



# LOS ANGELES UNIFIED SCHOOL DISTRICT POLICY BULLETIN

**TITLE:** LAUSD Ethics Guide for Holiday and Social Events

**NUMBER:** BUL-5661.0

**ISSUER:** David R. Holmquist, General Counsel  
Office of the General Counsel

**DATE:** December 5, 2011

<b>ROUTING</b>
Administrators
All Employees
Division Heads
Local District
Superintendents
Directors
Operation Coords.
Principals
Supervisors

**POLICY:** This bulletin provides proactive guidance for supervisors and employees to ensure that holiday and other social events adhere to legal and ethics standards as well as maintaining the public’s trust.

**MAJOR CHANGES:** This bulletin has been updated to include information clarifying the prohibited use of “raffles,” as defined by California Penal Code Section 320, as a fundraising activity by LAUSD officials.

**GUIDELINES:** The following guidelines apply:

I. PURPOSE

Public trust and confidence in LAUSD requires that *all* employees work to ensure that public funds and school district resources are used in a responsible and appropriate manner during all occasions, including holiday and other social events.

Even as we plan and participate in holiday, appreciation and other social events that build team camaraderie or provide recognition for a job well done, we must remember that our expenditure of public monies and time is always under scrutiny for propriety and cost.

This guide assists you in addressing the topics below:

- Use of LAUSD Time
- Use of LAUSD Resources
- Fundraising
- Financial Records
- Gifts
- Contractor Employees
- Holiday Greeting Cards
- Holiday Displays
- Vendor-Related Parties or other External Events

If there is a topic or situation that is not addressed by this policy, please seek guidance from the LAUSD resources listed under “Assistance” on the last page of this Bulletin.



# LOS ANGELES UNIFIED SCHOOL DISTRICT POLICY BULLETIN

---

## II. RESPONSIBILITIES AND SAFEGUARDS

### A. Use of LAUSD Time

Using limited time for the occasional team building event (for example a birthday celebration in the office or a luncheon at a restaurant) is generally acceptable. However, preparation for these events sometimes creates a problem if the planning requires employees to spend considerable time away from their LAUSD duties. While supervisors may permit *limited* use of work time for team building events, care must be taken to ensure that event planning does not become a main part of anyone's duties.

*Example of what is acceptable:*

- ☛ Making a few telephone calls during the day, requesting faxes from restaurants, having a couple of short planning discussions in the office, and making visits to a couple of restaurants during lunch would generally be considered permissible.

### B. Use of LAUSD Resources

The occasional and limited use of LAUSD resources (i.e. computers, copiers and email) to prepare for a holiday or social event approved by management is permissible as long as it does not interfere with work or create the appearance of impropriety. Of course, no special invitations, announcements, or other similar items should be ordered using any LAUSD funds.

### C. Fundraising

An office or unit may choose to raise money from among its own members for a holiday or social event to defray costs, if it has the approval of senior management. Listed below are a few key guidelines to consider when fundraising for a social event:

- Use minimal LAUSD work time;
- Don't solicit contributions, donations or door prizes from outside sources such as vendors; and
- If you are asking for contributions from fellow employees for items such as food and refreshments or even donations to charitable causes (e.g. food for the homeless, gifts for needy children, etc.), please be sure to communicate that participation and contributions are *entirely voluntary* and that employees have the option to contribute less, or not at all.

*Raffles as Fundraisers*

- ☛ Simply defined, a "raffle" is a fundraising opportunity where participants pay for a chance to win a prize through the purchase of a ticket. Under California Penal Code Section 320, there are very specific rules about how raffles must be conducted, including registration and reporting requirements. Only eligible organizations, such as qualified private



## LOS ANGELES UNIFIED SCHOOL DISTRICT POLICY BULLETIN

---

nonprofit organizations are allowed to *sell* raffle tickets. LAUSD is not a qualified organization. Staff may hold “drawings” or “opportunity drawings” when there is an indiscriminate distribution of tickets, participants are not expected to purchase tickets for a chance to win and participants are not instructed to make a specific monetary donation to obtain a ticket. Drawings are best utilized as an incentive for attendance or participation at an event. Violation of California Penal Code Section 320 could result in a misdemeanor.

### D. **Financial Records**

To demonstrate the integrity of holiday and social events, employees involved in planning should maintain complete and accurate records of all contributions and receipts.

### E. **Gifts**

Gift giving and receiving should not give the perception of partiality or favoritism. Our LAUSD gift limit is \$100 (cumulative retail value) from a single source in a calendar year. Gifts are acceptable, only so long as they do not give the impression that LAUSD employees are being improperly influenced. Examples of gifts include but are not limited to: meals, tickets, goodie baskets, or anything else that provides a personal benefit different than what is available to the public. Some additional guidelines apply:

#### 1. *Gifts between Employees*

Employees may certainly exchange gifts; however it is best if gifts exchanged between employees are of similar value. Pre-established limits of gift values ensure that all employees have the same expectations and prevent more senior employees from being put in uncomfortable positions due to subordinates giving them expensive gifts. Senior employees should avoid appearances of favoritism and stay away from selective gift giving to subordinates.

