

Ethics FAQ

ORS 244.040 prohibits public employees from using their position to obtain financial gain or to avoid financial detriment for themselves or their families. Gifts, food, services, activities or entertainment from any single donor are limited to \$50 annually. The following scenarios may assist employees in determining what constitutes ethical behavior as defined by this statute.

- 1. A music teacher wants to charge students \$20 for music lessons after school. He intends to run the money through the 231 account and pay himself.**

Assuming the music lessons are supported and endorsed by the principal as a school enrichment program, the school will collect funds, deposit them in the 231 account and receipt all students. The principal will determine compensation for the teacher, consistent with District guidelines. Caution: Are other teachers paid for similar activities after school? Ex: After school language classes. The activity must be a school activity that is in total control of the school.

- 2. A BSD substitute wants to offer an after school tutoring program for children at a particular school. She subs there often and will charge the going rate.**

This doesn't meet the "but for test". She wouldn't have access to the students unless she was a substitute at that location, so this would be a conflict of interest. She should ask to have her name added to the HR tutoring list, and parents will contact her directly.

- 3. A school distributes passes to games and school events for employees and their families.**

Employees may receive free passes to events as they are encouraged to support students and provide with supervision, as needed. Family members, however, must pay the same rate as the general public.

- 4. A coach wants to offer a camp or clinic during the off season to his team members.**

The coach may not use any school resources or facilities that are unavailable to an outside vendor. He must go through the building use process and pay the appropriate fees. Local School Committees must treat the request as a non-District use and require the appropriate liability insurance.

- 5. A parent offers to pay her child's teacher to tutor her child after school.**

This is a conflict of interest. Teachers may not receive remuneration for tutoring their own students. Tutoring students from other schools or classes is acceptable assuming the teacher does not do so during work time or use District resources other than as allowed to the general public (building use, textbooks, etc.).

- 6. A Spanish teacher wants to take a group of students to Mexico during the summer. The trip is not District-sponsored, but a travel company has offered to pay the teacher's expenses if he can arrange for at least 15 students to participate.**

The teacher must go through the same processes as any non-employee community member. Advertising for the opportunity may not be done during work time. Flyers and brochures must be approved through Community Involvement and shared through community boards. A building use permit and applicable fees are required for informational sessions conducted on District sites and after work hours. District email, copiers, materials or other resources may not be used to plan or promote the trip.

- 7. A German teacher wants to take a group of students to Germany during the summer as part of a District-sponsored exchange program. The exchange is primarily funded by the Foreign Ministry of Germany. Additional funds are provided by the US Department of German American Partnership Program, Inc., which is a non-profit 501(c) corporation.**

Since this is a District-sponsored event, and the teacher is performing official duties, it is reasonable to expect paid travel by outside sources would not constitute a prohibited gift.

- 8. A teacher has been asked by a university to supervise an intern. The university plans to pay the teacher \$200.**

The teacher cannot accept payment directly from the university. The university must make the payment to the Business Office, and the District will write a check to the teacher. Taxes and benefits will be deducted.

- 9. Borders Bookstore is offering a 15% discount to K-12 employees.**

The employee may use the discount to purchase items directly related to his / her employment. For example, it is acceptable to use the discount to purchase classroom materials. It is unacceptable to use the discount to purchase family gifts or other personal items.

- 10. An employee attends a conference and wins a raffle drawing. The prize is a laptop computer.**

This is considered a gift and exceeds the \$50 limit. The employee must either decline the gift or give it to his / her school or department.

- 11. A teacher receives flowers for her birthday (\$30 value) and a \$40 restaurant gift for teacher appreciation week from the same family.**

A teacher gives grades to a student and has an administrative relationship with the family and may not receive gifts valuing over \$50 in a calendar year.

- 12. A staff member attends a conference in Texas and decides to extend the trip for an extra week using vacation to visit family that lives in the same town.**

Any and all expenses incurred as a result of the employee's extra stay must be paid by the employee. If the cost for the employee's airfare would increase due to the employee staying the week for personal business, the employee would need to pay the additional cost.

- 13. A parent volunteers hours in the classroom, and her employer gives a donation to the school for each hour donated. The parent would like to have the donation credited to his specific student's fundraising account for a school sponsored trip.**

The donation is given for the benefit of the school, and not for the benefit of the individual student. The donation should be used for the school or classroom and not for the individual student's benefit.

- 14. Athletic family passes are given to coaches and athletic directors from OSAA. The annual pass is valued at \$50.**

The coaches and athletic directors would be allowed to accept the OSAA gift as long as they do not receive any other gift from OSAA during the calendar year. The annual gift limit is \$50.