



**DEPARTMENT OF DEFENSE
DEPENDENTS SCHOOLS
OFFICE OF THE DIRECTOR, EUROPE
UNIT 29649, Box 7000
APO AE 09002-7000**



October 18, 2011

MEMORANDUM FOR NEW EMPLOYEES OF DODEA-EUROPE

SUBJECT: Ethics Training Requirements for New Personnel

On behalf of the General Counsel, welcome to DoDEA! You have joined a dedicated team of professionals committed to educating the youth of our armed forces throughout Europe. We support the important missions of our military and represent all Americans to our hosts. As public servants and international ambassadors, we must be vigilant in our adherence to professional and ethical standards.

As a new employee of DoDEA-Europe you are required to complete initial ethics orientation training within 90 days of entering your position with DoDEA.

The following material is provided to you to meet this requirement.

You are allowed at least one (1) hour of your official duty time to review these materials. 5 C.F.R. § 2638.703(a)(3). Additional time may be allowed at your supervisor's discretion.

1. **General Ethics Policy:**

As a new employee with DoDEA, you should know that proper ethical conduct is considered essential by all levels of the organization, from the Director on down. DoDEA personnel are required to adhere to the highest standards of ethical conduct and ensure that no activity is carried out that will discredit or cast doubt on the integrity of the operations or mission of DoDEA, the Department of Defense, or the Federal Government.

The ethics program in the Department of Defense is covered under the Joint Ethics Regulation (JER) DOD 5500.7-R. The JER supplements regulations issued by the U.S. Office of Government Ethics (OGE), which can be found at 5 C.F.R. § 2635.

We urge you to review the complete text of the Joint Ethics Regulation at http://www.defenselink.mil/dodgec/defense_ethics/index.html. The Federal *Standards of Conduct*, 5 C.F.R. § 2635, is available at this site as well. You are also urged to review DOD's supplement to the Standards of conduct, found at 5 C.F.R. § 3601 et. Seq. See also JER, Chapter 2, Section 2; and the *Employee's Guide to the Standards of Conduct* at <http://www.dodea.edu/offices/counsel/standards.cfm?sid=3>.

2. **Names and Contact Points:**

DoD Designated Agency Ethics Official (DAEO) is the General Counsel. Attorney Advisors Maxwell Selz and Carla Eldred are assigned as the servicing area Ethics Counselors for DoDEA-Europe.

Office of the Director
DoDEA-Europe
Office of the General Counsel
Unit 29649, Box 7000
APO AE 09002-7000
Tel: DSN 380-7813
Fax: DSN 380-7225
E-Mail: generalcounsel@eu.dodea.edu

3. **Summary of the Standards of Conduct and Executive Orders:**

Here is a quick review of some of the key rules from the JER.

- Gifts you may always accept:
 - Modest items of food and drink that are not part of a meal (e.g. coffee, donuts, soft drinks, hors d'oeuvres). 5 C.F.R. § 2635.203 (b)(1)
 - Items with little or no intrinsic value that are intended solely for presentation (such as greeting cards, plaques, certificates and trophies). 5 C.F.R. § 2635.203 (b)(2)
 - A travel payment (e.g. a plane ticket) from a non-Federal sources, if you will attend a meeting or similar function in your official capacity and your travel-approving authority and the DAEO approves in advance. Payments over \$250 must be reported to the DAEO. JER 4-101a
- Soliciting gifts. DoDEA employees may not solicit gifts in their official capacity from DOD contractors or other non-Federal organizations (such as local businesses). 5 C.F.R. § 2635.203 (a)(1) & (c)(2)
- General rule against accepting gifts. DoDEA employees generally may not accept gifts offered because of their official position or which are given from a “prohibited source” (e.g. a DOD contractor). 5 C.F.R. § 2635.202 (a). However, there are several exceptions. For example, it is permissible to accept:
 - Gifts of up to \$20 in value per occasion (not cash), as long as the total value of the gifts from one source (e.g. one company) does not exceed \$50 in a calendar year. 5 C.F.R. § 2635.204 (a).

