



3001

Gifts to District Personnel

Policy 3001

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I. PURPOSE

The proper operation of a public funded institution requires that district personnel be independent, impartial, and responsible to their supervisors or to the public that elected or appointed them; that decisions be made in the proper channels of the organizational structure; that public employment and public service not be used for personal gain; and that the public have confidence in the integrity of the district. Many parents and students with a sincere wish to honor or express appreciation to their teachers, administrators, and other school personnel want to give gifts or solicit donations in order to purchase gifts for school employees. The purpose of this policy is to establish ethical standards of conduct for all district personnel regarding gifts from individuals, organizations or businesses, and to avoid the appearance of impropriety or conflict of interest on the part of district personnel.

II. GENERAL STATEMENT OF POLICY

- A. Minneapolis Public Schools discourages gift-giving to district personnel. Persons inclined to show appreciation to district personnel are encouraged to show that appreciation through letters or notes to the individual, or individual's superiors regarding the individual, or to make gifts to the donor's choice in the name of the individual to be honored.
- B. District personnel shall not solicit either by direct or indirect means a gift from a student, parent, or other individual or organization.

III. VENDOR AND PROVIDER GIFTS

- A. Except as allowed below no district personnel may receive any gift from individuals or companies selling equipment, materials, supplies or services required in the operation, maintenance, or capital construction of the district.
- B. District personnel may accept gifts from any organization in which they hold a membership, so long as an equivalent gift is given to all members.
- C. District personnel may accept gifts from individuals selling equipment, materials, supplies or services required in the operation, maintenance or capital construction of the district so long as the individual is related to the district personnel, and the gift is given individually and not as a representative of the individual's business concern.
- D. Teachers and Principals may accept sample textbooks and learning materials from publishers.



- E. Employees attending a conference, convention, trade show or other event where service providers or vendors who sell or would like to sell or provide equipment, materials, supplies or services to the district are displaying or demonstrating their products and services who offer to all participants on an equal basis samples, gifts or food and beverages of a de minimus value, may accept such gifts.
- F. Employees attending a conference, convention, trade show or other event that offers the opportunity to win door prizes that are equally available to all participants may accept such door prizes as they win through chance, provided that entry into any drawing for such a prize is not predicated upon the provider doing business with the district or any of its divisions, schools or programs. Entry into a drawing for door prizes shall not constitute solicitation of a gift under this policy.

IV. GIFTS FROM STUDENTS AND PARENTS OR PARENT ORGANIZATIONS

- A. Except as allowed below no district personnel may receive any gift from any person of more than a de minimus value.
- B. Volunteer chaperones who are district personnel may accept contributions toward the cost of a district sanctioned field trip up to the full cost of the trip if the sponsor of the trip knows of the gift in advance and advises the parents of the students on the trip that such a gift has been received.
- C. Principals and Teachers should advise their classes and parents that gifts to school personnel are not expected, nor will they be accepted if offered, if they do not meet the exceptions contained herein.
 - 1. Teachers may accept gifts from the students or parents of the students in their class in the year in which the students are enrolled of a de minimus value. If the class, or any part thereof, makes a joint gift to the teacher, the gift must not be of value more than five dollars (\$5.00) per student.
 - 2. Teachers and Principals may accept gifts from the official parent organization of the school in which they work if the value of the gift is no more than five dollars (\$5.00) per student enrolled.
 - 3. Teachers and Principals may, upon retirement from the district, receive such gifts that are offered them without limit as to amount.

V. GIFTS FROM DISTRICT FUNDS

- A. Except as allowed below no district personnel may accept any gift from any division, department, school or program of the District of more than a de minimus value.
- B. The Superintendent may establish an Employee Appreciation Program to recognize excellence and longevity of service, and use district funds to provide gifts to district personnel. Non-food individual gifts may not exceed fifty dollars (\$50.00), and gifts of meals and beverages shall not exceed the limits allowed for the provision of food and beverage for employees at district meetings.



VI. RESPONSIBILITY

- A. The Superintendent is authorized to promulgate regulations to implement this policy.
- B. Employees of the district who accept or solicit a gift in violation of this policy are subject to discipline up to and including termination.
- C. Non-employee district personnel who accept or solicit a gift in violation of this policy are subject to discipline by the appropriate body; for appointed members of district advisories or councils, the discipline may be imposed by the district personnel assigned to the advisory or council upon consultation with the remaining members of the council or advisory, up to and including removal from the council or advisory.
- D. All district personnel have a duty and obligation to report what they believe to be a violation of this policy.
 - 1. Reports must be made to their supervisor or the manager of the department or building concerned. Any report received by a supervisor or manager should be forwarded to the Office of the District General Counsel.
 - 2. If the supervisor or manager is the subject of the report, the report should be made to the next highest supervisory level or directly to the Office of the District General Counsel.
 - 3. Suspected violations submitted in good faith and in an appropriate manner, whether or not further investigation substantiates the claim of violation, will be free from retaliation in any form. Any person who retaliates against a reporter or complainant shall be subject to discipline.
 - 4. The identity of reporters or complainants will be protected, within legal limits.
 - 5. Reports shall be investigated by the Office of the General Counsel, and Findings of Fact reports shall be submitted to the subject of the complaint, and to the Superintendent or Superintendent's designee.
- E. District personnel who knowingly submit false reports or claims of violations may be subject to discipline.

VII. DEFINITIONS

- A. "de minimus value" shall mean a value of Five Dollars (\$5.00) or less.
- B. "district personnel" shall mean Directors of the Board of Education, employees of the District, appointees to district boards, committees and advisory councils, and contractors.
- C. "gift" shall mean any of the following when the receipt of which is without a return of consideration of equal or greater value:
 - 1. commissions
 - 2. expense-paid trips
 - 3. money
 - 4. real or personal property



5. loans
 6. services
 7. forgiveness of indebtedness
 8. promise of future employment
 9. meals or lodging, or reimbursement for the same.
- D. “Employee Appreciation Program” shall mean a district established and regulated program of acknowledging the service and performance of district employees equally available to all employees with the same criteria for selection. Such a program may include acknowledgements based on:
1. Exemplary performance beyond the basic requirements of the employee’s position.
 2. Exemplary innovation resulting in improvement of delivery of district services or academic goals;
 3. Exemplary service to students or parents;
 4. Longevity of employment with the District.
- E. “operation of the schools” shall include the purchase of materials for the:
1. repair or maintenance of the physical assets of the district;
 2. conduct of student classes;
 3. conduct of student activities including but not limited to clubs, classes, athletic or other competitive teams.
- F. “related to the district personnel” means those individuals in a familial or household relationship with the district personnel including, but not limited to:
1. parents or children
 2. brothers, sisters, nieces, nephews, aunts or uncles
 3. domestic partners, and their familial relations
 4. other dependents,
 5. persons who reside in the same household as the district personnel, and their familial relations.

Legal References:

Minn. Stat. §10A.071 (Prohibition of Gifts)

Minn. Stat. §15.43 (Acceptance of Advantage...)

Minn. Stat. §471.895 (Certain Gifts by Interested Persons Prohibited)

Cross References:

MPS Policy 3000 (Conflicts of Interest and Fiduciary Duty)

MPS Policy 3327 (Payment for Food and Drink)

MPS Regulation 3327 A (Food and Meal Expense Procedures and Limitations)