

# WATERTOWN

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# Public Schools

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*Ann Koufman-Frederick, Ph.D.*  
*Superintendent*

December 1, 2010

Dear Parent/Guardian,

As we begin the winter holiday season, I want to remind you about last year's new Ethics Law and our Watertown Public School policy on gifts. Please consider these requirements in your thoughtfulness to school personnel.

Recently the General Counsel for the state Ethics Commission made this statement pertaining to teachers: "*Under section 23(b)(2)(i) a teacher, like any other public employee, can only accept Christmas gifts given because of official position that are less than \$50 in value. Families can take up a collection and give a group gift to a teacher, but only if the total value of the group gift is less than \$50.*" (General Laws chapter 268A, section 23(b)(2)(i)). The State Ethics Commission will consider a group or series of gifts, individually less than \$50.00 in value but adding up to \$50.00 or more, given in any one calendar year to be in aggregate a gift that violates the new Ethics Law.

However, the State Ethics Commission has also recently approved a narrow exception to the above rule for class gifts to teachers. *Effective December 2010, Public School students and/or their parents and guardians may give a class gift or several gifts during the school year, with an aggregate value of up to \$150.00 to a teacher. Any such gift or gifts must be identified only as being from the class, and the identity of the givers and amounts given may not be identified to the teacher. Parents may also give gifts to the classroom or the school in accordance with the rules of the school district. (See 930 C.M.R. 5.08(14)) (emphasis added).* If an individual gives a gift to a teacher because of official position, or if the givers and amounts of a class gift are identified to the teacher, this exception will not apply.

The new Ethics Law also recommends appropriate alternatives that do not violate the conflict of interest law: "*A group of families can give a gift to the school or for the use of the classroom (as opposed to the teacher's personal use) without violating the law. For instance, books or supplies can be bought for the classroom and it is not considered a gift to the teacher. Families can also have their children write letters of appreciation to teachers.*" (General Laws chapter 268A, section 23(b)(2)(i)).

The Watertown Public School policy on gifts states: "*The acceptance of personal gifts by school personnel from parents and/or students can be subject to misinterpretation and a source of embarrassment to the school system and all persons involved. When families, students, or others wish to express personal appreciation to a teacher or other staff member, the School Committee urges them to find modes of expression that do not involve personal gifts.*" (Gifts to and Solicitations by Staff, File GBEBBC).

We very much appreciate your recognition of teachers and staff during the holiday season, and I know this means a lot to them. I don't want to discourage you from being as thoughtful as you have always been, just please keep in mind the constraints set forth in the new ethics laws.

Have a safe and healthy holiday season.  
Sincerely,

Ann Koufman-Frederick