

<b>5140</b>	<b>Nepotism Policy</b>
<b>Approval Date:</b>	<b>Revised Date May 2019 (original policy date April 2015)</b>
<b>Category:</b>	<b>Personnel</b>
<b>Governance Accountability:</b>	<b>Board of Directors, Leadership</b>
<b>Audience:</b>	<b>Employees</b>

Pine Lake Preparatory prohibits the hiring of a family member of an existing employee when either family member would serve in a direct supervisory role over the other. A family member is considered to be anyone related by blood, marriage or adoption. Family members of existing Pine Lake Preparatory employees who apply for positions within Pine Lake Preparatory will not be shown any form of favoritism in the hiring process, all applicants will be treated fairly and equitably.

If a family member relationship is established after employment, and there is a direct reporting relationship, Pine Lake Preparatory administration will determine within a reasonable time period which, if either employee must be reassigned (in most cases, this will be done at the end of a term or at the end of the school year). Every effort will be made to provide an opportunity that is similar in scope and salary to their current position, however no guarantee of employment can be offered. In the unlikely event there is not a position available that places the employees in compliance with this policy, or in a position with exception to this policy as approved by the Pine Lake Preparatory Board of Directors, one or both parties may be terminated from employment. Any relationship between employees must be disclosed to the Head of School by both parties to the relationship, in order for the Head of School to determine there is no conflict, or make the necessary reassignments.

Before any immediate family, as defined in G.S. §115C-12.2, of any member of the Board or a school employee with supervisory authority shall be employed or engaged as an employee, independent contractor, or otherwise by the Board in any capacity, such proposed employment or engagement shall be:

- (i) Disclosed to the Board and
- (ii) Approved by the Board in a duly called open-session meeting.

The burden of disclosure of such a conflict of interest shall be on the applicable Board member or employee with supervisory authority. If the requirements of this subsection are complied with, Pine Lake Preparatory may employ the immediate family of any member of the Board or a Pine Lake Preparatory employee with supervisory authority.

No teacher or staff member that is immediate family of the Executive Director shall be hired without the board of directors evaluating their credentials, establishing a structure to prevent conflicts of interest, and notifying the Department (DPI), with evidence, that this process has occurred.

**§ 115C-218.15. Charter school operation.**

(a) A charter school that is approved by the State shall be a public school within the local school administrative unit in which it is located. All charter schools shall be accountable to the State Board for ensuring compliance with applicable laws and the provisions of their charters.

(b) A charter school shall be operated by a private nonprofit corporation that shall have received federal tax-exempt status no later than 24 months following final approval of the application. The board of directors of the charter schools shall adopt a conflict of interest and anti-nepotism policy that includes, at a minimum, the following:

(1) The requirements of Chapter 55A of the General Statutes related to conflicts of interest.



(2) A requirement that before any immediate family, as defined in G.S. 115C-12.2, of any member of the board of directors or a charter school employee with supervisory authority shall be employed or engaged as an employee, independent contractor, or otherwise by the board of directors in any capacity, such proposed employment or engagement shall be (i) disclosed to the board of directors and (ii) approved by the board of directors in a duly called open-session meeting. The burden of disclosure of such a conflict of interest shall be on the applicable board member or employee with supervisory authority. If the requirements of this subsection are complied with, the charter school may employ immediate family of any member of the board of directors or a charter school employee with supervisory authority.

(3) A requirement that a person shall not be disqualified from serving as a member of a charter school's board of directors because of the existence of a conflict of interest, so long as the person's actions comply with the school's conflict of interest policy established as provided in this subsection and applicable law.

(c) A charter school shall operate under the written charter signed by the State Board and the applicant. A charter school is not required to enter into any other contract. The charter shall incorporate the information provided in the application, as modified during the charter approval process, and any terms and conditions imposed on the charter school by the State Board of Education. No other terms may be imposed on the charter school as a condition for receipt of local funds.

(d) The board of directors of the charter school shall decide matters related to the operation of the school, including budgeting, curriculum, and operating procedures.

(e) The board of directors of the private nonprofit corporation operating the charter school may have members who reside outside of the State. However, the State Board of Education may require by policy that a majority of the board of directors and all officers of the board of directors reside within the State. (1995 (Reg. Sess., 1996), c. 731, s. 2; 1997-430, s. 4; 2013-355, s. 1(e); 2014-101, s. 7; 2015-248, s. 6(a).)