

Policy Guide



Policy No. 803
 Section 800
 Title NEPOTISM
 Adopted NOVEMBER 20, 2014
 Revised _____

	<p style="text-align: center;">POLICY NO. 803 NEPOTISM</p> <p>Section 1 <u>Purpose</u></p> <p>The objective of this policy is to advance the District's commitment to hiring qualified persons available for district positions, and to ensure that personnel management decisions are made based upon the District's needs and individual merit. Fulfilling this commitment requires that the District maintain an atmosphere free of nepotism and the appearance of nepotism. Nepotism, or the appearance of nepotism, can degrade staff morale, can arouse public distrust, and is an obstacle to teamwork, effectiveness and quality performance.</p> <p>Section 2 <u>Authority</u></p> <p>It is the policy of the Board to prevent nepotism, in actuality or appearance, to the fullest extent possible under law. In addition, hiring and other personnel actions shall be further governed in this regard by the guidelines set forth below. The provisions of this policy are in addition to existing provisions of law restricting nepotism, including but not limited to the Public School Code of 1949 (regarding hiring and dismissal of professional employees) and the Pennsylvania Ethics Act (regarding conflicts of interest).</p> <p>Section 3 <u>Definitions</u></p> <ol style="list-style-type: none"> 1. Board Member - any person who is elected or appointed to the Board of Directors. 2. Family Member or Relative - a person's spouse, parent, 	<p style="text-align: center;">SC 1111, 1129</p>
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**POLICY NO. 803
NEPOTISM**

stepparent, foster parent, child, stepchild, foster child, brother, stepbrother, foster brother, sister, stepsister, foster sister, grandparent, grandchild, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, aunt, uncle, niece, nephew, or first cousin. The term also includes any other person who shares the same residence and who is generally regarded within that family as being an immediate family member.

3. **Family relationship** - the relationship, whether by blood, marriage, adoption or otherwise, to a family member.
4. **Immediate supervisor** - with respect to an employee, the person who performs supervisory functions regarding that employee at the first supervisory level. Where such supervisory functions are performed at the first level by different persons with respect to the same employee, all persons performing one (1) or more of such supervisory functions with respect to that employee are considered to be an immediate supervisor.
5. **Administrative Team member** - any central office administrator and/or member of the Act 93 administrative group.
6. **Nepotism** - the hiring, rewarding, advancement or other favorable treatment of employees based upon or influenced by family relationships.
7. **Personnel actions** - includes, but is not limited to, employment decisions and actions such as: hiring, dismissal, demotion, suspension or furlough, discipline, commendation, granting or denial of leave or time off, assignment or scheduling of work, changes in job classification, title or duties, promotion or other advancement, wage or salary determinations, performance evaluations or ratings, performance or employee development counseling, approval or denial of attendance at or payment for conferences or employee development programs, and actions or determinations of a similar nature affecting wages, hours, conditions of

**POLICY NO. 803
NEPOTISM**

employment or eligibility for employment or advancement.

8. **Second-level supervisor** - with respect to an employee, a person who is an immediate supervisor of that employee's immediate supervisor, and/or a person who reviews, recommends or takes further action, at the next supervisory level above the immediate supervisor, on supervisory functions or personnel actions regarding that employee.
9. **Supervisory functions** - includes, but is not limited to, monitoring or reporting on job performance, enforcing compliance with workplace rules and policies, tracking absences or time worked, and making initial assessments, reports, recommendations or decisions regarding personnel actions.

Section 4

Guidelines

No member of the Board or a member of the Administrative Team shall seek, assist or advocate the appointing, hiring or advancing of his or her family member to any regular employment, professional or otherwise, within the District.

No relative of a Board member or a relative of a member of the Administrative Team shall be appointed, hired or advanced to any regular employment, professional or otherwise, within the District.

These provisions may be waived by the Board upon a finding by six (6) disinterested Board Members that, considering the staffing needs of the District, the public interest requires the hiring of the relative in order to fill a critical staffing need and no violation of state law takes place. The minutes of the meeting should record that this is a vote to over-ride the Nepotism Policy, and also that there were no other qualified/experienced candidates for the position in question.

If a Board member is related to the candidate in question, the Board member must announce to the rest of the Board that such a relationship exists, abstain from any vote on the candidate

**POLICY NO. 803
NEPOTISM**

under the Ethics Act, and fill out the necessary paperwork.

A relative of any Board member or a member of the Administrative Team may be considered for full-time, regular, continuous employment once that person has left (vacated) his/her position after a period of one (1) year.

Limitations On Future Hiring or Assignments

No person shall be hired for or assigned to any position in the District in which the person would be the immediate supervisor of a family member, or in which the person's immediate supervisor would be a family member. No person shall be hired for or assigned to any position of employment within the District in which the person would be a second-level supervisor of a family member, or in which the person would be supervised at the second level by a family member.

Special Review in the Case of Employees Currently Assigned to Supervise Family Members

In the case of persons who, prior to the adoption of this policy, were assigned to positions where a family member is the immediate or second-level supervisor of another, the administration shall ensure that personnel actions and supervisory functions initiated, performed, recommended or reviewed by the related supervisor regarding the supervised family member are subject to further review at the next higher level of supervision.

Reassignment or Restructuring When Supervisors Become Family Members of Persons Supervised

In the event that, subsequent to initial employment or assignment, an employee and that employee's immediate supervisor become family members with respect to each other, every effort shall be made consistent with law to effect a reassignment of one (1) or both parties. If the Superintendent determines that such a reassignment is not feasible, the administration shall endeavor to restructure or reassign responsibilities for supervisory functions and personnel actions regarding the related employee in a manner that is consistent

**POLICY NO. 803
NEPOTISM**

with the goals of this policy.

Special Review in the Case of a Family Relationship to Second-Level Supervisor or Administrative Team Member

In the case of any employee who, as a result of past or future assignment, hiring, or establishment of family relationship, is a family member of their second-level supervisor or the family member of any Administrative Team member, the administration shall endeavor to ensure that supervisory functions and personnel actions regarding that employee which are initiated, performed, recommended or reviewed by the related second-level supervisor or Administrative Team member are subject to further review at the next higher level of supervision.

Family Relationship Not to Otherwise Disqualify

Except as specifically set forth above, a person's family relationship to a district employee shall not otherwise disqualify that person from employment or assignment in the District, and such persons may be recommended for employment or assignment based upon their individual merit and qualifications.

Family Members Not to Participate in Hiring or Assignment Decisions

Whenever an applicant for any assignment or position of employment in the District has a family relationship to an Administrative Team member, a Board member, or to any other district employee, the related Administrative Team member, Board member or other related employee shall not participate in screening, interviewing, evaluating or recommending the applicant for such assignment or position of employment.

Disclosure of Family Relationship with Administrative Team or Board Member

Whenever a person with a family relationship to any Board member or Administrative Team member is recommended for employment or assignment, and the fact of such a relationship is known to any person involved in the hiring or assignment

**POLICY NO. 803
NEPOTISM**

process, this information shall be disclosed to the Superintendent and the Board prior to the time the recommendation appears on the agenda for formal action. During the hiring process, the District may ask candidates whether a familial relationship, as defined by this policy, exists between them and anyone on the Administrative Team or a Board Member. During the application/interview process, the District may also inquire if a candidate has any personal (non-familial) or business relationship with an Administrative Team or Board Member.

References:

School Code – 24 P.S. Sec. 1111, 1129