

421 GIFTS TO EMPLOYEES, CLASSROOMS, AND SCHOOL BOARD MEMBERS

I. PURPOSE

The purpose of this policy is to avoid an actual or the appearance of an impropriety or the actual or appearance of a conflict of interest with respect to gifts given to school district employees, schools, classrooms, and school board members.

II. GENERAL STATEMENT OF POLICY

- A. The school district recognizes that students, parents/guardians, and others may wish to show appreciation to school district employees, school board members, and/or a particular school or classroom. The policy of the school district, however, is to discourage gift-giving to employees, schools/classrooms, and school board members, and to encourage donors instead to write letters and notes of appreciation or to give small tokens of gratitude. Any gifts accepted of more than nominal value, shall become property of the District.
- B. A violation of this policy occurs when any employee solicits, accepts, or receives, either by direct or indirect means, a gift from a student, parent, or other individual or organization of greater than nominal value.
- C. A violation of this policy occurs when any employee solicits, accepts or receives gifts or donations of greater than nominal value to fund school or classroom items, by any means, including the use of a website, without prior approval of the building principal and/or in a manner that is otherwise out of compliance with Policy 706 Acceptance of Gifts.
- D. A violation of this policy occurs when any employee solicits, accepts, or receives a gift from a person or entity doing business with or seeking to do business with the school district. Employees may accept items of nominal value or less or of a promotional or public relations nature or a plaque with a resale value of \$5 or less with an inscription recognizing an individual for an accomplishment.
- E. Teachers may accept from publishers free samples of textbooks and other related teaching materials.
- F. This policy applies only to gifts given to employees 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.

- G. 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.

III. DEFINITIONS

- A. “Financial interest” means any ownership or control in an asset which has the potential to produce a monetary return.
- B. “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.
- C. “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 and building administrator, or a district cabinet member is authorized to make.
- D. “Nominal value” means a value of \$5 or less.

IV. PROCEDURES

Any employee or school board member considering the acceptance of a gift, individually or for any component of the district, shall confer with the administration for guidance related to the interpretation and application of this policy.

V. VIOLATIONS

Employees who violate the provisions of this policy may be subject to discipline, which may include reprimand, suspension, and/or termination or discharge. School board members who violate the provisions of this policy may be subject to discipline in accordance with applicable statute and school district policy.

Legal References:

- Minn. Stat. § 10A.07 (Conflicts of Interest)
- Minn. Stat. § 10A.071 (Prohibition of Gifts)
- Minn. Stat. § 15.43 (Acceptance of Advantage by State Employee; Penalty)
- Minn. Stat. § 471.895 (Certain Gifts by Interested Persons Prohibited)

Cross References:

- Policy 209 (Code of Ethics)
- Policy 210 (Conflict of Interest – School Board Members)
- Policy 306 (Administrator Code of Ethics)