

GIFTS TO AND SOLICITATIONS BY STAFF

State ethics and conflict of interest law limit the personal gifts that staff, teachers, and coaches are allowed to accept as public employees. The School Committee does not want district employees to be put into a position where they cannot or should not accept gifts of value from well-intended, grateful families. Acceptance of gifts under these circumstances may give the appearance to some of favoritism of one student or one group of students over another. Moreover, the acceptance of gifts may make gift-giving to staff members appear to be a routine feature of school life, thereby placing those with fewer financial resources at a real or perceived disadvantage.

When families, students, and others wish to express personal appreciation to a teacher, coach, or other staff member, the School Committee urges them to find modes of expression that do not involve personal gifts. The School Committee endorses the writing of letters to staff members expressing gratitude and appreciation for their work.

Individual Gifts

Under state law, public school teachers and other public employees are generally prohibited from accepting gifts valued at \$50 or more (aggregated) for the school year. Public employees are required to disclose gifts received from individual students and parents/guardians that are not class gifts.

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 or the giver's child, 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. Retirement gifts of any value are allowed, as the person who is retiring can no longer be influenced in any decision based on the receipt of a gift.

Group Gifts to Staff

An exemption exists for "class gifts", whereby a public school teacher is allowed to accept a personal gift or several gifts during the school year, from a class, club/activity or team, with a total value of up to \$150, if a group of students and/or parents wish to pool their contributions toward a group gift. Such a gift must be identified only as being from the class, and the identity of givers and amounts given are not identified to the recipient. Class gifts remove the possible conflict of interest in gifts, as the teacher would have no knowledge of the individual amounts contributed or by whom.

Under no circumstances should the total value of such group gifts (either a single class gift or several class gifts over the year) to an employee exceed \$150 total per school year. In addition to the class gift, a teacher may also accept a gift from an individual student or parent who did not contribute to the class gift; however the teacher may need to disclose the individual gift (as outlined above).

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Gifts to the Classroom, Program or the School

Families may also give gifts to the classroom, to academic, co-curricular and extra-curricular programs, or to the school or District, in accordance with the rules of the Mansfield Public Schools. 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. An employee who accepts such gifts must keep receipts documenting that money or gift cards were used for classroom supplies.

In keeping with this policy, no employee of the Mansfield Public Schools 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.

Solicitations by Staff

In spirit, the School Committee supports the many worthwhile charitable drives and activities that take place in the community, and is gratified when school employees give them their support. However, direct solicitation of funds by staff members must be held at a minimum, so as to not conflict with state ethics and conflict of interest laws. Therefore, staff members will make no such solicitations except with specific Superintendent approval. Whenever such solicitations are approved, no use of school personnel, school resources, and school time will be used, and no pressure will be exerted to obtain contributions either financially or through the donation of goods or volunteer service from District employees, parents, or students. Staff members of course remain free to support charitable causes of their own selection.

Notice

The administration will provide written notice annually to all employees, students and parents/guardians of the District's policy on gifts to staff. Such notification will include, but not be limited to, employee handbooks and student/parent handbooks.

Revised: October 28, 2014

SOURCE: MASC

LEGAL REF: M.G.L. 268A; 930 CMR 5.07, et al.

CROSS REFS: JP, Student Donations and Gifts
 JJE, Student Fund Raising Activities
 KCD, Public Gifts to the Schools Gifts
 KHA, Public Solicitations in the Schools
 KHB, Advertising in the Schools