STAFF LOBBYING ACTIVITIES

A. Policy

1. The Ingham Intermediate School District (IISD) has established policy 1800.00 to comply with provisions of the "Lobbyist Registration and Reporting Act," Public Act 472 of 1978, MCL 4.411 to 4.431 and herein sets forth the procedures which shall be observed regarding the official position statement of the district on an issue to be lobbied, approval to lobby on behalf of the IISD, and internal reporting for lobbying activities engaged in by IISD employees.

B. Policy or Principles

1. P.A. 472 of 1978 effective January 1, 1984, requires precise registration and reporting procedures and mandates penalties of fines and/or imprisonment for violation.

2. In order to insure compliance with the law, IISD employees must be aware of its provisions and their interpretations.

3. When reimbursed expenditure limits as stated in the law are reached, employees must be registered as lobbyist agents of the IISD, which is registered as a lobbyist. It is the responsibility of the employee to register him/herself and to submit a copy of each filing with the superintendent. The law provides for equal responsibility for accurate and timely reporting (and penalty for violation) for both lobbyists and lobbyist agents, making it imperative that this procedure be strictly followed.

4. The office of the superintendent is charged with responsibility of maintaining the latest information on the law. Employees should seek needed assistance from that source.

C. Units Involved

1. All IISD units.
D. **Exhibits**

1. Request to perform lobbying activities.

2. Lobby activity report and reimbursement request.

E. **Definitions**

1. **Lobbying Activity** – Communicating directly with a public official for the purpose of influencing either legislative action or administrative action or both. Lobbying does not include providing technical information by a recognized expert. Technical information means empirically verifiable data.

2. **Communicating Directly** – Engaging in actual verbal conversation either in person or by electronic means with a public official or by means of written communication including letter and/or telegram.

3. **Public Official** – A public official only includes an official in the executive branch of state government or an official in the legislative branch of state government.

   A. Public Official in Executive Branch – Governor, lieutenant governor, secretary of state, attorney general, member of any state board or commission, individual in the executive branch who is not under civil service in a policy-making, administrative, or non-clerical capacity, an individual who is appointed or employed by a state board or commission noted above who serves at the pleasure of the state board or commission which appointed the individual or whose term of office is set by statute, charter, ordinance, or Michigan Constitution.

   B. Public Official in Legislative Branch – Member of the legislature. A member of an official body established by and responsible to the legislature, an employee of the legislature or official body noted above in a non-clerical or policy-making capacity.

   NOTE: The Secretary of State's office maintains a list of those individuals who are public officials. The office of the director for human resources will have a copy.

4. **Legislative Action** – Action on any matter that is pending or proposed in a legislative committee or is pending or proposed in either house of the legislature.
5. **Administrative Action** – Is any of the following by a public official: proposal, drafting, development, consideration, amendment, enactment or defeat of non-ministerial action or rule.

6. **Lobbyist** – A person (organization) is a lobbyist if expenditures for lobbying exceed $1,000 in value in any 12-month period, or exceed $250 in a 12-month period for lobbying a single public official.

7. **Lobbyist Agent** – One who receives compensation and/or reimbursement of actual expenses which total more than $250 in any 12-month period for lobbying. Compensation is anything of monetary value you receive or will receive from a person (organization) for whom you lobby.

F. **Requesting Approval to Lobby**

1. An employee of the IISD may request the approval of the superintendent to represent the district as a lobbyist agent to contact a public official, testify before a committee of public officials or other group of public officials.

2. Such a request shall be submitted using the form entitled "Request to Perform Lobbying Activities for Ingham Intermediate School District." The request shall include estimated expenditures.

3. Upon approval of the request, an IISD employee may perform the lobbying activity only to the extent that he/she represents a position approved by the school district.

4. An employee shall prepare and submit, not less than three days in advance, to the superintendent any written materials to be distributed to the public officials and a copy of or draft of testimony to be given.

