOVENARIO.STEPHANIE@leg.state.fl.us>
Sent: Thursday, July 24, 2025 11:23 AM
To: Ramirez, Lauren <ramirezl@flaglerschools.com>; Steverson, Kathryn <STEVERSON.KATHRYN@leg.state.fl.us>
Cc: Theresa Pontieri <tpontieri@lesaklaw.com>; Jennifer Farber <jfarber@lesaklaw.com>
Subject: RE: Ethics Draft Written Response

Hi Ms. Ramirez,

Thank you! I look forward to meeting you and Ms. Pontieri tomorrow morning!

Stephanie Novenario
Staff Attorney
Florida Commission on Ethics
850.488.7864 | 850.488.3077 (fax)
novenario.stephanie@leg.state.fl.us

From: Ramirez, Lauren <ramirezl@flaglerschools.com>
Sent: Wednesday, July 23, 2025 9:05 PM
To: Novenario, Stephanie <NOVENARIO.STEPHANIE@leg.state.fl.us>; Steverson, Kathryn <STEVERSON.KATHRYN@leg.state.fl.us>
Cc: tpontieri@lesaklaw.com; jfarber@lesaklaw.com
Subject: Re: Ethics Draft Written Response

Hi,

I realized I hadn't previously provided the name of my legal representative and wanted to make sure you have it on file. I will be bringing legal representation, and I've copied Ms. Theresa Pontieri here in case you need to add her to the entry list.

Thank you again,



Lauren Ramirez

School Board Member

District 5 | Flagler Schools

 [386-437-7526](tel:386-437-7526) | [407-361-5082](tel:407-361-5082)
 RamirezL@FlaglerSchools.com
 <https://www.flaglerschools.com/>



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Under Florida law, email addresses and all written communications sent to or from a Flagler County School Board member are public records. These communications are subject to disclosure upon request and may be made available to the public and media, unless exempt or confidential under Florida law. Please do not include any student-specific or confidential information in your message.

On Fri, Jun 20, 2025 at 12:24 PM Ramirez, Lauren <ramirezl@flaglerschools.com> wrote:

Hello Ms. Steverson and Ms. Novenario,

Please find my attached responses to the draft for your review prior to the meeting on July 25, 2025. I plan to attend the meeting in person and anticipate having legal representation present.

Thank you, and enjoy your weekend.



Lauren Ramirez

School Board Member

District 5 | Flagler Schools

 [386-437-7526](tel:386-437-7526) | [407-361-5082](tel:407-361-5082)
 RamirezL@FlaglerSchools.com
 <https://www.flaglerschools.com/>



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Zuilkowski, Steven

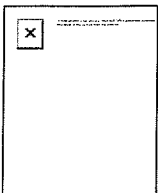
From: Ramirez, Lauren <ramirezl@flaglerschools.com>
Sent: Thursday, August 21, 2025 7:07 AM
To: Zuilkowski, Steven
Cc: Theresa Pontieri; Jennifer Farber; Steverson, Kathryn
Subject: Re: Commission on Ethics: Additional Questions

Morning,

Please see my responses below in orange. Thank you!

1. You informed me that the statistics were “YTD (as of date of hearing) since January of 2023.” To be clear, do these represent 32-months totals, or just the year-to-date numbers (which might indicate that “2023” was a typo)? Sorry for the confusion, the statistics provided cover January 2023 through approximately August 2025.
2. I understand that providing the numbers about the enrollment of minors in the other classes would be difficult to compile. Understanding that those numbers are not available, would I be correct to assume that the sampling of enrollment in the babysitting class (90% of those are from outside the District) is at least representative of the enrollment in the other courses offered to minors? Or are those statistics not being offered to make that claim? I do not have concrete data on the client mix (Flagler Schools vs. non-Flagler Schools) in non-babysitting youth classes. However, based on my observations and feedback from my staff, it seems like we serve more non-Flagler students than Flagler students in these courses. In any event, non-babysitting classes make up a minority of all youth courses that we offer, so the total population of Salus clients not enrolled in Flagler Schools is a majority of Salus' youth client base.
3. I am having trouble accessing the letters on the google drive. Would you please have Ms. Ramirez send me digital copies, if you still want them included in the file? I have added your email to the file. Let me know if you have any challenges.

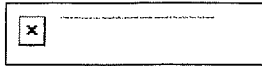
Thank you,



Lauren Ramirez
School Board Member
District 5 | Flagler Schools



386-437-7526 | 407-361-5082
RamirezL@FlaglerSchools.com
<https://www.flaglerschools.com/>



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On Mon, Aug 18, 2025 at 12:36 PM Zuilkowski, Steven <ZUILKOWSKI.STEVEN@leg.state.fl.us> wrote:

Good afternoon,

I have begun drafting these opinions and some questions have arisen.

