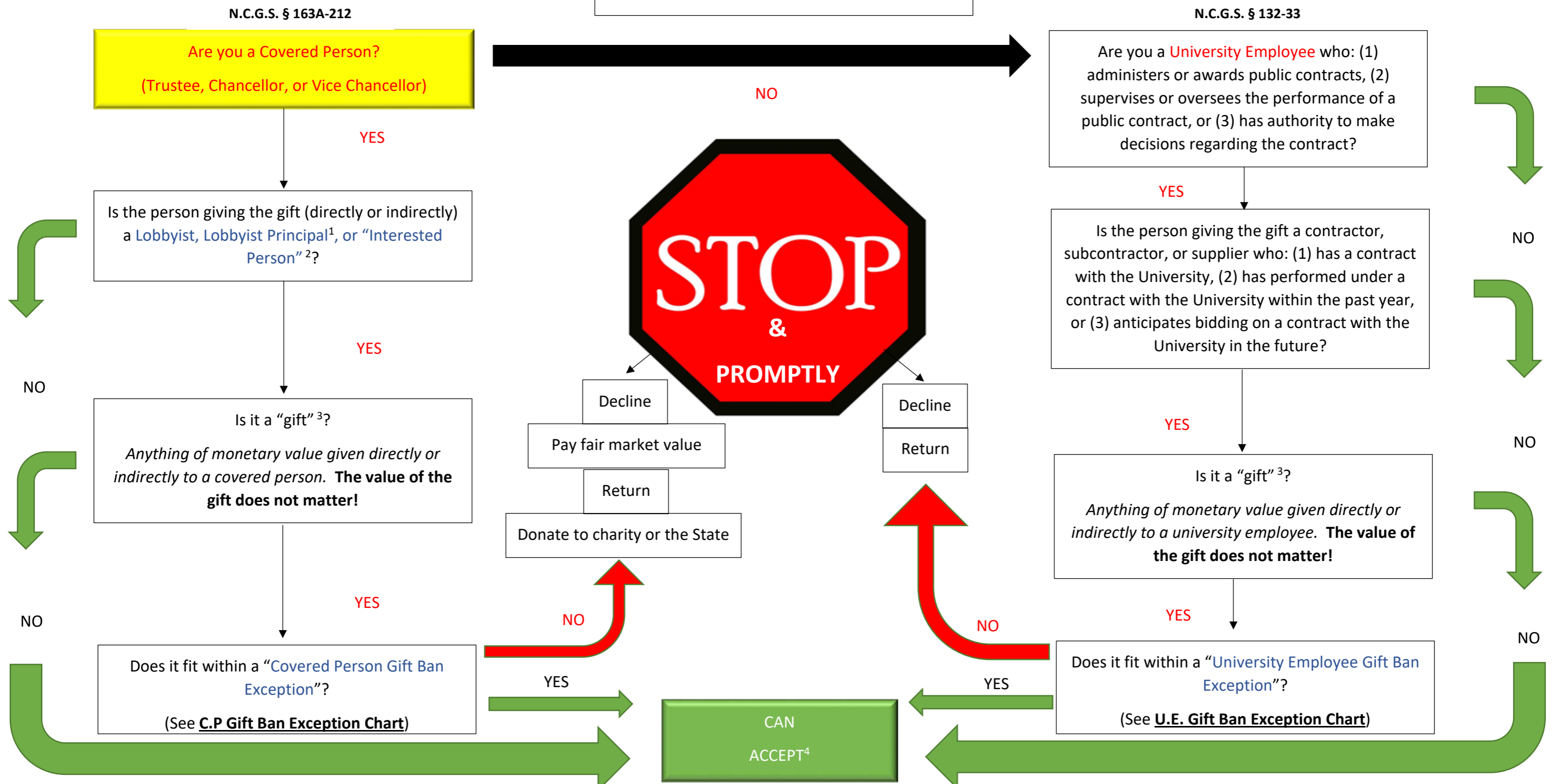


NC STATE UNIVERSITY  
DECISION TREE FOR GIFTS



1 Lists of lobbyists & lobbyist principals are available on the NC State Board of Elections and Ethics Enforcement website at [https://lobby.ncsbe.gov/online\\_services/lobbying/directory](https://lobby.ncsbe.gov/online_services/lobbying/directory).  
 2 An "interested person" is a person who: (1) is doing or seeking to do business with the university, (2) is regulated or controlled by the university, or (3) has financial interests that may be substantially affected by your job responsibilities.  
 3 A "gift" does not include: (1) anything for which fair market value was paid by the covered person, (2) commercial loans available to the general public, (3) contractual or commercial arrangements, (4) scholarships made to the general public, (5) campaign contributions (see Article 23 Chapter 163A), (6) certain expressions of condolences, and (7) holiday greeting cards.  
 4 See also: athletic tickets (G.S. 163A-346); gifts of lenders or consolidators of student loans (UNC Policy Manual 800.5.1[R]-(8)&(10)); quid pro quo or solicitation for charity (G.S. 163A-212(a)-(b)); honorarium exceptions (G.S. 163A-212(i))

## COVERED PERSON GIFT BAN EXCEPTION CHART

Food and Beverage immediately consumed at:

an Open Meeting of a Public Body, or

a gathering of a person or governmental unit open to the public with at least 10 individuals present and a sign displayed signaling that the gathering is open to the public, or

a gathering of Board of Trustees, Chancellors, or Vice Chancellors where all members of a group are invited, and at minimum 10 members of the restricted donor attend the gathering or all members of the restricted donor located in NC are notified and invited to attend, or

an organized gathering of a person, State, or a governmental unit where you are invited to attend for purposes primarily related to your public service or university position, and at least 10 individuals attend, excluding you and your immediate family, or all employees of the University unit located in a specific NC office or county are notified and invited to attend.

Exception Met

Food, beverage, registration, travel, lodging, and other incidental items of nominal value, and entertainment in connection with your:

attendance at an **educational meeting** for purposes primarily related to the your university responsibilities, or

participation as a **speaker or member of a panel** at a meeting, or

attendance and participation in meetings as a **member of a board, agency, or committee of a nonpartisan state, regional, national, or international organization** of which the university is a member or you are a member by virtue of your university position;

AND  
all conditions below are met