5. The superintendent may request an employee or school board member to perform lobbying activities or may him/herself act in that capacity.

6. If an IISD employee desires to prepare for or perform lobbying activities for a person or organization, which is not under the administrative jurisdiction of the IISD, or to lobby for his/her own personal issues, that employee shall request leave time approval. Exceptions to this procedure shall be determined by the superintendent.
G. Certifying Position Statements

1. Any issue that is lobbied on behalf of the IISD must be approved in the form of an official position statement by the superintendent or his/her designee. Testimony, supplemental information, technical data and other information provided to a public official shall serve to support the school district mission and its educational and community interests.

2. Any IISD employee, committee member, or member of the community may request to the superintendent that an issue which is of concern to schools and which will be receiving attention by public officials be developed into an official position of the IISD. Likewise, a request may be made to the superintendent for modification of an existing position statement. The superintendent will respond in a timely manner.

3. No school letterhead, school telephone, school time or any other school resources shall be used to prepare or communicate a position statement that is not approved by the district.

4. The IISD Board of Education may establish and/or modify a position statement of the IISD.

H. Reporting Lobbying Activity and Expenses

1. An employee who lobbies a public official on behalf of the IISD shall report upon completion to the superintendent the activities and expenses as requested on the form entitled "Reporting of Lobbying Activities and Request for Reimbursement" [Exhibit 1800.00-E(2)].

2. The report shall be accompanied by copies of written documents distributed to public officials and expenses shall be supported by appropriate documentation including bills, receipts, etc.

3. Expenditures of a lobbyist and lobbyist agent must comply with board policy 6194.00-R(1) and include the following:

   A. Food and beverage for a public official;

   B. Cost of producing materials for distribution to public officials that have been prepared specifically for that purpose, e.g. written testimony, collection of data;
C. Cost of letter writing to public officials, phone calls, postage, etc. Note: costs include salary compensation and materials for all involved including clerical, researchers, technicians, etc., and

D. Compensation for lobbying agent for that time used in preparing for lobbying and time actually spent with a public official engaged in lobbying. Note: a meal with a public official is considered lobbying. Travel expense, overnight lodging, and the lobbyist agent's meals are not considered lobbying expenditures.

E. Contributions to a public official's campaign are covered under the campaign finance act and are not considered lobbying expenditures.

4. All records necessary to support reports shall be kept for five years after the report that contains the information is filed.

5. Gifts to public officials over $25 in value are not allowed.

I. Reporting to Secretary of State

1. Each lobbyist and lobbyist agent is required to file periodic financial reports with the Department of State. The reports are to:

   A. Update information required to be filed on original registration forms, and

   B. Give an account of all expenditures for lobbying by a lobbyist, a lobbyist agent or a representative of a lobbyist.

2. Two reports are to be filed each year by the lobbyist (IISD) and two each year by lobbyist agents. One report is filed on or before August 31, covering the period of January 1 to July 31, and one filed on or before January 31 of each year, covering the period from August 1 to December 31 of the previous year.

3. The IISD will be responsible for submitting the reports for the IISD and for lobbyist agents for the IISD.

4. The penalty for late filing is $300.

5. Expenditures to be reported are those identified under reporting lobbyist activity and expenses, Section H., 3. above.
A. The lobbyist reports all compensation and reimbursement to lobbyist agents as well as other expenditures incurred in lobbying.

B. The lobbyist agent reports those expenditures which he/she may have paid himself/herself for qualifying expenditures in lobbying and reports those expenditures which he/she first made and was subsequently reimbursed by the IISD. Consequently, in the case of a lobbyist agent paying for food and beverage for a public official and later being reimbursed by the IISD, both the IISD and the employee will report the expenditure.

C. Compensation paid to a lobbyist agent is not reported by the agent, but is reported by the lobbyist (IISD).

ADMINISTRATIVE REGULATION

Approved: April 17, 1984
Amended: May 15, 2007