



ANDOVER PUBLIC SCHOOLS

"Every Child, Every Day, Every Way"

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Marinel D. McGrath, Ed.D.
Superintendent of Schools
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Dear Families of Andover Students,

At this time of year, some families have made it a tradition to give gifts to staff members to show their appreciation. For those of you who have considered giving a gift and recognizing the risk I take of being perceived as a "hum-bug", I do need to remind you about laws and regulations affecting gift giving to school staff members.

School staff members are public employees, and as such are subject to the State's Conflict of Interest Law (Massachusetts General Law, Chapter 268A) and State Ethics Committee rules. Public school teachers (and other public employees) are generally prohibited from accepting gifts valued at fifty dollars (\$50) or more, unless that gift falls within certain exemptions. The State Ethics Commission recently created a new exemption for "class gifts" whereby a public school *teacher may accept a class gift up to one hundred fifty dollars (\$150) in value if a group of students and/or parents wish to pool their contributions toward a gift*. A class gift removes the possible conflict of interest inherent in gifts as the teacher will have no knowledge of the individual amounts contributed or by whom. In addition, any gift with a value of less than \$50, from an individual who did not contribute to the class gift may be accepted; however, the staff member will need to disclose the individual gift in a written public disclosure made to the employer. This law was enacted to ensure that members of the public are treated equally and that no one has or might be perceived to have special advantages or influence. This applies even if the purpose of the gift is seen as a token of gratitude for a well-done job.

Even with the state law aside, there is sometimes discomfort about the appropriateness of gifts within the school context or the feeling that gifts might be expected. The School Committee and I think that the best gifts that can be shared with staff are your kind words of appreciation. If you do wish to give a gift, please consider making a contribution in the staff member's name to your PTO/PAC or to any one of the many booster clubs and community groups that support school initiatives. Each of these groups will ensure that the teacher receives notification of the gift made in his or her name. I would also suggest the Andover Coalition for Education (ACE), the Andover Fund for Education (AFE) or The Andona Society. Donations for these groups are tax deductible and benefit teachers and programs in the Andover Public Schools. The websites for the above mentioned groups can be found on our website www.aps1.net in the section entitled "Community Links".

We in Andover are very fortunate to have such generous families who support us in so many ways, such as formal recognition programs, lunches, volunteering, participating in school activities, and sharing words of gratitude. The School Committee and I would appreciate your cooperation in this matter. If you have additional questions about this law and regulation, please feel free to contact your building principal, the School Committee, or me.

Sincerely,

Marinel D. McGrath, Ed.D.
Superintendent of Schools