

Regulations Regarding Gifts to Teachers

The following is an outline of the rules and regulations regarding gifts to teachers recently set down by the State of Massachusetts. It is important to note that not all gifts are prohibited.

Gifts to Teachers

Teachers are prohibited to accept a gift with a total value of \$100 from a group of current public school students and/or their parents as long as the gift is identified as being only from the class and the gift givers and the amounts given are not identified. The total value of gifts received by a teacher from a group of current public school students and/or their parents is limited to \$100 per year.

Any teacher not participating in the class gift to the teacher may give a personal gift of up to \$50.

A teacher may accept a gift of substantial value if the gift is given to the teacher by a family member or friend. The gift must be given to the teacher in a personal capacity.

Example:

In December, Ms. Smith receives a gift certificate to the Spaghetti House for \$125 from all the parents in her class, except Mrs. Jones. Mrs. Jones decides to give Ms. Smith a \$48 bottle of Acme Bubble Bath. In the spring, the class can give Ms. Smith a \$25 Starbucks card, but Mrs. Jones could only give her a \$1.99 bar of chocolate.

Personal gifts of substantial value are not allowed, and there are new definitions of "substantial value." An unusual example may be tickets to performances or sports events that may have a face value of less than \$50, but because of their scarcity can have a fair market value of a great deal more. This type of gift is not allowed.

Example:

Instead of the bubble bath, Mrs. Jones decides to give Ms. Smith her \$40 ticket to a Madonna concert. However, everyone in the U.S. wants to go to the Madonna concert, so tickets are selling on eBay for \$2000 each. Ms. Smith may not accept the Madonna ticket.

Gifts to Classrooms

In addition to receiving personal gifts, teachers may accept a gift for the classroom. Although there is no spending limit for these, any group of parents considering giving a substantial gift should consult with the PTA or the principal; there may be questions of parity (fairness) among classrooms or schools, and rules and restrictions regarding certain capital items and technology. All gifts given to the classrooms become property of the school district.

For the complete text regarding gifts, please go to : <http://www.mass.gov/ethics/laws-regulations-and-forms/conflict-of-interest-information/info-section-3/930-cmr-500-gift-regulations.html>

Non-Profit Organizations

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