

## Monomoy Regional School District

### Gifts to and Solicitations By Staff

#### Gifts

- ~~1. The acceptance of personal gifts by school personnel from school suppliers, from parents and/or students can be subject to misinterpretation. When families, students, or others wish to express personal appreciation to a teacher or other staff member, the School Committee urges them to find modes of expression that do not involve personal gifts. Or~~  
The acceptance of gifts worth \$50 or more by school personnel in a calendar year when the gift is given because of the position they hold, or because of some action the recipient could take or has taken in his or her public role, violates the conflict of interest law. Acceptance of gifts worth less than \$50, while not prohibited by the conflict of interest law, may require a written public disclosure to be made.
  - ~~2. In keeping with this policy, no employee of the School Committee will accept a personal gift from a business concern supplying, or with an interest in supplying, goods, materials, equipment, or services to the school system. This restriction does not relate to the acceptance of gifts for the school system, or to the acceptance of small and clearly identifiable advertising and promotional materials. Or~~  
In keeping with this policy, no employee of the school district will accept a gift worth \$50 or more that is given because of the employee's public position, or anything that the employee could do or has done in his or her public position. Gifts worth less than \$50 may be accepted, but a written disclosure to the employee's appointing authority must be made if the gift and the circumstances in which it was given could cause a reasonable person to think that the employee could be improperly influenced. The value of personal gifts accepted is aggregated over a calendar year (4 gifts of \$20 value is the same as 1 gift of \$80 if given in the same calendar year).
- In general, homemade gifts without retail value are permissible because a reasonable person would not expect an employee would unduly show favor to the giver, so no disclosure is required. Such gifts could include homemade food items (cookies, candy, etc), handpicked flowers, and handmade gifts worth less than \$10 (ten) dollars.
- ~~The Ethics Commission recently created an exemption to permit class gifts to teachers. A teacher may accept a gift, or several gifts during the school year, from public school students and/or their parents and guardians, with an aggregated value of up to \$150, if the gift is identified only as being from the class, and the identity of the givers and the individual amounts given are not identified to the recipient. Gifts received pursuant to this exemption are not required to be disclosed. The donor is unknown, so a reasonable person would not conclude that the gift would influence the teacher's conduct with regard to any individual or would cause the teacher to favor any individual.~~

#### Class Gifts

1. There is a specific exception to the prohibition against accepting gifts worth \$50 or more, when the teacher knows only that the gift is from the class, not from specific donors. A single class gift per calendar year valued up to \$150 or several class gifts in a single year with a total value up to \$150 from parents/guardians and students in a class may be accepted provided the gift is identified only as being from the class and the names of the givers and the amounts given are not identified to the recipient. The

recipient may not accept an individual gift from someone who contributed to the class gift. It is the responsibility of the employee to confirm that the individual offering such gift did not contribute to the class gift.

### Gifts for School Use

1. Gifts given to a teacher solely for classroom use or to purchase classroom supplies are not considered gifts to an individual employee and are not subject to the \$50 limit. However, an employee who accepts such gifts must keep receipts documenting that money or gift cards were used for classroom supplies.

### Solicitations

1. In spirit, the School Committee supports the many worthwhile charitable drives that take place in the community and is gratified when school employees give them their support. However, the solicitation of funds from staff members through the use of school personnel and school time ~~must be held at a minimum~~ is prohibited by the conflict of interest law. Therefore, no solicitations of funds for charitable purposes should be made among staff members.

#### **Legal references:**

M.G.L. 268A: 3

930 CMR 5.00

#### **Cross references:**

KHA, Public Solicitations in the Schools

JP, Student Donations and Gifts

GBEBD, Online Fundraising and Solicitations – Crowdfunding

KCD, Public Gifts to Schools

Adopted: March 27, 2013

Revised: