

**File: GBEC****GIFTS TO AND SOLICITATIONS BY STAFF**Gifts

Public employees, including teachers, are prohibited by sections 3 and 23(b)(2) of the conflict of interest law from accepting any gifts worth \$50 or more that are given to them because of the position they hold, or because of some action they could take or have taken in their position. Teachers may accept gifts that are worth less than \$50, but they must disclose in writing the fact that they have done so if, based on the circumstances, a reasonable person would think that the teacher might unduly show favor to the giver or the giver's child because of the gift.

The \$50 limit is meant to include the accumulated value of multiple gifts from a single student or family in any school year. If a teacher accepts a gift from a student or his/her family that is worth less than \$50, s/he may not then accept another gift later that would cause the total value of gifts received from that student or his/her family to exceed \$50.

A teacher who accepts a gift worth less than \$50 from a student or parents during the school year must file a disclosure form no. 13d ([www.mass.gov/ethics/disclosure](http://www.mass.gov/ethics/disclosure)).

A teacher who is offered an end-of-the-year gift worth \$50 or more should not accept it, unless it is a permissible class gift. An exemption was created by the ethics commission under 930 CMR 5.08(14) to permit class gifts to teachers in certain circumstances. Under this exemption, the parents and students of a class, acting together, may give a gift worth up to \$150 to a teacher, provided that the gift is identified as being from the class and the names of the givers and the amounts given are not disclosed to the teacher. Either a single class gift or several class gifts over the year amounting to a total of \$150 is permissible.

A gift given to a teacher to use solely in the classroom or to buy classroom supplies is not subject to the \$50 limit. Parents and students of a class, acting together, may give a gift worth up to \$150 to a teacher, provided that the gift is identified only as being from the class and the names of the givers and the amounts given are not disclosed to the teacher. A single class gift worth up to \$150, or several class gifts during the school year with the total value of up to \$150, may be given. A teacher may not accept any other gift from someone who has contributed to the class gift. Therefore, if someone has given an individual gift, before accepting it, the teacher must confirm that the giver did not contribute to the class gift.

Solicitations

No solicitations of funds for charitable purposes will be made among staff members except with prior written approval from the Superintendent. Whenever such solicitations are made, no pressure will be exerted to obtain or provide contributions.

Legal Refs.: 930 CMR 5.00, Gift Regulations  
Public School Teacher FAQs on the Conflict of Interest Law at [www.mass.gov/ethics](http://www.mass.gov/ethics)

Revised: October 30, 2013