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## SEI EVALUATIONS

### PROSPECTIVE NEW HIRES & APPOINTEES

**GENERAL RULE.** The State Government Ethics Act requires that most public servants<sup>1</sup>, all legislators, and all judicial officers file a Statement of Economic Interest (SEI) **prior to their appointment, election, or employment.** This requirement includes persons who are appointed to fill a vacancy in an elective office. In addition, most public servants must also receive an **evaluation** of the SEI from the Commission **prior to assuming their public duties.** Therefore, those individuals cannot participate in board actions or begin their jobs until the SEI is both filed and evaluated. **Note: this requirement applies to appointments to State non-advisory boards made by any appointing authority, including appointments made by county commissioners and local boards of education, to boards covered by the State Government Ethics Act.** A list of these “covered boards” is located on the Commission’s website at <http://www.ethicscommission.nc.gov/cboards.htm>.

**EXCEPTION TO FILING REQUIREMENT.** Employees who are otherwise covered by the State Government Ethics Act but whose compensation from the State is less than \$60,000 per year do **not have to file** an SEI. Also, ex-officio student members of university and community college boards of trustees do **not have to file** an SEI. However, these individuals are subject to all other requirements of the State Government Ethics Act.

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<sup>1</sup> “Public Servants” are defined in G.S. 138A-3(30) as:

- **Executive Branch Elected Officials & Employees.** Governor, Lieutenant Governor, and Council of State, including individuals elected or appointed prior to taking office; Governor’s Office employees; Heads of principal State departments who are appointed by the Governor; Chief deputy and chief administrative assistant of the Governor, Lieutenant Governor, and Council of State, and heads of principal State departments, and their confidential assistants and secretaries; Employees in policy-making or managerial exempt positions and their secretaries; and Other employees designated by the Governor.
- **Board & Commission Appointees.** Members of State non-advisory boards and commissions, including ex-officio members and permanent designees.
- **Administrative Office of the Courts (“Judicial Employees”).** Director and assistant director of AOC and any other individual designated by the Chief Justice whose annual compensation is \$60,000 or more.
- **UNC System.** Board of Governors voting members; President and vice-presidents; Boards of Trustees voting members; Chancellors & vice-chancellors.
- **Community College System.** State Board of Community Colleges voting members; President and chief financial officer of the Community College System; Boards of Trustees voting members; President, chief financial officer, and chief administrative officer of each community college.
- **Contract Employees.** Individuals under contract working in or against one of the above positions.

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**EXCEPTION TO THE EVALUATION REQUIREMENT.** Employees in the university and community college system who are covered by the State Government Ethics Act and members of the UNC Board of Governors, the State Board of Community Colleges, and the boards of trustees **must file** the SEI prior to being hired or appointed; however, the SEI does **not have to be evaluated prior to the individual taking his or her position.** These appointments are provisional subject to the Commission's evaluation of the SEI.

## ANNUAL EVALUATION LETTERS

**PUBLIC SERVANTS WHO FILED THE 2010 "NO-CHANGE" FORM.** The Commission *will not* issue new evaluation letters for public servants who submitted the 2010 No-Change Form. The 2009 evaluation letter remains in effect.

**PUBLIC SERVANTS WHO FILED THE 2010 "AMENDMENT TO SEI" FORM.** The Commission will issue new evaluation letters to public servants who filed a 2010 Amendment to SEI **if changes were noted that would alter the conflicts analysis.**

**PUBLIC SERVANTS WHO FILED THE 2010 "LONG" FORM.** The Commission will issue a new evaluation letter to those public servants.

If you have any questions or need additional information concerning statement of economic interest filings or evaluations, please contact Stacey Phipps, SEI Attorney, or Beth Carpenter, Administrative Assistant, at (919) 715-2071.

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## REMINDERS

**Continue to Serve.** The State Government Ethics Act continues to apply to individuals whose term has expired but continue to serve until either reappointed or replaced. These requirements include the annual SEI filing requirement and ethics education.

**Resignations.** Please remember to notify us if someone has resigned from his or her covered position.

**Changes in Contact Information.** Please notify us of any changes to the contact information for covered persons in your agency, including mailing address, telephone number, and e-mail address.