1. You informed me that the statistics were “YTD (as of date of hearing) since January of 2023.” To be clear, do these represent 32-months totals, or just the year-to-date numbers (which might indicate that “2023” was a typo)?
2. I understand that providing the numbers about the enrollment of minors in the other classes would be difficult to compile. Understanding that those numbers are not available, would I be correct to assume that the sampling of enrollment in the babysitting class (90% of those are from outside the District) is at least representative of the enrollment in the other courses offered to minors? Or are those statistics not being offered to make that claim?
3. I am having trouble accessing the letters on the google drive. Would you please have Ms. Ramirez send me digital copies, if you still want them included in the file?

I am seeking to make sure the facts section of the new draft opinions accurately represents the business and the assertions that have been made. Thank you for your time.

Steve

From: Theresa Pontieri <tpontieri@lesaklaw.com>

Sent: Wednesday, August 13, 2025 9:15 AM

To: Zuilkowski, Steven <ZUILKOWSKI.STEVEN@leg.state.fl.us>

Cc: Jennifer Farber <jfarber@lesaklaw.com>; ramirezl@flaglerschools.com; Steverson, Kathryn <STEVERSON.KATHRYN@leg.state.fl.us>

Subject: Re: Commission on Ethics: Additional Questions

Good Morning,

I apologize for the delay, as we have all been super busy on this side. To that end, I hope you can understand that Ms. Ramirez is a very small business with only one person to assist her administratively, therefore, bandwidth to get further information is very limited. I am certainly happy to answer what we can, but I'd respectfully request that, if possible, we move forward with the information provided, as trying to extrapolate further data is time-consuming for her as a full-time mom of 4, a SB Member, and a business owner. I trust you understand.

With all of that said, to answer the questions we can, please see the following:

1. The babysitting class is now \$135, however, it was \$95 last year, and \$75 the year before that.
2. The data provided is YTD (as of date of hearing) since January of 2023.
3. Yes--the reference to "K-12" on page 4 including all the items from page 3 ("K-12 Youth Program Breakdown"), including the Babysitting, the Youth Medical Camps, the Girl Scout programs, and the Heartbeat Hero course.
4. Regarding minors' inclusion in any of the other courses on page 4, I'm working on getting that information and will certainly get back to you ASAP.

I hope the above helps you close the loop on things. Thank you so much!

Theresa Carli Pontieri, Esq.

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From: Zuilkowski, Steven <ZUILKOWSKI.STEVEN@leg.state.fl.us>
Sent: Thursday, August 7, 2025 11:42 AM
To: Theresa Pontieri <tpontieri@lesaklaw.com>
Cc: Jennifer Farber <jfarber@lesaklaw.com>; ramirezl@flaglerschools.com <ramirezl@flaglerschools.com>;
Steverson, Kathryn <STEVERSON.KATHRYN@leg.state.fl.us>
Subject: Commission on Ethics: Additional Questions

Ms. Pontieri:

I wanted to thank you and Ms. Ramirez for taking the time to meet with me on the phone on Tuesday. We discussed that you might be submitting some additional materials. Those might be of use as I have begun writing the drafts. Since we talked, I had some additional questions that will help me gain context to ensure I don't misstate anything about the business in the drafts.

On page 4 ("Sales Distribution") of your handout from the July Commission meeting, you indicate that the sale for K-12 was roughly 4.2% of business.

- To what time period does that refer? Page 3 has a reference to "last summer."
- Is the reference to "K-12" on page 4 including all the items from page 3 ("K-12 Youth Program Breakdown"), including the Babysitting, the Youth Medical Camps, the Girl Scout programs, and the Heartbeat Hero course?
- Would it be correct to say that all sales to minors constituted only 4.2% of total sales? Or are minors also included in the other categories/programs listed on page 4, such as the CPR category.

On page 2 of that handout, at the bottom, you list the prices for all the courses offered to minors.

- How much is the babysitting course? (OR, what is average cost for the babysitting course?)

I understand that 59% of the minors take the babysitting course and 90% of those were from St. John's County.

- Do you have similar statistics of the makeup of the other 41% of the minor clients?

Thank you for your time.

