



# Distribution of Tickets and Passes to University Officials

<b>Responsible Officer:</b>	General Counsel & VP - Legal Affairs
<b>Responsible Office:</b>	GC - Legal Affairs
<b>Issuance Date:</b>	9/27/2011
<b>Effective Date:</b>	1/1/2012
<b>Scope:</b>	University officials and employees

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## I. POLICY SUMMARY

This policy describes the “public purposes” to be accomplished through the University’s distribution of tickets or passes to both University sponsored events and non-University sponsored events. This policy clarifies that tickets distributed to University officials and employees for student athletic games or entertainment performances are not considered gifts by the Fair Political Practices Commission (FPPC) and are therefore not reportable.

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## II. DEFINITIONS

Not applicable.

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## III. POLICY TEXT

The purpose of this policy is to describe the "public purposes" to be accomplished through the University's distribution of tickets or passes to both University sponsored events and nonUniversity events. It is the policy of the University that the distribution of

tickets or passes by the University to its officials or to a third-party at the request of a University official must accomplish a "public purpose" of the University. Tickets or passes distributed in accordance with this policy are not considered gifts under the Political Reform Act.

Public purposes under this policy include, but are not limited to, the following:

1. Conducting University business, including oversight of University events;
2. Recognizing University employees for their work and promoting staff morale;
3. Strengthening alumni and private support for the University;
4. Promoting of intergovernmental relations and collaboration between the University and
5. other public agencies;
6. Promoting support for University athletics, arts, cultural, and entertainment offerings;
7. Promoting attendance at University events in order to maximize potential University
8. revenue from parking and concession sales;
9. Promoting civic engagement;
10. Promoting community outreach;
11. Attracting or rewarding volunteer service;
12. Otherwise promoting institutional advancement.

Once a ticket or pass has been distributed to a University official in accordance with this policy, the official may not transfer the ticket or pass 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.

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#### **IV. COMPLIANCE / RESPONSIBILITIES**

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Each campus is responsible for tracking its own ticket distributions and reporting that information to the FPPC on the Form 802.

Authority: Government Code 83112, FPPC regulation 18944.1

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#### **V. PROCEDURES**

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Information on how to fill out a Form 802 and submit to the FPPC can be located at the FPPC website at: <http://www.fppc.ca.gov/index.php?id=524>

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#### **VI. RELATED INFORMATION**

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##### Background regarding New Requirement

On March 5, 2012, President Yudof issued an amended *Policy on Distribution of Tickets and Passes to the University Official* which was forwarded to all campuses along with a *Guide to Reporting of UC Ticket Distribution for 2012*. This "ticket policy" is intended to

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comply with reporting regulations adopted by the Fair Political Practices Commission (FPPC) in 2011.

The Guide clarifies that tickets distributed to University officials or employees for UC athletic games or events performed by students (plays, concerts, etc.) are not considered “gifts” by the FPPC and are therefore not reportable on an FPPC Form called the Form 802.

However, some tickets distributed by the University are reportable. These include: (1) tickets for professional events distributed to University officials/employees; and (2) tickets for athletic games, student performances, and professional events distributed to non-University officials/employees. The new tickets rules require that each campus report on the Form 802 certain University distributions of complimentary tickets to sporting and entertainment events, and send these forms to the FPPC for posting on the FPPC website.

#### Implementation Process

The ticket policy has been discussed over the past year with the University Relations Vice Chancellors Council, Campus Counsel, Campus Administrative Conflict of Interest (COI) Coordinators, Council of Chancellors, and the Associate/Assistant Chancellors.

Most campuses have designated a single office or person to lead the implementation of this new reporting requirement:

UCOP	John Valva, Executive Director, Alumni Affairs <a href="mailto:john.valva@ucop.edu">john.valva@ucop.edu</a> (510) 987 – 9299
	Stella Ngai, Governance and Compliance Counsel <a href="mailto:stella.ngai@ucop.edu">stella.ngai@ucop.edu</a> (510) 987-0513
	Dan Scannell, COI/PRA Coordinator <a href="mailto:dan.scannell@ucop.edu">dan.scannell@ucop.edu</a> (510) 287-3844
UCB	Barbara VanCleave Smith, Deputy Chief, Ethics/Risk <a href="mailto:bvsmith@berkeley.edu">bvsmith@berkeley.edu</a> (510) 643-4171
UCD	Lynette Temple, Information Practices Coordinator <a href="mailto:lstemple@ucdavis.edu">lstemple@ucdavis.edu</a> (530) 752-3949
UCI	Catherine Reynolds, Administrative Policies Officer <a href="mailto:cdreynol@uci.edu">cdreynol@uci.edu</a> (949) 824-8713
UCLA	Julie Sina, Assistant Vice Chancellor/CFO, External Affairs <a href="mailto:jsina@support.ucla.edu">jsina@support.ucla.edu</a> (310) 794-3354
UCM	NOT YET IDENTIFIED
UCR	Jan Wildman, Associate Vice Chancellor, University Advancement <a href="mailto:jan.wildman@ucr.edu">jan.wildman@ucr.edu</a> (951) 827-5636

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UCSB	George Thurlow, Exec. Dir./Asst. Vice Chancellor, Alumni Assoc. <a href="mailto:george.thurlow@ia.ucsb.edu">george.thurlow@ia.ucsb.edu</a> (805) 893-4799
UCSC	Linda Rhoads, Special Projects Manager, Campus Provost <a href="mailto:rhoads@ucsc.edu">rhoads@ucsc.edu</a> (831) 459-3210
UCSD	NOT YET IDENTIFIED
UCSF	NOT YET IDENTIFIED
LBNL	Molly Stoufer, Operations <a href="mailto:mestoufer@lbl.gov">mestoufer@lbl.gov</a> (510) 486-5820

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## VII. FREQUENTLY ASKED QUESTIONS

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### Summary of Advice

This updated guidance advice applies to events that occur on or after January 1, 2012.

