a class gift (individual donors not identified). The teacher is not required to make any written disclosure of such a gift. If an individual parent or small group of parents wish to make a personal gift to a teacher, however, it cannot exceed $50 and the teacher is required to file a written disclosure of the gift with his or her appointing authority in accordance with G.L. c.268A, §23(b)(3). Similarly, any public employee may accept a gift worth up to $50 but must file a written disclosure if the gift may create an appearance of bias, favoritism or undue influence. The $150 aggregate exception applies only to teachers, however.

2. "Substantial Value"

The term "substantial value" has long been interpreted by the State Ethics Commission as anything worth $50 or more, and it is now defined in the Regulations as such. The Regulations further provide that the Commission may aggregate the value of gifts offered within a 365 day period and may also consider the "fair market value" of a gift. If, for example, an individual makes three $20 gifts to a public employee over a period of weeks or months, the Commission may view this as a prohibited single gift worth $60. Moreover, if a $40 event ticket has a fair market value substantially higher than the face value due to the scarcity of such tickets, the Commission may find the ticket to be a prohibited gift. More examples may be found at 930 CMR 5.05.

3. Exemptions Allowing Gifts Exceeding $50 in Value

There are several circumstances, now addressed in the Regulations, where the Commission will find that a particular gift worth over $50 is not prohibited by §3. These exemptions, which are described in detail at 930 CMR 5.08, include:

- Travel expenses, where the purpose of the travel is related to a legitimate public purpose (but excluding the expenses of the employee's family members).
- In-state travel for educational purposes (training).
- Legitimate speaking engagements related to the employee's position.
- Public employee discounts, if offered to all public employees.
- Ceremonial or retirement gifts.

Exemptions Unrelated to Gifts

1. Encouraging Volunteer Service

The Regulations also address several topics of common concern to municipal employees that do not concern gifts but have historically made it difficult for certain individuals to volunteer or have interactions with their municipal government. For example, G.L. c.268A, §20 restricts a municipal employee's ability to have a private financial interest in a contract made by the city or town, unless he or she can qualify for an exemption from §20. This can prohibit an individual with such an