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<b>Department Name:</b>	Legal
<b>Date Email Sent:</b>	2/12/2019
<b>Email Subject Line:</b>	'Tis the Season for an Ethics Reminder
<b>Recipient Groups:</b>	Superintendents, Board Members, Superintendent Secretaries, Board Attorneys, CSFOs

**Email body:**

**This email is being sent to all board members, superintendents, superintendent secretaries, CSFOs and board attorneys.**

## **Holiday Gift-giving Reminders**

As a reminder, in 2016, the Ethics Commission ruled that the *de minimus* limits on gifts (\$25 per occasion; \$50 per year) do NOT apply to public officials or public employees, as long as the gift giver is not a lobbyist or a principal (a person who employs a lobbyist).

Nevertheless, the Commission still suggests using the \$25/\$50 limit in policy as a best practice, but gifts beyond the *de minimus* amounts no longer violate the Ethics law. The Commission summarizes its practical guidance on pages 4 and 5 of the attached opinion.

A few other reminders ahead of the holiday season:

- It is permissible to pool gifts, e.g. the room mom takes up \$5 from each student who wishes to participate and purchases a \$100 gift card for the class Christmas gift to the teacher (as long as the teacher doesn't ask the students to participate);
- The board members may pool their money to purchase a gift for the board secretary;
- Board attorneys may purchase gifts for their board member and superintendent clients; and
- No gift of any amount can be given or received by any public official or employee in exchange for official action.

**Finally, we encourage you to use the "Sally Smith Rule" this holiday season: If you saw a headline about an extravagant gift given to another**

**public official or employee, what would you think? Comply with the law, but also use your good judgment.**

Don't hesitate to contact us if you have further questions, and as always, contact your local counsel for legal advice.

**Attachments (if any):**



Ethics Opinion on  
Gift Giving.2016-34.1