TRIO Wolf Creek Distance Learning Charter School #4095

421 GIFTS TO EMPLOYEES AND CHARTER 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 charter school employees and charter school board members.

II. GENERAL STATEMENT OF POLICY

A. The charter school recognizes that students, parents, and others may wish to show appreciation to charter school employees. The policy of the charter school, however, is to discourage gift-giving to employees, and to encourage donors instead to write letters and notes of appreciation or to give small tokens of gratitude as memorabilia.

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 director has discretion to determine what value is "nominal".

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 charter school. Employees may accept items of insignificant value of promotional or public relations nature. The director has discretion to determine what value is "insignificant."

D. Teachers may accept from publisher's free samples of textbooks and related teaching materials.

E. This policy applies only to gifts given to employees where the donor's relationship with the employee arises out of the employee's employment with the charter school. It does not apply to gifts given to employees by personal friends, family members, other employees, or others unconnected to the employee's employment with the charter school.

F. An elected or appointed member of a charter school board, a charter school Director or other administrator may not accept a gift from an interested person.

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 charter school board member, a Director or other administrator 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 director 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. § 10.A071 (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: Policy 209 (Code of Ethics)
Policy 210.1 (Conflict of Interest – Charter School Board Members)
MSBA Model Policy 306 (Administrator Code of Ethics)