

**RUSHFORD-PETERSON SCHOOL DISTRICT #239 POLICY 421**

Adopted: 5/16/2016

MSBA/MASA Model Policy 421

Orig. 1995

Revised: \_\_\_\_\_

Rev. 20142019

**421 GIFTS TO EMPLOYEES AND SCHOOL BOARD MEMBERS**

**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 employees and school 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, board members or agents of the district. The policy of the school district, however, is to discourage gift-giving to employees and instead to encourage interested persons to write letters and notes of appreciation or to give small tokens of memorabilia as gratitude.
- 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. The superintendent has discretion to determine what value is “insignificant.”
- C. 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. School district employees, board members or agents of the district may accept items of insignificant value of a promotional or public relations nature. The superintendent has discretion to determine what value is “insignificant.”
- D. Teachers may accept from publishers free samples of textbooks and related teaching materials.
- E. This policy applies only to gifts given to school district employees, board members or agents of the district where the interested person’s relationship with the school district employees, board members or agents of the district arises out of the school district employees, board members or agents of the district employment with the school district. It does not apply to gifts given to school district employees, board members or agents of the district by personal friends, family members, other employees, or others unconnected to the employee’s employment with the school district.

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**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 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.
- C. “Financial interest” means any ownership or control in an asset which has the potential to produce a monetary return.

**IV. 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.

**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.

**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:** MSBA/MASA Model Policy 209 (Code of Ethics)  
MSBA/MASA Model Policy 210 (Conflict of Interest – School Board Members)  
MSBA/MASA Model Policy 306 (Administrator Code of Ethics)