

**SCHOOL POLICIES  
INDEPENDENT SCHOOL DISTRICT 16**

<b>POLICY</b>	421	<b>Page:</b> 1 of 3
<b>SERIES</b>	400	Personnel
<b>SUBJECT</b>	421	Gifts to Employees and School Board Members
<b>Adopted</b>		February 13, 2001
<b>Revised</b>		March 7, 2017

**I. PURPOSE**

The purpose of this policy is to avoid the appearance of impropriety or the appearance of a conflict of interest with respect to gifts given to school district and board members

**II. GENERAL STATEMENT OF POLICY**

- A. The school district recognizes that students, parents, and others may wish to show appreciation to school district employees. It is the policy of the school district, however, to discourage gift-giving to employees, and to encourage donors instead to write letters and notes of appreciation
- B. An elected or appointed member of a school board, a school superintendent, a school principal, or a district school officer, including the school business official, may not accept a gift from an interested person.
- C. It shall be a violation of this policy for any employee to solicit, accept, or receive either by direct or indirect means, a gift from a student, parent, or other individual or organization of greater than nominal value
- D. Teachers may accept from publishers free samples of textbooks and related teaching materials; however, such samples and materials are school district property.
- E. This policy applies only to gifts given to an employee where the donor's relationship with the employee arises out of the employee's employment with the school district. It does not apply to gifts given to employees by personal friends, family members, other employees, or others unconnected to the employee's employment with the school district.

### **III. DEFINITION**

A. "Gift" means money, real or personal property, a service, a loan, a forbearance or forgiveness of indebtedness, or a promise of future employment, that is given without something of equal or greater value being received in return.

B. "Interested person" means a person or a representative of a person or association that has a direct financial interest in a decision that a school board member, a superintendent, a school principal, or a district school officer is authorized to make."

### **IV. EXCEPTIONS.**

This policy does not apply if a gift is:

- (1) a contribution or donation to the school district or school, rather than an individual;
- (2) services to assist an official in the performance of official duties, including but not limited to providing advice, consultation, information, and communication in connection with legislation, and services to constituents;
- (3) services of insignificant monetary value;
- (4) a plaque or similar memento recognizing individual services in a field of specialty or to a charitable cause;
- (5) a trinket or memento costing \$5 or less;
- (6) informational material of unexceptional value; or
- (7) food or a beverage given at a reception, meal or meeting away from the individual's place of work by an organization before whom the recipient appears to make a speech or answer questions as part of a program;
- (8) gifts to individuals because of the individual's membership in a group, a majority of whose members are not local officials, and an equivalent gift is given or offered to the other members of the group;
- (9) a gift by a national or multistate organization of governmental organizations or public officials, if a majority of the dues to the organization are paid from public funds, to attendees at a conference sponsored by that organization, if the gift is food or a beverage given at a reception or meal and an equivalent gift is given or offered to all other attendees.

## **V. PROCEDURES**

Any employee considering the acceptance of a gift shall confer with the administration for guidance related to the interpretation and application of this policy.

## **VI. VIOLATIONS**

Employees who violate the provisions of this policy may be subject to discipline, which may include reprimand, suspension, and/or termination or discharge.

**Legal References:** Minn. Stat. 10A.07 (Conflicts of Interest)  
Minn. Stat. 10A.071 (Prohibition of Gifts)  
Minn. Stat. 471.895 (Certain Gifts by Interested Persons Prohibited)