- UC athletic game tickets distributed to UC officials are *not gifts*.
- Tickets to non-student arts and entertainment performances (e.g. concerts& plays) are reportable on the Form 802.
- UC may report names of departments and number of tickets provided instead of Individual employee names.
- Form 802's must be sent to the Fair Political Practices Commission ("FPPC") in Sacramento for posting on the FPPC website.
- Campuses should notify external UC ticket recipients that the University will report the fair market value ("FMV") of tickets on the Form 802.

### **TICKETS TO UNIVERSITY OFFICIALS FOR UC ATHLETIC GAMES & AMATEUR EVENTS PERFORMED BY STUDENTS ARE NOT REPORTABLE**

1. Tickets distributed to university officials for UC athletic games or other amateur events performed by students such as plays or concerts are NOT gifts.
2. *UC athletic game tickets distributed to any UC official are not gifts.*
3. UC officials who are Form 700 filers should not report UC game tickets on the Form 700.
4. Campuses should not report UC game tickets distributed to UC officials on the Form 802.
5. *Tickets to campus arts and entertainment performances by students which are distributed to UC officials are not gifts.*
6. UC officials who are Form 700 filers should not report these tickets on the Form 700.

7. Campuses should not report these tickets distributed to UC officials on the Form 802.
8. For events OTHER THAN the above, there is still the **job function** distinction, and details are provided as follows: The rules still treat individuals whose job duties require them to be at University events to perform a function of the University differently than those who attend an event primarily for their own personal entertainment. Generally, campuses do not have to report ticket distribution to these individuals, which we call the Job Function Population, while campuses may have to report ticket distribution for certain events to those who do not fall into the Job Function Population.

### **UC ARTS & ENTERTAINMENT EVENTS PERFORMED BY NON-STUDENTS MAY BE REPORTABLE**

- If a UC official has a job function purpose to be at a UC arts & entertainment event performed by non-students, the official's admission is not a gift and does not have to be reported on the Form 802 or Form 700.
- If a UC official receives a ticket for the purpose of "employee morale, retention, or to reward public service", then the official's ticket is reportable on the Form 802.
- For these tickets, report the names of campus departments or units and the number of tickets provided to the department or unit in lieu of the names of individual employees

### **REPORTING OF TICKET RECIPIENTS ON THE FORM 802**

**For the following recipients, report department names and number of tickets provided to departments but do not report the recipient's names**

- University Officials who are given a ticket to a campus arts or entertainment event performed by non-students for "employee morale, retention, or to reward public service"
- A guest of a University Official who uses an extra ticket distributed to the University Official for "employee morale, retention, or to reward public service"
- The guest (e.g., spouse) of a Job Function University Official, who uses the Job Function University Official's extra ticket

### **Report the following recipients by name**

- University officials who attend an external event to perform a ceremonial role on behalf of the University
- Non-UC individuals who are Form 700 filers, e.g. elected officials such as a member of the state legislature, UNLESS they notify us that they will be reporting the ticket on their Form 700.

### **TICKET RECIPIENTS WHO SHOULD NOT BE REPORTED ON A FORM 802**

- The Job Function Population
- Non-UC individuals who are NOT Form 700 filers.
- University officials receiving tickets for UC athletic events or student performances.
- Except for guests of University Officials who receive employee morale tickets and guests of Job Function Officials as noted above.

### **When do the new ticket rules take effect?**

The new rules described in this 2012 Guidance are effective January 1, 2012.

Campuses should forward copies to the FPPC in Sacramento for posting on the FPPC's website. The law does not state a required time period for sending the forms to the FPPC. Please forward them when you are able to:

California Fair Political Practices Commission  
428 J Street, Suite 620  
Sacramento, CA 95814

### **EXAMPLES**

- A UCLA Royce Hall production staff member works at a Sonny Rollins performance at Royce Hall. His ticket or pass is not reported on a Form 802 because he is a member of the Job Function Population; his job duties require him to be at the performance.
- In order to maximize attendance at a Cal football game, the UC Berkeley Athletic Tickets Office sends a University-wide email inviting all employees to pick up two complimentary tickets to the game. Do not report any of these tickets on the Form 802, because college game tickets given to UC officials are not reportable.
- The Chancellor attends a campus football game with a legislator, a donor, and all of their respective spouses. The legislator's spouse, as the head of a state agency, is a Form 700 filer. The donor is not a Form 700 filer, but her spouse, a superior court judge, is a Form 700 filer. Who should be reported on the Form 802?

Report:

The legislator  
The legislator's spouse  
The donor's spouse

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## **VIII. REVISION HISTORY**

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Interim Guidance was adopted September 27, 2011 and the policy was adopted on an emergency basis effective 1/1/2012. This policy was reformatted into the standard University of California template effective July 1, 2012.