

GOVERNING BOARD

AP 2714 DISTRIBUTION OF TICKETS OR PASSES

Reference:

Title 2 Section 18944.1

The Superintendent/President shall ensure compliance with the following procedures for the distribution, use and reporting of tickets or passes which are made available to or for the District and are distributed to a District official for admission to a facility, event, show, or performance for an entertainment, amusement, recreational, or similar purpose.

These procedures shall ensure that all tickets and passes distributed by the District are issued in furtherance of the public purposes of the District pursuant to Section 18944.1 of Title 2 of the California Code of Regulations (“Section 18944.1”). The public purpose for providing a ticket and/or pass to a District official is to further the District’s mission or significantly contribute to the professional development of the District official or member of the Governing Board. Tickets or passes distributed and accounted for in compliance with this policy and Section 18944.1 will not be considered as gifts to the District official who makes use of such tickets or passes.

Definitions

“District official” means every member, officer, employee or consultant of the Palomar Community College District, as defined in Government Code Section 82048 and Fair Political Practices Commission (FPPC) Regulation 18701. Such term shall include any District Governing Board member or employee required to file an annual Statement of Economic Interests (FPPC Form 700).

“Immediate family” means spouse and dependent children.

“Ticket or pass” means an admission to a facility, event, show, or performance for an entertainment, amusement, recreational, or similar purpose, as defined in Section 18944.1.

Applicability

This policy applies to tickets and passes that are:

- Gratuitously provided to the District by an outside source
- Acquired by the District by purchase, or
- Received by the District as consideration pursuant to the terms of a contract or because the District owns or controls the facility or venue at which the event occurs or sponsors the event.

This policy does not apply to tickets or passes that are:

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(Replaces all previous versions of AP 2714.)

- Provided to a District official to carry out their job duties or where the District official will perform a ceremonial role or function on behalf of the District, as long as the District reports the distribution of the ticket or pass on its website as set forth below.
- Treated by the District official as income consistent with federal and state income tax laws and the District reports the distribution of the ticket or pass as income to the official and on its website as set forth below. If the District official is required to file an annual Statement of Economic Interests (FPPC Form 700), the official shall be responsible for determining whether the income represented by the ticket or pass must be reported on the official's FPPC Form 700.
- The District official purchases or reimburses the District for the face value of the tickets or passes

If other benefits, such as food, or other items, are provided to the District official or employee at the event and they are not included as part of the admission to the event, those benefits will need to be accounted for as gifts to the District official or employee.

Public Purpose

The public purpose for providing a ticket and/or pass to a District official is to further the District's mission or significantly contribute to the professional development of the District official or member of the Governing Board. This includes but is not limited to the following:

- Promotion of education related policy activities on behalf of the District, nationally, regionally and statewide
- Marketing promotions highlighting the achievements of public agencies, local residents, nonprofits, community groups and businesses in the areas of education
- Promotion and marketing of District facilities and resources available for public use
- Promotion of District recognition, visibility, and/or profile on a local, state, national or international scale
- Promotion of District issues and interests at event sponsored by other governmental agencies and government related industry groups, and nonprofit organizations
- Attendance at student productions, scholarship dinners, welcome dinners, recognition dinners, award banquets, graduation ceremonies, pinning ceremonies, commencement activities, end-of-year parties, student performances, student plays, student or faculty debates, student sporting events, student or faculty presentations, and/or similar events that may have some amusement, entertainment, or recreational component within or on behalf of the District

- Promotion of open government by District official appearances, participation and/or availability at business or community events
- Sponsorship agreements involving private events where the District specifically seeks to enhance the District's reputation both locally and regionally by serving as hosts providing the necessary opportunities to meet and greet visitors
- All written contracts where the District, as a form of consideration, has required that a certain number of tickets or suites be made available for its use
- Employment retention programs, including enhancement of employee morale
- Charitable 501(c)(3) fundraisers for the purpose of networking with other community and civic leaders
- Spouses of District officials in order to accompany them to any events listed above
- Any purpose similar to above included in any District contract

Distribution

The District has sole discretion to determine who shall receive the tickets or passes received or acquired by the District.

- Tickets or passes that are donated or provided by an outside source and are earmarked for use by a specific District official are considered gifts to the District official and are subject to the disclosure and reporting requirements applicable to gifts, unless one of the exemptions listed above apply.
- Tickets or passes received by the District from an outside source without designation as to the specific District official who may use the tickets or passes shall be forwarded to the Office of the Superintendent/President. The Superintendent/President or designee shall determine the face value of the tickets or passes, the District official who may use them, and report their distribution as provided below.
- The District will distribute the ticket or pass to the person who will benefit most directly or whose regular role in the District most directly relates to the facility, event, show, or performance. If more than one person would benefit equally or their role relates equally to the facility, event, show, or performance, the District will select one person to receive the ticket or pass by lot or rotation.

Transfer Prohibition

The transfer by any District official of any tickets and/or passes distributed pursuant to this policy to any other person, except to members of the District official's immediate family for their personal use, is prohibited. The District official or any member of the official's immediate family may, however, return any ticket or pass unused to the District for redistribution pursuant to this policy.

Reporting Requirement

The forms shall be forwarded to the FPPC for posting on its website, as required by Section 18944.1.

Consistency with Section 18944.1

AP 2714 is intended to be consistent with Section 18944.1. In the event of any inconsistency between AP 2714 and Section 18944.1 as may be amended from time to time, Section 18944.1 shall prevail.

Office of Primary Responsibility: Superintendent/President