

Bylaw 9270.1: Policy and Public Purposes for District Distribution of Tickets or Passes

Status: ADOPTED

Original Adopted Date: 10/24/2023 | **Last Reviewed Date:** 10/24/2023

General Information

Fair Political Practices Commission Regulation 18944.1 sets out the circumstances under which a local agency's distribution of tickets to entertainment events, sporting events, and like occasions would not result in a gift to individuals that attend the function. In general, the local agency must adopt a policy which identifies the public purpose served in distributing the admissions. The Form 802 serves to detail each event and the public purpose of each ticket distribution. FPPC Regulation 18942 lists exceptions to reportable gifts, including ceremonial events, when listed on this form.

When the regulation procedures are followed, persons, organizations, or agencies who receive admissions are listed on a Form 802. Local agency officials do not report the admissions on the official's Statement of Economic Interests, Form 700, and the value of the admission is not subject to the gift limit.

The Form 802 also informs the public as to whether the admissions were made at the behest of an agency official and whether the behested tickets were provided to an organization or to specific individuals.

Exemption

Form 802 is not required for admission provided to a school district official, coach, athletic director, or employee to attend an amateur event performed by the students of that school.

Reporting and Public Posting

Ticket Distribution Polices: A local agency must post its ticket policy on its website within 30 days of adoption or amendment and e-mail a link of the website location to FPPC at form802@fppc.ca.gov.

Public Purpose

Attendance at certain functions serves the District in carrying out its missions, programs, or goals that are reasonably necessary for accomplishing the legitimate purposes of the District. District attendance at such functions supports legitimate public purposes pursued by the District. Attendance at such functions is considered to accomplish the purposes of the Newport-Mesa Unified School District (District) consistent with state law. The Public Purposes under this policy and for Form 802, include but are not limited to the following:

1. Recognizing District officers and employees for their work and promoting staff morale;
2. Strengthening alumni and private support of the District;
3. Promoting intergovernmental relations and collaborations between the District and other public agencies;
4. Promoting support for District arts, athletics, cultural, and entertaining offerings;
5. Promoting civic engagement;
6. Promotion of District recognition, visibility, and or profile on a local, state, national, or worldwide scale.

Distribution of Tickets or Passes by the District

1. Where a ticket or pass is received by the District from an outside source for distribution, the distribution of the ticket or pass shall be made consistent with this Policy.
2. Tickets or passes shall be distributed under the Policy at the sole discretion of the District pursuant to the Policy. Tickets or passes distributed under this Policy shall not be earmarked for distribution to a District Official or person by any outside source.
3. A ticket or pass may only be distributed by the District under this Policy if it serves a public purpose as

defined above. The Superintendent/Designee shall make the necessary determinations under this Policy.

4. Once received, tickets distributed pursuant to this policy shall be distributed by the Superintendent/Designee, in a manner that is consistent with this Policy.
5. Any tickets or passes that are not distributed pursuant to this Policy shall be returned to the source of the ticket or pass.

Responsibilities of Superintendent/Designee

1. The Superintendent/Designee shall manage the receipt, distribution, and accounting for all tickets or passes subject to this Policy.
2. Upon distribution of a ticket or pass pursuant to this Policy, the Superintendent/Designee shall complete FPPC Form 802, Tickets Provided by Agency Report.
3. No later than forty-five (45) calendar days from distribution of the tickets or pass or approval of this Policy, whichever date last occurs, the Superintendent/Designee shall post the FPPC Form 802 on the District's website. A link to the website location of the forms must be emailed to FPPC at form802@fppc.ca.gov.
4. The Superintendent/Designee shall maintain a completed Form 802 for not less than four (4) years, or other period as specified in any applicable FPPC Regulation.
5. The Superintendent/Designee shall cause this Policy to be posted on the District's website as soon as reasonably possible after its adoption and shall see to it that the most current version of this Policy is in a prominent fashion on the District's website as soon as reasonably possible.

Restrictions

Tickets or passes pursuant to this Policy shall not be:

1. Transferred to any other person, except to members of the official's immediate family or no more than one guest solely for their attendance at the event;
2. Sold or exchanged for any consideration; or
3. Disproportionately used by any officer, employee, organization, or agency.

Tickets or Passes Distributed Pursuant to this Policy Not Reportable on FPPC Form 700.

If a ticket or pass is distributed pursuant to this Policy, it shall not be considered a gift to the recipient and shall not be reportable on FPPC Form 700.

Tickets or Passes Not Distributed Pursuant to this Policy include, but are not limited to:

1. An admission identified in California Code of Regulations, Title 2, Division 6, Chapter 9.5, Section 18942(a)(13) relating to a District Official performing a ceremonial role;
2. A ticket or pass that qualifies as taxable income to the District Officials; or
3. If the District Official reimburses the District for the ticket or pass within thirty (30) days of receipt of the ticket or pass.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

Notice References

Description

Unique Policy

[This policy is unique to the district/COE and is not connected to an existing CSBA sample policy or included in regular quarterly updates from CSBA.](#)