



Madison County Board of Education

Kenneth S. Kubik, Ed.S.
Acting Superintendent

Dear Teachers and Parents:

Many of you have asked questions about Christmas gifts in light of the recent changes to the Ethics Law. While those changes were likely necessitated by the actions of some lobbyists, legislators and other high-ranking public officials, teachers are covered as well. The full opinion is available for you to review on the [Alabama Ethics Commission website](#) (Opinion 2011-12, pages 13-17), but we wanted to give you a summary as guidance:

- Not allowed:
 - Hams, Turkeys, or
 - Gift cards with a specific monetary value from an individual.
- Allowed for public offices:
 - Consumable items may be provided for the enjoyment for office workers or staff, such as pecans, fruit baskets, cookies, cheese plates, etc.;
- Allowed for individual teachers:
 - Fruit baskets, homemade cookies, etc.,
 - Christmas ornaments of little intrinsic value,
 - Coffee mugs filled with candy or of a holiday nature,
 - Any item that the teacher may use to assist him in the performance of his teaching duties, e.g. notebooks, school supplies, etc.; and
 - CDs or books of a nominal value, scarves, etc.; and
- The Board has passed a resolution that allows, the PTA or a classroom mother to collect a small amount of money (not to exceed \$10.00) from each student and pool that money toward the purchase of a gift card.
- Gift cards may be given at any time, not just during the holidays, to teachers or schools to allow the teacher or school to purchase items for the benefit of the class.
- Anything given in a friendly relationship that was pre-existing is allowed.

Each of these examples are described as having “de minimus value”—defined as something so small that accounting for it would be unreasonable. While no specific dollar amount is given, a reasonable guideline would be a gift valued at less than \$10 or so. Something important to consider is whether or not the item is being given in an attempt to corruptly influence official action. Any item that is being offered or accepted for the purpose of corruptly influencing official action is prohibited.

Unfortunately, the timing of this opinion leaves little time for planning, but we wanted to share this guidance with you. Thank you for all you do to support our schools!

Sincerely,

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Acting Superintendent

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