

Ohio's ethics law

The ethics law in Ohio prohibits public officials and employees from soliciting or accepting anything of substantial value, such as gifts and entertainment items, from vendors, regulated parties and interested parties. The law also prohibits vendors and regulated parties from offering or giving these kinds of items to public officials and employees.

This restriction applies to all school officials and employees, elected, appointed and employed, except teachers who do not exercise administrative or supervisory authority.

Prohibited items

The Ohio Ethics Commission has issued many advisory opinions on gifts and entertainment. Some of the items that the Commission has said are substantial are expensive meals, lavish gifts, travel, lodging, sizable discounts, and jewelry. A school official or employee cannot accept any of these items from district vendors, regulated parties (such as students) or interested parties (such as parents).

Permissible items

In its opinions, the Commission has concluded that a gift of nominal value—such as a book, meal at a family restaurant, promotional item, or inexpensive activity—will not have a substantial influence on a public official. The ethics law does not prohibit a school district official or employee from accepting these kinds of things.

Bear in mind that even items of nominal value can be prohibited if an official or employee accepts many of them because the total cumulated value of the items will be substantial.

Specific applications

Conference receptions

At conferences, some companies host receptions or open houses. School officials and employees can accept invitations to receptions or open houses at a conference provided that:

- The reception or open house is of an ordinary or routine character, and is not lavish;
- The reception or open house is open to any person who is in attendance at the conference; and

- The reception or open house is in conjunction with an educational or informational conference.

If a company wants to offer dinner or substantial entertainment away from the conference venue, the officials or employees attending must pay for these items.

Raffle prizes

Another regular conference occurrence is a fish bowl drawing or raffle prize. A school official or employee who wins a fish bowl drawing or raffle prize can accept the prize if it is not of a substantial value.

If the prize is substantial, like a handheld computer, and the sponsor of the drawing is a vendor, regulated party, or interested party, the ethics law would prohibit a school official or employee from accepting the item. However, the law does not prohibit the school district from keeping the prize and using it in the district. The school official or employee can accept the item for the school district and turn it over to the district after the conference.

Vendors

Remember that the ethics law applies to school officials and employees and to private parties. If the school official or employee is prohibited from soliciting or accepting the substantial thing of value, the source is prohibited from offering or giving it to the official or employee.

Questions?

More information about these restrictions is available from the Ohio Ethics Commission (www.ethics.ohio.gov), such as Information Sheet # 7, Bulletin on gifts, and Advisory Opinions No. 2001-04 and 2002-02. With specific questions, please contact your district's counsel, the Ethics Commission or OSBA's legal services division.

The information in this bulletin is designed to provide authoritative general information. It should not be relied upon as legal advice. If legal advice is required, the services of an attorney should be obtained.