

PROCEDURE 421- GIFTS TO DISTRICT PERSONNEL

I. 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 and received without the giver receiving consideration of equal or greater value in return. Additional examples of a gift subject to Policy #421 include a commission or an expense-paid trip.
- B. "Interested person" means a vendor or provider of goods or services or a potential vendor or provider of goods or services to the school district.
- C. "Provider" and "Vendor" mean a person or a representative of a person or association that has a direct financial interest in a decision that a school district official is authorized to make.
- D. "School district official" means an employee or independent contractor acting on behalf of the school district whose job duties include screening or selection of vendors or providers of goods or services offered to the school district. School district officials include specifically any superintendents, principals, business managers, resource managers, activities coordinators, executive directors, and any school district employee who is subject to the school district's Administrative Procedure covering Conflicts of Interest.

II. PROCEDURES

- A. If a school district official is offered a gift that is not allowed under Policy 421, the school district official must inform the person offering the gift that the school district official is not allowed to accept the gift personally.
- B. The school district official may direct the person offering the gift to redirect the gift to the school district or other related entity.
- C. If any school district official has a question about whether a gift may be accepted, the school district official should consult with his or her supervisor.

Policy Adopted: 3/17/15

Legal References

Minn. Stat. § 10A.071 Certain Gifts by Lobbyists and Principals Prohibited
Minn. Stat. § 123B.02 Subd.6 Bequests, Donations, Gifts
Minn. Stat. § 471.87 Public Officers, Interest in Contract; Penalty
Minn. Stat. § 471.88 Exceptions
Minn. Stat. § 471.89 Contract, when void
Minn. Stat. § 471.895 Certain Gifts by Interested Persons Prohibited