- Free attendance for you and your spouse/guest at a widely attended gathering if the DAEO determines your attendance will further DoDEA programs or operations, and the value is not more than \$285. 5 C.F.R. § 2635.204 (g).
 - A gift of personal property from a foreign government if the value (in the United States) is \$335 or less. Gifts with a value over \$305 may be accepted by DoDEA. 41 C.F.R. § 101.49.
- Gifts to superiors. You may give a gift to a superior, on an occasional basis, so long as the gift is no more than \$10 in value (not cash), can be characterized as hospitality at your home, or is a customary gift when receiving hospitality at your superior's home. On a special, infrequent occasion from a group containing one or more subordinates may not exceed \$300 in value, and each group member may be asked to contribute no more than \$10 to that gift. 5 C.F.R. § 2635.304 & JER 2-203.
- Non-Federal organizations. You may not use your title, position or authority to **endorse** any product, service or enterprise. 5 C.F.R. § 2635.702 (c). but, unless precluded by public affairs regulations, you may use official channels to **notify** other DOD employees of non-Federal organization events of common interest. JER 3-208. You may not officially endorse (or appear to endorse) membership drives or fundraising events for any non-federal organization (with certain exceptions, such as CFC). JER 3-210. Commanders may, under certain conditions, allow the use of DOD facilities, equipment and personnel in support of an event by a non-Federal organization. JER 3-211. Generally, you may not participate in your official capacity in the management of a non-Federal organization (e.g., as an officer, director, or trustee) without approval by the DOD General Counsel. JER 3-202.
- Conflicts of interest. You may not participate in any government matter if it would have a direct and predictable effect on any of your financial interests (such as stock holdings). The prohibition also applies to the financial interests of your spouse, minor children, general partners, or an organization in which you serve as an officer, director, trustee, general partner or employee, or any entity with which you are negotiating for employment or have an arrangement concerning prospective employment. 5 C.F.R. § 2635.402.
- Representation. DoDEA employees may be affected by post-employment representational bans for employees, including a permanent ban on representational activity, depending on the depth of an employee's involvement in a particular matter. 18 U.S.C. § 207(a).
- Resources. Government resources may only be used for official and authorized purposes. Authorized purposes include limited personal communications most reasonably made at work so long as those communications (1) do not adversely

affect the performance of official duties; (2) are reasonably short and infrequent; (3) are made on personal time whenever possible; (4) do not reflect adversely on the Federal Government or DOD (e.g., as in the case of unofficial advertising); and (5) do not create a burden or significant additional cost to the Government. Non-communication uses of other Federal resources (such as office supplies, copiers, and fax machines) are allowed under the same general criteria as above except those non-official uses must be approved by the supervisor. JER 2-301.

- Frequent flyer miles. Federal employees who receive promotional items (including frequent flyer miles, upgrades, or access to carrier club or facilities) as a result of using travel or transportation services obtained at Federal Government expense or accepted under 31 U.S.C. § 1353 may retain the promotional items for personal use provided that the promotional items are obtained under the same terms as those offered to the general public and at no additional cost to the Federal Government. P.L. 107-107, Section 1116, Dec. 28, 2001.
- Off-duty employment. DoDEA employees who are required to file a financial disclosure report (see below) must obtain prior written approval for off-duty employment (including self-employment) where the business activity or compensated outside income is from a prohibited source. JER 2-206.
- Ethics training. Contracting officers and people who file a financial disclosure form (SF 278 or OGE Form 450) must receive ethics training each year. JER 11-302. Please contact the Office of The General Counsel at DSN 380-7813 or via email at generalcounsel@eu.dodea.edu to inquire about annual ethics training requirements.

4. Financial Disclosure Filers:

You may also be required to complete a confidential financial disclosure report because of certain responsibilities of your position. If you have been identified by your position description or by your supervisor as a financial disclosure "filer," then you must file a confidential financial disclosure report (OGE Form 450), ***within 30 days of your appointment.*** This year all financial disclosure report filers will be required to file the Confidential Financial Disclosure Report electronically using the Financial Disclosure Management System (FDMS). Please contact the Office of The General Counsel at DSN 338-7813 to inquire about enrollment in FDMS and annual filing requirements.

5. Credit for Initial ethics training:

To receive credit for this training, you MUST self-certify via e-mail to the DoDEA-Europe Office of The General Counsel as follows:

Email: generalcounsel@eu.dodea.edu
cc: (your immediate supervisor)
Subject: Completion of Initial Ethics Training Requirement

Body of email should contain the following:

I certify that I have reviewed the *Memorandum for New Employees of DoDEA-Europe* satisfying the initial ethics training orientation requirement.

Name:

District/Location:

Tel:

Date:

Living overseas is a wonderful experience, and working within our schools helping to serve your country and support the relationships between the Host Nations and the United States is an honor and a privilege. Enjoy your work and your time in the Europe, but remember your ethical responsibilities as a Federal employee and a public servant of the United States of America.



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Assistant General Counsel