

Heim, Linda L

From: Friedman_Jeff [Friedman_Jeff@asdk12.org]
Sent: Sunday, December 17, 2006 10:44 AM
To: World Wide Web Municipal Clerk
Subject: Ethics Advisory Opinion

TO: Municipal Board of Ethics
c/o Municipal Clerk

Pursuant to the recent revisions to the Municipal Code of Ethics, I would like to request an advisory opinion. Although the new code is not effective until January 1, 2007, I am submitting it now so it can get on the Board's agenda.

My request concerns gifts received by Municipal Employees and by Elected Officials. These are governed by similar provisions in 1.15.025.H and 1.15.35.O. School Board members and School District employees occasionally attend local and national conferences. At these conferences, various gifts are sometimes handed out by the sponsoring organizations. The gifts can be divided into the following categories:

1. Items of minimal value such as pens, packages of file folders, refrigerator magnets, and blank recordable CDs. Each item is probably valued at less than \$5.00, although the cumulative value of all items from different sponsors may approach \$30.00.
2. Items of larger value, but less than \$50.00, such as hats and shirts with the sponsor's logo and tote bags. No one sponsor's gift is worth more than \$50.00, but the cumulative value of several gifts from different sponsors may be greater than \$50.00.
3. Meals and entertainment at the conference sponsored by a vendor. Some of these meals are probably worth less than \$50.00, but some may be more than that. Entertainment may be provided in conjunction with a meal or separately, and could include a concert by a nationally recognized performer or admission to an amusement park.

It could be argued that sponsors provide these gifts with the intent to cause the recipient to think favorably of the sponsor and the sponsor's products, thereby influencing future decisions. I do not believe any one is actually

influenced in the performance of their job or their professional judgment by the receipt of these gifts. These gifts do not appear to fall within the listed gifts of 1.15.025.H.2.a-i, or 1.15.35.O.3.a-h.

I would like to know which, if any of the above gifts can be accepted by an elected official or an employee, and which, if any must be reported on the gift disclosure form. Please let me know if you have any questions about this request.

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