

Personnel

General Personnel - Gift Ban

No employee will solicit or accept any gift from any prohibited source or in violation of any federal or state statute, rule or regulation. This ban applies to and includes an employee's spouse and immediate family living with an employee.

For purposes of this policy, the terms "employee", "gift" and "prohibited source" are defined as follows:

"Employee" means all full-time, part-time and contractual employees, and appointed and elected officials of the District, including members of the District's Board of Education.

"Gift" means any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to District employment or the official position of an employee.

"Prohibited source" means any person or entity who: (1) is seeking official action by the employee or by the District or another employee directing the employee; (2) does business or seeks to do business with the employee or with the District or another employee directing the employee; (3) conducts activities regulated by the employee or by the District or another employee directing the employee; (4) has interests that may be substantially affected by the performance or non-performance of the official duties of the employee; or (5) is registered or required to be registered with the Secretary of State under the Lobbyist Registration Act.

The above gift ban does not apply to the following:

- (1) A gift from a relative, as defined by the State Gift Ban Act.
- (2) Anything provided by an individual on the basis of a personal friendship -- unless the employee has reason to believe that, under the circumstances, the gift was provided because of the official position or employment of the employee and not because of personal friendship.
- (3) Informational materials that are sent to the office of the employee in the form of books, articles, periodicals, other written materials, audiotapes, videotapes, or other forms of communication.
- (4) Awards or prizes that are given to competitors in contests or events open to the public, including random drawings.
- (5) Honorary degrees (and associated travel, food, refreshments, and entertainment provided in the presentation of degrees and awards).

- (6) Bequests, inheritances, and other transfers at death.
- (7) A gift of personal hospitality from an individual other than a registered lobbyist or agent of a foreign principal.
- (8) Free attendance at a widely attended event permitted under the State Gift Ban Act.
- (9) Golf or tennis; food or refreshments of nominal value and catered food or refreshments; meals or beverages consumed on the premises from which they were purchased.
- (10) Donations of products from an Illinois company that are intended primarily for promotional purposes, such as display or free distribution, and are of minimal value to any individual recipient.
- (11) An item or items from any one prohibited source during any calendar year having a cumulative total value of less than \$100.
- (12) Anything otherwise excepted under the State Gift Ban Act.

The recipient of a gift that is given in violation of this policy may, at his or her discretion, return the item to the donor or give the item or an amount equal to its value to an appropriate charity.

The Board of Education may take disciplinary action against an employee who violates this policy, as it deems appropriate. Such disciplinary action may include but is not limited to the following:

- (1) A reprimand;
- (2) An order to cease and desist the offensive action;
- (3) An order to return or refund money or other items, or provide an amount of restitution for services, received in violation of this policy;
- (4) Dismissal; and/or
- (5) An order to donate to charity an amount equal to the gift.

Any such disciplinary action taken will be made public.

An individual who knowingly violates the State Gift Ban Act is guilty of a business offense and subject to a fine of up to \$5,000. Alleged violations will be referred to the appropriate authorities.

LEGAL REF.: State Gift Ban Act, 5 ILCS 425/1, et seq.

Adopted: July 22, 1999
Revised: April 24, 2003
Reviewed: January 27, 2011