Steve

Steven J. Zuilkowski

Deputy Executive Director & General Counsel

Florida Commission on Ethics

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To Whom It May Concern,

My name is Jack Mikutel. I attended Flagler Schools for the entirety of my education, and I am now a first-year Presidential Scholar at Florida State University. During my time in high school, I obtained my CPR certification from Salus Medical Training. Let it be known that Mrs. Ramirez was not on the school board during the time of my certification. Flagler County has truly benefited my education and allowed me to develop into a person of character, including strong ethics and morals. I can safely say that she reflects a strong character and is an asset to our school board.

I am writing in support of Mrs. Lauren Ramirez and to commend the balance she maintains between her professional role as a medical training company owner and her responsibilities as a school board member. Active involvement and engagement in our county community and schools is a necessity— they must understand the needs of the population they serve. Mrs. Ramirez not only exemplifies this degree of engagement but also demonstrates integrity by initiating any potential conflicts of interest. Her transparency speaks volumes about her character and commitment to public service.

I pursued first aid and CPR certification through Salus Medical Training due to a lack of accessible training options in our area. Despite attending both the Veterinary and Firefighting Flagship Programs at Flagler Palm Coast High School, I could not find a viable way to become certified. Palm Coast has limited resources, which made my search difficult until I found Salus Medical Training. Mrs. Ramirez's company made it possible for students like me to obtain essential life-saving training after school hours, which was not accommodated by other medical training locations.

To suggest that Mrs. Ramirez has a conflict of interest because her business helps fill a gap in critical training is a bit shortsighted. Disclosing a business to promote credibility is an entirely separate action from marketing in classroom settings. Allowing Mrs. Ramirez to provide services without marketing or sales should be entirely feasible. Penalizing her for organizing life-saving educational resources through volunteering channels sets a dangerous precedent because it deprives students of access to emergency medical education in a community where such training is not ubiquitous. Furthermore, the idea that a school board member cannot be involved in any business that interacts with schools, even when properly handled, is rather unreasonable. Teachers and staff commonly take second jobs or own businesses, including tutoring, without accusations of misconduct. We should encourage subject matter experts to contribute their skills, not discourage them due to a rigid interpretation of guidelines - especially when lives hang in the balance.

Medical emergencies are unpredictable, and our schools should be prepared to the greatest possible extent. Mrs. Lauren Ramirez should not be receiving backlash, but rather support and expansion for students to receive such training. This is especially when her services come at very little to no commercial benefit in the classroom and external school settings.

Best Regards,

Jack Mikutel



Diana Martinez

to me ▾

7:37 PM (5 minutes ago)



My son has unexpectedly gone into cardiac arrest twice now. Both times my daughter was the one who recognized something was wrong with her brother. Thanks to the CPR and Babysitting youth courses offered at Salus my daughter is now equipped to help save her brother's life and anyone else she encounters who needs life-saving support. Without these courses I couldn't feel confident as a mother to leave my son in his church class without my oversight, but because there was an opportunity for my daughter to get trained and learn a real-life skill I can rest and be at ease. My daughter enjoyed her time immensely gathering with other kids her age to learn how to be a good, attentive, and equipped babysitter and raved about the experience to learn something new. It has grown some confidence in her and the experience has helped her to act like a better leader as the oldest sibling.

- Diana Martinez



Amy Gagliano
30 mins

7:37 PM '15 Member app

Dear Lauren,

I'm writing to share how impactful your lifesaving course was for our family. My 6- and 3-year-old recently participated in the training, which included the use of an AED, and I was truly impressed by how much they learned. They now understand what to do in an emergency, which is an incredible skillset for children so young.

As a nursing faculty member at our local college, I know firsthand how early exposure to emergency response training can shape confident, capable individuals. Starting this education young is not only smart, but also essential. These programs are laying the groundwork for a safer, more prepared community.

This is not a conflict of interest, it's a community investment. The good these courses are doing is evident in the knowledge and empowerment they provide to our children. They're learning to be responsible, proactive, and potentially life-saving members of society. That kind of impact is invaluable. Additionally, these programs open doors for high school students who choose the medical track. Early hands-on experience with lifesaving skills like CPR and AED use not only boosts their confidence but also enhances their academic performance and readiness for future healthcare careers. It's a powerful way to bridge classroom learning with real-world application.

Thank you for your continued dedication to youth education and safety. I fully support the continuation of these programs and hope many more families get the opportunity to benefit from them.

Rooting for your company,

Amy Gagliano

386-569-9293



Amy Gagliano
to me ▾

I wanted to add this in there too :) I thought about it after I sent, sorry!

Beyond that, Salus programs also offer meaningful opportunities for our college students. Many of them are able to earn volunteer hours, gain mentorship experience, and engage with younger learners in a way that reinforces their own training. These interactions build leadership, communication, and teaching skills that are essential for future nurses and healthcare professionals.

