

PERSONNELGENERAL PERSONNEL-COMPLIANCE WITH STATE OFFICIALS AND EMPLOYEES ETHICS ACTGift Ban

No Board member or employee will intentionally 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 the spouse of and immediate family living with the Board member or employee.

This gift ban does not apply to the following:

- (1) Opportunities, benefits, and services that are available on the same conditions as for the general public.
- (2) Anything for which the Board member or employee pays the market value.
- (3) Any contribution that is lawfully made under the Election Code or under the State Officials and Employees Ethics Act, or any activities associated with a fundraising event in support of a political organization or candidate.
- (4) Educational materials and missions.
- (5) Travel expenses for a meeting to discuss District business.
- (6) A gift from a relative, as defined by the State Officials and Employees Ethics Act.
- (7) Anything provided by an individual on the basis of a personal friendship -- unless the Board member or employee has reason to believe that, under the circumstances, the gift was provided because of the official position or employment of the Board member or employee and not because of the personal friendship.
- (8) Food or refreshments not exceeding \$75 per person in value on a single calendar day, provided that the food or refreshments are catered or consumed on the premises from which they were purchased or prepared.
- (9) Food, refreshments, lodging, transportation, and other benefits resulting from the outside business or employment activities (or outside activities that are not connected to the official duties of the Board member or employee) of the Board member or employee, or the spouse of the Board member or employee, if the benefits have not been offered or enhanced because of the official position or employment of the Board member or employee, and are customarily provided to others in similar circumstances.
- (10) Intra-governmental and inter-governmental gifts, as defined by the State Officials and Employees Ethics Act.
- (11) Bequests, inheritances, and other transfers at death.
- (12) An item or items from any one prohibited source during any calendar year having a cumulative total value of less than \$100.
- (13) Anything otherwise excepted under the State Officials and Employees Ethics Act.

Each of these exceptions is mutually exclusive and independent of the others.

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#### Gift Ban

A Board member or employee does not violate this policy if the Board member or employee promptly takes reasonable action to return the prohibited gift to its source or gives the gift or an amount equal to its value to an appropriate charity that is exempt from income taxation under Section 501(c)(3) of the Internal Revenue Code.

#### Prohibited Political Activities

Employees are prohibited from intentionally performing any prohibited political activity during compensated time (other than vacation, personal leave, or compensatory time off).

Employees are prohibited from intentionally misappropriating District property or resources by engaging in any prohibited political activity for the benefit of any campaign for elective office or any political organization.

Board members and employees are prohibited from intentionally misappropriating the services of any District employee by requiring the employee to perform any prohibited political activity (a) as part of the employee's District duties, (b) as a condition of District employment, or (c) during any time off that is compensated by the District (such as vacation, personal leave, or compensatory time off).

No District employee will be required at any time to participate in any prohibited political activity in consideration for the employee being awarded any additional compensation or employee benefit, in the form of a salary adjustment, bonus, compensatory time off, continued employment, or otherwise.

No District employee will be awarded any additional compensation or employee benefit, in the form of a salary adjustment, bonus, compensatory time off, continued employment, or otherwise, in consideration for the employee's participation in any prohibited political activity.

Nothing in this policy prohibits activities that are otherwise appropriate for a District employee to engage in as a part of his or her official District employment duties, or activities that are undertaken by the employee on a voluntary basis as permitted by law.

#### Penalties

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

- (1) A reprimand or censure.
- (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 of the employee.
- (5) An order to donate to charity an amount equal to the gift.

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Any such disciplinary action taken will be made public.

Alleged violations will be referred to the appropriate authorities.

As a matter of law, if any Board member or employee is placed on administrative leave, either voluntarily or involuntarily, pending the outcome of a criminal investigation or prosecution and that Board member or employee is removed from office or employment due to his or her resultant criminal conviction, then the Board member or employee is indebted to the District for all compensation and the value of all benefits received during the administrative leave and must forthwith pay the full amount to the District.

Definitions

For purposes of this policy, the terms “employee”, “gift”, “prohibited source” and “prohibited political activity” are defined as follows:

“Employee” means all full-time, part-time and contractual employees of the District.

“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 a Board member or employee.

“Prohibited source” means any person or entity who: (1) is seeking official action by a Board member or employee, by the District, or by a Board member or another employee directing the employee; (2) does business or seeks to do business with the Board member or employee, with the District, or with a Board member or another employee directing the employee; (3) conducts activities regulated by the Board member or employee, by the District, or by the Board member 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 Board member or employee; (5) is registered or required to be registered with the Secretary of State under the Lobbyist Registration Act; or (6) is an agent of, a spouse of, or an immediate family member who is living with a “prohibited source”.

“Prohibited political activity” means:

- (1) Preparing for, organizing, or participating in any political meeting, political rally, political demonstration, or other political event;
- (2) Soliciting contributions, including but not limited to the purchase of, selling, distributing, or receiving payment for tickets for any political fundraiser, political meeting, or other political event;
- (3) Soliciting, planning the solicitation of, or preparing any document or report regarding any thing of value intended as a campaign contribution;

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- (4) Planning, conducting, or participating in a public opinion poll in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question;
- (5) Surveying or gathering information from potential or actual voters in an election to determine probable vote outcome in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against a referendum question;
- (6) Assisting at the polls on election day on behalf of any political organization or candidate for elective office or for or against any referendum question;
- (7) Soliciting votes on behalf of a candidate for elective office or a political organization or for or against any referendum question or helping in an effort to get voters to the polls;
- (8) Initiating for circulation, preparing, circulating, reviewing, or filing any petition on behalf of a candidate for elective office or for or against any referendum question;
- (9) Making contributions on behalf of any candidate for elective office in that capacity or in connection with a campaign for elective office;
- (10) Preparing or reviewing responses to candidate questionnaires in connection with a campaign for elective office or on behalf of a political organization for political purposes;
- (11) Distributing, preparing for distribution, or mailing campaign literature, campaign signs, or other campaign material on behalf of any candidate for elective office or for or against any referendum question;
- (12) Campaigning for any elective office or for or against any referendum question;
- (13) Managing or working on a campaign for elective office or for or against any referendum question;
- (14) Serving as a delegate, alternate, or proxy to a political party convention;
- (15) Participating in any recount or challenge to the outcome of any election.

Unless otherwise stated, all other terms used in this policy have the meanings set forth in Section 1-5 of the State Officials and Employees Ethics Act.

LEGAL REF.: Illinois State Officials and Employees Ethics Act, 5 ILCS 430/1-1, *et seq.*

Adopted: November 4, 1999  
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