

## **Gifts to Employees**

Employees may receive a gift on behalf of the school district. Employees shall not, either directly or indirectly, solicit, accept or receive any gift, series of gifts or an honorarium unless the donor does not meet the definition of “restricted donor” stated below or the gift or honorarium does not meet the definition of gift or honorarium stated below. However, employees may receive nonmonetary gifts of a value less than \$3.00 if the donor does not intend to influence the employee's professional judgment.

A “restricted donor” is defined as a person or other entity which:

1. Is seeking to be, or is a party to, any one or any combination of sales, purchases, leases or contracts to, from or with the school district;
2. Is engage in activities which are regulated or controlled by the school district;
3. Will be directly and substantially affected financially by the performance or nonperformance of the employee’s official duty in a way that is greater than the effort on the public generally or on a substantial class of persons to which the person belongs as a member of a profession, occupation, industry or region; or
4. Is a lobbyist or a client of a lobbyist with respect to matters within the school district’s jurisdiction.

A “gift” is the giving of anything of value in return for which something of equal or greater value is not given or received. However, “gift” does not include any of the following:

1. Contributions to a candidate or a candidate’s committee;
2. Information material relevant to an employee’s official function, such as books, pamphlets, reports, documents, periodicals or other information that is recorded in a written, audio or visual format;
3. Anything received from a person related within the fourth degree by kinship or marriage, unless the donor is acting as an agent or intermediary for another person not so related;
4. An inheritance;
5. Anything available or distributed to the general public free of charge without regard to the official status of the employee;
6. Items received from a charitable, professional, educational or business organization to which the employee belongs as a dues paying member if the items are given to all members of the organization without regard to an individual member’s status or positions held outside of the organization and if the dues paid are not inconsequential when compared to the items received;
7. Actual expenses of an employee for food, beverages, travel and lodging for a meeting, which is given in return for participation in a panel or speaking engagement at the meeting when the expenses relate directly to the day or days on which the employee has participation or presentation responsibilities;
8. Plaques or items of negligible resale value given as recognition for public service;

9. Food and beverages provided at a meal that is part of a bona fide event or program at which the recipient is being honored for public service;
10. Non-monetary items with a value of less than three dollars that are received from any one donor during one calendar day;
11. Items or services solicited or given to a state, national or regional organization in which conference, seminar or other meeting or solicited by or given for the same purposes to state, national or regional government organizations whose memberships and officers are primarily composed of state or local government officials or employees for purposes of a business or educational conference, seminar or other meeting;
12. Items or services received by members or representatives of members as part of a regularly scheduled event that is part of a business or educational conference, seminar or other meeting that is sponsored and directed by any state, national or regional government organization in which the state of Iowa or a political subdivision of the state of Iowa is a member or received at such an event by members or representatives of members or state, national or regional government organizations whose memberships and officers are primarily composed of state or local government officials or employees;
13. Funeral flowers or memorials to a church or nonprofit organization;
14. Gifts which are given to an employee for the employee's wedding or twenty-fifth or fiftieth wedding anniversary;
15. Payment of salary or expenses by the school district for the cost of attending a meeting of a subunit of an agency when the employee whose expenses are being paid serves on a board, commission, committee, council or other subunit of the agency and the employee is not entitled to receive compensation or reimbursement of expenses from the school district for attending the meeting;
16. Gifts of food, beverages, travel, or lodging received by a public official or public employee if all of the following apply: (1) the public official or public employee is officially representing an agency in a delegation whose sole purpose is to attract a specific new business to locate in the state, encourage expansion or retention of an existing business already established in the state, or to develop markets for Iowa businesses or products; (2) the donor of the gift is not the business or businesses being contacted; and (3) the public official or public employee plays a significant role in the presentation to the business or businesses on behalf of the public official's or public employee's agency.
17. Gifts other than food, beverages, travel and lodging received by an employee which are received from a person who is a citizen of a country other than the United States and is given during a ceremonial presentation or as a result of a custom of the other country and is of personal value only to the employee.
18. Actual registration costs for informational meetings or sessions which assist a public official or public employee in the performance of the person's official functions. The costs of food, drink, lodging and travel are not "registration costs" under this paragraph. Meetings or sessions which a public official or public employee attends for personal or professional licensing purposes are not "informational meetings or sessions which assist a public official or public employee in the performance of the person's official functions" under this paragraph.

An “honorarium” is anything of value that is accepted by, or on behalf of, an employee as consideration for an appearance, speech or article. An honorarium does not include any of the following:

1. Actual expenses of an employee for registration, food, beverages, travel or lodging for a meeting, which is given in return for participation in a panel or speaking engagement at a meeting when the expenses relate directly to the day or days on which the employee has participation or presentation responsibilities;
2. A nonmonetary gift or series of nonmonetary gifts donated within thirty days to a public body, an educational or charitable organization or the Iowa department of general services; or
3. A payment made to an employee for services rendered as part of a private business, trade or profession in which the employee is engaged if the payment is commensurate with the actual services rendered and is not being made because of the person’s status as an employee of the district, but, rather, because of some special expertise or other qualification.

It shall be the responsibility of each employee to know when it is appropriate to accept or reject gifts or an honorarium. An employee who violates this policy may be subject to disciplinary action up to and including termination.

Approved: November 17, 1997

Revised: May 18, 2015

Reviewed: April 24, 2017