

SCHOOL DISTRICT OF PITTSVILLE BOARD POLICY

PERSONNEL

GENERAL PERSONNEL POLICIES

GIFTS AND GRATUITIES

524

An employee, or a member of the employee's immediate family, may not accept, directly or indirectly, any gift, money, gratuity, or other consideration or favor of any kind from anyone other than the District that a reasonable person would understand was intended to influence official action or judgment of the employee in executing decision-making authority affecting the District, its employees, or students. It shall not be considered a violation of this policy for an employee to receive incidental entertainment, food, refreshments, meals, or similar amenities, that are provided in connection with a conference or similar work-related activity where the employee's supervisor has reviewed the agenda for the conference or other activity and concluded that such incidental primarily facilitate the employee's attendance at and participation in the activity, and therefore, primarily benefit the District rather than serving primarily as a personal benefit. Exceptions to this policy are acceptance of minor items, which are generally distributed by companies through public relations programs. Teachers and other employees should accept only gifts of token value from students.

It is the Board's policy for employees to decline gifts, gratuities or favors from any outside organization or individual doing business or seeking to do business with the District. Gifts that are intended for the benefit of the District should be referred to the District Administrator or his/her designee for proper processing in accordance with state law and the District's public gifts policy. Gifts of nominal or of insubstantial value and services offered for a reason unrelated to the employee's position and which could not reasonably be expected to influence a decision could be accepted. Larger gifts to employees as an individual and gifts of more than nominal or insignificant value should be graciously declined.

In the event that an employee receives a gift or other item of value (e.g., and unsolicited gift from a vendor that arrives before it could be declined) that the employee is prohibited by law or by District policy from accepting or retaining, the employee is expected to notify a supervisor and shall divest himself/herself of the items using any of the following methods:

1. Give the item to the District to use or sell, except that the District may not sell the item to any government employee or official.
2. Give the item to another local agency or to a public institution, such as a school, library, or museum that can use the item.
3. Give the item to a charitable organization, a defined in section 11.0101(4) of the state statutes, not including a charitable organization with which the employee or a member of his/her immediate family is associated in an ownership or leadership capacity (e.g., as an officer) or as an authorized representative or agent.
4. Return the item to the donor.
5. If the donor is neither a lobbyist nor a principal who employs a lobbyist, as further defined in the state lobbying statutes, purchase the item at its full retail value and keep the item.

Under Wisconsin Statute 118.12, no school district employee may receive for his/her personal benefit anything of value from any person other than his/her employing school district to sell, promote the sale of, or act as an agent or solicitor for the sale of any goods or services to any public school pupil while on the property of his/her employing school district or at any activity of his/her employing district. [i.e. Student trips where free trip(s) is/are received: If the

free trip is solely awarded to the employee based on the number of trips the employee sells to students, then the value of the free trip(s) is/are to reduce all participants' trips cost versus giving the entire free trip value to the adviser(s) and/or chaperone(s). If the free trip awarded by the trip company is compensation for your duties for them, this would be acceptable. Burden of proof will for the type of free trip will fall on the employee.]

Legal References:

Wisconsin Statutes

Section 19.59 [Codes of ethics for local government officials, employees, candidates]

Section 118.12 [Sale of goods and services at schools]

Section 118.27 [Gifts and grants]

Cross References:

Policy 522.4 Staff Ethics/Conflicts of Interest

First Reading of Updates:

August 8, 2022

Seconding Reading/Approval of Updates:

September 12, 2022