7:40 PM (4 minutes ago)





Amie
to me ▾

JP and Jake Jasper - Summer Camp CPR, good learning opportunity, acquired new and practical skill.

Cordially,
Amie



Tina Bina
to the ▾

7:57 PM (11 minutes ago)



My child recently participated in the Safe Sitter CPR course, and it was a truly valuable and empowering experience. She came away with practical life-saving skills and a much stronger sense of confidence when it comes to safety and responsibility. It gave her tools she can use not just in emergencies, but also in everyday situations where being prepared really matters. Programs like this are such an important resource for youth in our community. I sincerely hope they will continue to be available to families like ours.

Thank you again for your dedication and impact.

Tina Bredbury



Melanie Corallo

to me ▾

Thu, Aug 7, 9:57 PM (8 hours ago)



Hi there,

My daughter took Safe Sitter, Stop the Bleed, and CPR training with SalusMed and gained such valuable life skills, not only for babysitting but within everyday life. It also built confidence and work ethic in her. I hope Salus continues to offer these classes that kids do not usually have access to, as it gives them a leg up on the rest and builds a foundation for medical and life training!

Thank you,
Melanie



Tiana neeley

to me ▾

Hello,

7:35 AM (7 minutes ago)



I wanted to share my appreciation for the recent Youth CPR class my 10-year-old son attended. He truly enjoyed the experience and learned so much. It was such a great opportunity for him, and we're so glad programs like this are available for youth. Classes like these give them valuable skills and open the door to so many future opportunities.

Thank you for offering this program and making such a positive impact.



Heidi Zeeff

to me ▾

Hello,

My daughter was able to participate in the courses offered by Salus during the Medical camp.

She completed the Babysitting, CPR and stop the bleed training.

These courses were valuable as it taught her many important skills. She would like to pursue babysitting and now feels much more prepared.

She enjoyed the classes very much and has encouraged her younger brother to participate as soon as he is able. She is also considering a career in the medical field after attending these courses.

This is a great program for the children in the community and our family was very excited when we found the Salus Medical Training course offerings.

Thank you,

Heidi Zeeff

6:37 AM (2 hours ago)





Kristina Filter

to me ▾

Fri, Aug 8, 6:04 PM (2 days ago)



To whom this may concern,

My name is Lilly Filter and I am 13 years old. My mom signed me up this summer for a CPR and first aid course. I am glad she did because recently I was bit really bad by a dog. The first aid I was taught helped me apply pressure to my wound right away to help stop the bleed until I got to the hospital. It was very scary but my training helped me stay calm. Thankfully I am recovering well thanks to everything I learned!

Lilly Filter
8th grade student



Erika Equizi
to me

2:24 PM (38 minutes ago)



My 12 year old son recently took the Babysitter course through Salus Medical and couldn't stop raving about how much he learned. He currently helps me out watching his younger sibling at home and now says he is much more confident in not having an adult home due to the CPR and choking training he received. He even demonstrated what he would do if a situation occurred, showed me the cheat sheet cards he can attach to his back pack so it is always with him. He is so excited to advertise to the neighborhood he is trained and ready to start his own business now!

Erika Equizi, DC
PREMIER CHIROPRACTIC & WELLNESS
108 Flagler Plaza Drive
Palm Coast, FL 32137
Office: 386-585-4441
Cell: 352-871-1962

Dawn Evans

to me ▾

Thu, Aug 7, 8:25 PM (6 days ago)



My 10-year-old daughter recently took the BLS course at Salus Medical Training, and she absolutely loved it! She's so proud of the knowledge and skills she gained, especially knowing she could confidently locate and use an AED in an emergency. It was such an empowering experience for her—thank you for making learning lifesaving skills engaging and accessible for kids!

Thank you!

Dawn Evans



Michelle Zaugg

to me ▾

Hi Laurent!

I apologize for just getting back to this email! I hope this can still be helpful!

The Salus Medical Training courses my daughter took were amazingly beneficial for her! She took the CPR certification course and came away with confident life-saving skills. She was showing her younger sisters all of the new skills she has and felt the information was extremely valuable. She also took the babysitting course and loved all the information. She is eleven and learned so many skills to prepare her for babysitting, both for her younger sisters and especially as she goes out and babysits for other families. She hopes to start a babysitting business soon and is grateful for the official certification she can share with parents. We are so grateful for the Salus Medical Training courses! I hope all four of my girls can take these valuable classes someday.

Thanks again!

Michelle

5:52 PM (3 hours ago)