#### 2. *Gifts from Others*

As a general rule, LAUSD employees should not, directly or indirectly, solicit any gifts from vendors, lobbyists, parents or others, particularly those with whom LAUSD is conducting or considering conducting business. Additionally, the LAUSD Contractor Code of Conduct states that contractors cannot “offer, give, or promise to offer or give, directly or indirectly any money, gift or gratuity” to anyone involved with procuring their services. And finally, Board Rule 1271 directs teachers and other school staff to refrain from accepting any gift of material value from a student or parent.

Unsolicited gifts which are allowable should be accepted only when there is a clear understanding that nothing is being exchanged for the gift and



## LOS ANGELES UNIFIED SCHOOL DISTRICT POLICY BULLETIN

---

the relevant reporting requirements are met. If there is ever a doubt about the intent or expectations relating to a gift, employees are encouraged to decline the gift or to suggest to the giver that they make a contribution to LAUSD instead under the allowable guidelines.

It is also always a good idea to check with your senior management to see if there are any additional guidelines or concerns they would like to have addressed with respect to gifts.

### 3. *Dealing with Gifts Transparently*

Whether a gift is accepted or rejected, it's important to create transparency around the exchange. This can be done very simply, whether verbally or in writing.

*Examples of Easy Communications for Dealing with Gifts Transparently:*

- **Accepting a Gift:** “Thank you for your thoughtful gesture. I just want to be sure that you know that no gift is necessary. We pride ourselves in doing our work without receiving anything extra. Thank you for your kindness and for keeping within LAUSD’s gift policies.”
- **Refusing a Gift:** “Thank you for your kind gesture. Unfortunately, I cannot personally accept it because it is not in keeping with LAUSD’s gift policies. I will: a) return it to you, b) donate it to charity, or c) place it in our lounge (since it is perishable) to be shared with others, so that there is no violation of the gift limit.” [In cases where you are sharing perishable items with others due to items exceeding the gift limit, be sure to tell the giver NOT to send such gifts again in the future].

### 4. *Fulfilling Reporting Requirements*

LAUSD employees who are Form 700 – Statement of Economic Interest filers need to remember that they are obligated by state mandate to disclose any gift(s) from a single source which exceeds a cumulative \$50 value in a calendar year.

*Example of Form 700 Gift Disclosure:*

- During the year, you receive a \$25 dinner from a nonprofit that works with you followed by a \$30 sweatshirt for the holidays from the same nonprofit. Both items are to be disclosed on your Form 700.

### 5. *Gift to an Agency*

When gifts are made to LAUSD as a whole rather than to individuals (e.g. tickets, passes, etc.) for official agency business, other state rules and



## LOS ANGELES UNIFIED SCHOOL DISTRICT POLICY BULLETIN

---

disclosure requirements may apply. In such situations, you should consult the Ethics Office at: (213) 241-3330 for further guidance.

### F. **Contractor Employees**

Contractor employees (i.e. consultants) may attend holiday or social events, so long as there is no cost to LAUSD for the contractor employee's participation. Other considerations:

- Contractors cannot be reimbursed for any time that they are not providing a direct service. If they would like to attend holiday or social events during working hours, their employer must bear the cost of their attendance. A contractor employee's time off and the nature of the time off (leave, personal day, or administrative absence) are between the contractor and its employees. Accordingly, a contractor must decide if, and under what conditions, their employees may participate.
- Contractor employees may be asked to pay for their same share of costs at holiday or social events held during off-duty events, but they should not be solicited for other contributions. Additionally, they should not be tasked with aiding in the organization or planning of holiday or other social events.

### G. **Holiday Greetings Cards**

Unless authorized by the Board of Education, LAUSD funds should not be used to purchase holiday greeting cards. Subordinates should not be given the task of preparing or addressing holiday greeting cards. Moreover, official resources including paper, printers, envelopes and postage should not be used for holiday greeting cards. The distribution of holiday cards should be considered a personal rather than official function.

### H. **Holiday Displays or Decorations**

All employees should be very careful to respect fellow employees and other cultures and faiths. Employees who wish to create a festive atmosphere should be sensitive and mindful to ensure that decorations are not perceived as offensive or as endorsing one religion over another. In general, it is wise to use secular decorations rather than decorations with religious symbolism.

### I. **Vendor-Related Parties or other External Events**

LAUSD employees may only accept invitations to external events, if: (1) there would be no impression that an LAUSD employee is being improperly influenced, (2) the gift of food, beverage, and/or entertainment is in keeping with our gift policies (you can determine this by asking vendors to make clear the value of their gift), and (3) employees have the approval of their senior management.



## LOS ANGELES UNIFIED SCHOOL DISTRICT POLICY BULLETIN

---

**AUTHORITY** This is a policy of the Los Angeles Unified School District which is informed by existing laws, including but not limited to: the California Constitution (Article XVI § 6); Drug-Free Workplace Act of 1988 (41 USC § 701 et seq.); California Government Code Sections 87200-87210; and 2 Cal. Code Reg. Section 18944.2

**RELATED  
RESOURCES:** [www.lausd.net/ethics](http://www.lausd.net/ethics)

BUL 4981.0, Holiday Displays and Programs, Office of the Chief Operating Officer, 12-04-2009

BUL 4983.0, Guidelines for Teaching about Religions, Office of the Chief Operating Officer, 12-04-2009

**ASSISTANCE:** For assistance or further information, please contact any of the following LAUSD resources:

- Local Superintendent or Division Head
- Local District Operations Coordinator
- LAUSD Ethics Office at (213) 241-3330