**Executive Director Guidance and Advisory Opinions**

 **Guidance**

1. Pursuant to 3 V.S.A. §1225(a) the Executive Director may issue Guidance to an executive officer or other state employee upon request.

2. Guidance shall be with regard to any provisions of Act 79 or any issue related to governmental ethics.

3. To provide Guidance the Executive Director may consult with the members of the Commission and the Department of Human Resources.

4. Guidance shall be confidential and exempt from public inspection and copying under the Public Records Act, unless the recipient has publicly disclosed it.

5. Following a request, the Executive Director shall provide the Guidance as promptly as reasonably possible under the circumstances.

6. The Executive Director shall track how often the Executive Director has provided Guidance and the dates thereof and shall maintain this information as part of the Commission’s Information File. This information shall not be confidential.

 **Advisory Opinions**

1. Pursuant to 3 V.S.A. §1225(b) the Executive Director may issue Advisory Opinions that provide general advice or interpretation of Chapter 31 of Title 3 or any issue related to governmental ethics. An advisory opinion shall not contain any individual’s personal identifying information.

2. The Executive Director may issue an advisory opinion 1) on the request of a state officer or state employee regarding that person’s on-going or prospective conduct only or 2) on behalf of the Ethics Commission, without a specific request, to address issues brought to the Commission in requests for guidance or other matters of general interest.

3. In preparing an Advisory Opinion Executive Director may consult with the members of the Commission and the Department of Human Resources. The Executive Director may provide public notice of the consideration of an Advisory Opinion so that affected persons can provide information relevant to the subject.

4. The Executive Director may at any time determine that a requested advisory opinion should not be issued.

5. An Advisory Opinion shall be in writing and shall not be confidential.

6. Advisory Opinions shall be posted on the Commission’s website within thirty days of issuance.

Adopted May 1, 2019