

**Personnel**

**Acceptance of Gifts By Employees**

All district employees and Board members are expected to carry out their responsibilities in a manner that is free from impropriety.

Employees and Board members may accept gifts subject to the limitations noted in this policy:

1. The acceptance of cash in any amount for personal use is prohibited. Cash may only be accepted for school or district purposes.
2. Non-cash gifts may be accepted only if the gift(s) do not exceed the limits imposed by the Fair Political Practices Commission (FPPC). As of the date of this policy adoption, employees and Board members may not accept gifts that cumulatively exceed \$590 in a calendar year from a single source.
3. Gifts must be returned if the cumulative value of the gifts from a single source in a calendar year is greater than \$590, or if the circumstances or timing under which the gift(s) are given are questionable.
4. The FPPC designates certain employees and Board members as subject to required reporting of gifts. In general, individuals who are subject to reporting requirements are Board members, individuals designated as management, employees in the district's purchasing department, and individuals holding certain specific positions that include purchasing of supplies and equipment. The complete list of employees subject to annual reporting requirements is available in the district's Human Resources Department.
5. For employees and Board members subject to FPPC reporting requirements, gifts that, cumulatively, exceed \$50 from a single source in one calendar year must be reported on FPPC Form 700, Statement of Economic Interests.

During the performance of his or her assigned duties, no district employee shall solicit money or anything of value for the employee's personal use. Employees and Board members should exercise prudence to avoid the perception that a gift or gifts influenced, or were intended to influence, the recipient in order to benefit the donor or the donor's family. Employees accepting gifts should be sensitive to the feelings of students and employees and use discretion in opening them in front of others.

The district recognizes that vendors and other external parties may offer employees and Board members meals or tickets to sporting and other events. Acceptance of such offers is not prohibited providing there is prudence and transparency in deciding whether to accept. Such gifts must be disclosed to the employee's supervisor and are subject to the FPPC limits noted above. They may not be accepted if the timing, dollar value or other circumstances of the offer have the appearance of influencing a district decision or otherwise benefiting the donor.

Meals and other activities paid for by a vendor or other external parties for the express purpose of discussing district business are not considered gifts, and therefore not subject to the reporting requirements described in this policy.

Gifts exchanged between individuals on birthdays, holidays, and other similar occasions are permitted providing that the gifts exchanged are not substantially disproportionate in value

(GC 89503(e)(2)).

Promotional or advertising items of nominal value, such as calendars and pens, may be accepted

**(BP 3315).**

Subject to certain limitations, the Governing Board may accept gifts, grants, and bequests of money or property on behalf of the district (BP 3290).

Employees and Board members are responsible for monitoring the value of gifts and for complying with all sections of this policy and applicable law. Furthermore, employees and Board members subject to the Political Reform Act (GC 81000-910150) and its administration by the Fair Political Practices Commission are responsible for reporting as appropriate.

Legal Reference:

EDUCATION CODE

41032 Authority of school board to accept gift or bequest; investments; gift of land requirements

60071 Prohibited offers to influence adoption or purchase of instructional materials

60072 Acceptance of consideration or inducements by school official

60073 Penalties for violation of article

GOVERNMENT CODE

89503(a) Annual dollar limitation on value of gifts from a single source

89503(e)(2) Exchange of gifts permitted if value not disproportionate