- (1) the reasonable actual expenses are made by a lobbyist principal, and not a lobbyist
- (2) meeting must have a formal agenda, 10 day notice of meeting required, & at least 10 participants present
- (3) The gift in this section must be available to all attendees or defined groups of 10 or more attendees as part of the meeting or in conjunction with the meeting
- (4) Any entertainment must be incidental to the meetings principal agenda
- (5) if you are participating as a speaker or member of a panel, then you must be a bonafide speaker or participant

Exception Met

Food and beverages, transportation, lodging, entertainment or related expenses associated with:

The university business of industry recruitment, promotion of international trade, or the promotion of travel and tourism, and you are responsible for conducting this business on behalf of the State;

AND  
all conditions below are met

- (1) You did not solicit the gift and did not accept the gift in exchange for the performance of your university duties.
- (2) You report electronically to the State Board within 30 days of receipt of the gift or 30 days of the date set for the disclosure of public records under G.S. 132-6(d).
- (3) Any tangible gift, other than food or beverages, not exempt under this section must be turned over o the State property Department of Commerce within 20 days of receipt, unless it is permitted by G.S. 163A-212(g).

Exception Met

Food and Beverages immediately consumed, and related transportation:

All conditions below must be met:

- (1) The gift is given by a lobbyist principal, and not a lobbyist
- (2) The gift is provided during a conference, meeting, or similar event and is available to all attendees of the same class as the recipient`
- (3) The recipient of the gift is a board member, employee, or independent contractor of the lobbyist principal giving the gift, or a 3rd party who received the funds to purchase the gift

Exception Met

Other gifts

informational materias relevant to your university duties, or

a plaque or similar nonmonetary memento recognizing your services in a field or speciality or charitable cause, or

gifts accepted on behalf of the university, or

anything distributed to the general public or all state employees, or

anything from a member of your extended family or a member of the same household, or

gifts worth < \$100 as part of an overseas trade mission if it is customary protocol and given in another country, or

gifts received as part of a business, civic, religious, fraternal, personal or commercial relationship that are not related to your university position and a reasonable person would conclude the gift was not given for purposes of lobbying.

Exception Met

UNIVERSITY EMPLOYEE GIFT BAN EXCEPTION CHART

# Permissible Gifts

## N.C.G.S. § 133-32

