

Personnel

Gifts to Employees and School Board Members

I. Purpose

This policy provides guidance with respect to gifts given to school district employees to avoid the appearance of impropriety or conflict of interest.

II. General Statement of Policy

- A. The school district recognizes that students, parents and others may wish to show appreciation to school district employees. The district, however, discourages gift giving to employees, and encourages appreciation letters and notes or small tokens of gratitude.
- B. An employee may not solicit, accept or receive, either by direct or indirect means, a gift from a student, parent or other individual or organization of greater than limited value.
- C. An employee may not solicit, accept or receive a gift from a person or entity doing business with or seeking to do business with the school district. An employee may accept an item of limited value of a promotional or public relations nature. The superintendent has discretion to determine what value is "limited."
- D. Teachers may accept free samples of textbooks and related teaching materials from publishers.
- E. 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 district.
- F. An interested person may not give a gift, or request another to give a gift, to a local official, and a local official may not accept a gift from an interested person, unless permitted by Minnesota Statutes §10A.071 or §471.895 subd.3.

III. Definitions

- 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 representative of a person or association who has a direct financial interest in a decision that a local official is authorized to make.
- C. "Local official" means an elected or appointed member of a school board, a school superintendent, a school principal, or a district school officer of any independent school district.
- D. "Financial interest" means any ownership in or control of an asset that has the potential to produce a monetary return.

IV. Violations

A local official or district employee who violates the provisions of this policy may be subject to discipline, which may include reprimand, suspension, and/or termination.

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)

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INDEPENDENT SCHOOL DISTRICT 273
 Edina, Minnesota