

REVISED BYLAW 0144.5 - VOL. 25, NO. 2

0144.5 Gifts and Gratuities

[CHOOSE OPTION #1 OR OPTION #2 OR OPTION #3, IF DESIRED.]

[NOTE: NEITHER OPTION #1, 2, OR 3 IS REQUIRED BY LAW.]

~~Select either Option #1 or Option #2~~

☐ Option #1

~~A Board member or an a Corporation employee of the School Corporation making a recommendation to the Board on a matter to be considered by the Board shall not accept any gift or gratuity from a person or entity having a substantial personal or pecuniary interest in the Board's decision on the matter.~~

☒ Option #2

A Board member or ~~an a Corporation~~Career Center employee ~~of the School Corporation~~ making a recommendation to the Board on a matter to be considered by the Board shall not accept a gift or gratuity from a person or entity having a substantial personal or pecuniary interest in the Board's decision on the matter in accordance with the restrictions and provisions of I.C. 35-44.1-1-2.

~~{END OF OPTIONS}~~

☒ Option #3 [NOTE: THIS IS NOT MANDATORY UNDER INDIANA LAW]

A Board member who has accepted a gift or gratuity from a person or entity having a substantial personal or pecuniary interest in the Board's decision may return the gift or gratuity or its value to the source and thereafter participate in the process of consideration of the matter, and the Board vote on the matter.

If a Board member taking part in evaluating a proposal to be considered by the Board, or a dependent of ~~a~~**that** Board member, has accepted a gift or gratuity from a person or entity having a substantial personal or pecuniary interest in the Board's decision, the Board member shall abstain from all involvement in the formulation of a recommendation to the Board, Board discussion on the matter, and the Board vote on the matter.

I.C. ~~35-44-1-3~~**35-44.1-1-2**

[Note: The Indiana Conflict of Interest statute does not address this subject. However, a substantial gift could be considered Bribery which is a Class C felony. (See Indiana Code 35-44.1-1-2.)]

I.C. 35-44-1-1

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