

Policy 445

Adopted: January 16, 2007

Revised: September 24, 2024

NEPOTISM POLICY-Proposed

I. PURPOSE

The purpose of this policy is to establish consistent employment guidelines and to prevent situations where an individual may have or be perceived to have unfair influence over the career development, work assignments, work direction, performance reviews, or compensation of a family member who is also employed by the Academy for Sciences and Agriculture.

II. DEFINITIONS

- A. “Immediate Family” means the employee’s spouse, registered domestic partner, child, parent, brother and sister, brother-in-law, sister-in-law, mother and father in-law, son and daughter-in-law, grandparent, grandchild, or step-relatives or domestic partner-relatives in one of these relationships.
- B. “Relatives beyond ‘immediate family’” A relative may include: aunt, uncle, niece, nephew, first or second cousins.
- C. “Nepotism” means favoritism shown to relatives by those with power or influence, especially in hiring, or favoring the relative in scheduling, promotions, salary or compensation, or disciplinary issues.

III. GUIDELINES

- A. The immediate family members and those living together as domestic partners of current employees will not be employed by the school under any of the following circumstances:
 - a. Where one of the parties would have authority, or practical power, to supervise, appoint, remove, or discipline the other.
 - b. Where one party would be responsible for auditing the work of the other.
 - c. Where other circumstances exist which would place the parties in a situation of actual or reasonable foreseeable conflict between the interest of one or both parties and the best interests of the school.
- B. If two employees marry, or begin living together as domestic partners, and as a result, the circumstances prohibited exist; there is the possibility of reassignment of duties to avoid prohibited situations prior to resorting to termination of an otherwise qualified employee. If reassignment is not possible, only one of the employees will be permitted to stay employed with the school.

C. The board can choose to waive this policy if:

1. The position is posted publicly for 20 business days; and
2. 2/3rds majority of remaining board of directors who are not immediate family members of an applicant vote to approve the hiring

A board member, school employee, or teacher under contract with the school cannot be involved in the interview, selection process, hiring, supervision, or evaluation of an employee who is an immediate family member.

D. The board may also waive this policy to temporarily fill an open position during a search process if: a two-thirds majority of the Board, who are not immediate family members, vote to approve the hiring.

IV. **Application to School Board**

An individual is prohibited from serving as a member of the charter school board of directors if:

(A) the individual, an immediate family member, or the individual's partner is a full or part owner or principal with a for-profit or nonprofit entity or independent contractor with whom AFSA contracts, directly or indirectly, for professional services, goods, or facilities; or

(B) an immediate family member is an employee of the school.

Legal References:

MN §124E.07 Subd. 6