

NEPOTISM

I. PURPOSE

Monticello Public Schools shall not discriminate in its employment and personnel actions on the basis of marital or familial status. Notwithstanding this policy, the District retains the right to refuse to appoint a person to a position in the same department or school, wherein his/her relationship to another employee has the potential of creating an adverse impact on employee supervision or involves a potential conflict of interest (where an individual may have or be perceived to have unfair influence over the career development, work assignments, performance reviews or compensation of a family member also employed by the school district). The superintendent or designee shall have authority and responsibility for determining if such adverse impact exists or does not exist.

II. DEFINITIONS

A. Nepotism

Nepotism shall mean actions by an employee of the District directly influencing District employment [i.e. hiring, promotion, supervision, evaluation, determination of compensation] of a person with whom he/she has a personal relationship.

B. Personal Relationship

Personal relationship shall mean a marital or other committed relationship or significant familial relationship. A close family member means the employee's parent, spouse, child (including adopted child), sibling, grandmother, grandfather, grandchildren, niece, nephew, aunt, uncle, first cousin, all step relatives including stepchild, stepmother, stepfather, stepsister and stepbrother, in-law relationships including father-and mother-in-law, daughter-and son-in-law, ward of the employee or employee's spouse, domestic partner, or person cohabitating in the employee's household regardless of the degree of relationship.

C. Supervisory Employee

A supervisory employee shall mean any employee, regardless of job description or title, having authority in the interest of the employer to hire, transfer, suspend, lay off, recall, promote, assign, or discipline other employees, or responsibility to direct their work, adjust their grievance, or effectively recommend such action. The exercise of this authority cannot be merely routine or clerical in nature.

II. GENERAL STATEMENT OF POLICY

- A. This policy shall apply to all appointments to positions in the District. It shall also apply to appointment of seasonal and casual employees, as well as contract employees when the expected duration of the appointment is ninety [90] work days in a fiscal year.
- B. Nepotism as defined in this policy is prohibited.
- C. Consultation with the superintendent or designee shall be mandatory for District employees who are or will be in a position to engage in an employment action that has the potential of being a violation of this policy. Such consultation shall ensure the following:
 - 1. Appropriate steps are being taken to avoid recommending an employment action that may be in violation of this policy;
 - 2. The consultation is with the superintendent or designee and the appropriate District employee responsible for the employment action under consideration;
 - 3. Appropriate confidentiality is maintained.
- D. Compliance with this policy may be achieved by structuring the conditions of employment of the related parties to avoid the prohibited employment action or by avoiding the personal relationships that may lead to the prohibited employment action as outlined in this policy. Such structuring shall be approved by the superintendent or designee following appropriate consultation as stated in this policy.
- E. Exceptions. In unusual circumstances, an exception may be granted by the superintendent or designee when eliminating an employment action as defined in this policy would unreasonably disadvantage the District. In the event an exception is granted, written authorization from the superintendent or designee must be received in Human Resources and safeguards must be implemented to ensure that subsequent employment actions are made impartially.
- F. Violations of this policy may result in appropriate disciplinary action.

Adopted and Approved: 07/13/09

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