



**DEPARTMENT OF DEFENSE
EDUCATION ACTIVITY**

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DoDEA General Counsel

07-GC-001
November 8, 2007

**DEPARTMENT OF DEFENSE EDUCATION ACTIVITY
POLICY MEMORANDUM**

Subject: Special Standards for Gifts to a Teacher from a Student or a Parent

It is the policy of the Department of Defense Education Activity that the following standards apply only in circumstances involving a gift to a teacher from an individual parent or student or group of the same. Gifts from Outside Sources, 5 C.F.R. Subpart B, and Gifts Between Employees, 5 C.F.R. Subpart C, apply to teachers when the source of the gift is other than a parent or student or group of the same in accordance with those standards.

1. Gifts to a teacher from an individual parent or student.

a. A teacher may accept a non-cash gift valued at \$20 or less per occasion, not to exceed \$50 in one school year from an individual parent or student. Non-cash gifts include gift cards that are redeemable for merchandise, but not for cash.

b. The occasions upon which gifts may be given to a teacher include: (1) those in which gifts are traditionally given or exchanged, such as celebration of a holiday or the end of the school year; and (2) special, infrequent occasions, such as recognition of occasions of personal significance such as marriage, illness, birth or adoption of a child, retirement, resignation, or transfer.

2. Gifts to a teacher from a group of parents or students.

a. A teacher may accept a group gift from parents or students that does not exceed \$150 on special, infrequent occasions, such as recognition of occasions of personal significance such as marriage, illness, birth or adoption of a child, retirement, resignation, or transfer. Group gifts may not be accepted on other occasions such as holidays and at the end of the school year.

b. Limitation on group gifts. Solicitations and contributions for group gifts must be voluntary.

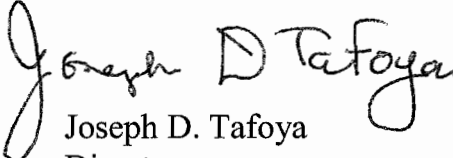
3. Limitations on use of exceptions. Notwithstanding the exception in 1(a) above, a teacher shall not:

- a. Accept a gift in return for being influenced in the performance of an official act.
- b. Solicit or coerce the offering of a gift.
- c. Accept gifts from the same or different sources on a basis so frequent that a reasonable person would be led to believe the teacher is using his/her public office for private gain.

4. Definitions.

- a. Teacher refers to a school-level educator who is in a position in which he or she grades students in domestic and overseas schools under the cognizance of the Department of Defense Education Activity.
- b. Gift is defined in 5 C.F.R. 2635.203(b).

The provisions of this policy will be included in the next revision of DoD 5500.7-R, "Joint Ethics Regulation." Questions concerning this policy should be addressed to DoDEA General Counsel (703) 588-3064 or DSN 425-3064.


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Director