

AFSA High School

Adopted: Jan 16, 2007
Revised: Sep. 24, 2024
Revised: Dec. 17, 2024
Year Reviewed: 2024/2025

District # 4074

445 NEPOTISM POLICY

I. PURPOSE

The purpose of this policy is to adopt a nepotism policy as required by Minnesota Statutes Section 124E.07, subdivision 6(b). That law requires charter school boards to adopt a nepotism policy that prohibits the employment of immediate family members of a board member, a school employee, or a teacher who provides instruction under a contract between the charter school and a cooperative. The law allows the waiver of this policy as set forth in Section IV.

II. DEFINITIONS

A. Immediate Family

“Immediate Family” means any relationship by blood, marriage, adoption, or partnership of spouses, parents, grandparents, siblings, children, first cousins, aunts, uncles, grandchildren, nieces, and nephews.

B. Supervision

Supervision means the authority to make, participate in, or recommend employment and/or compensation-related decisions involving an immediate family member, including, but not limited to, decisions concerning hiring, promotion, transfer, discipline, termination, salary, evaluation, grievance resolution, or other similar personnel actions.

III. GENERAL STATEMENT OF POLICY

The employment of immediate family members of a board member, a school employee, or a teacher who provides instruction under a contract between the charter school and a cooperative is prohibited unless this policy is waived in accordance with Section IV.

IV. WAIVER OF POLICY

A. The school board may waive this policy if:

1. the position is publicly posted for 20 business days; and
2. a two-thirds majority of the remaining board of directors who are not immediate family members of an applicant vote to approve the hiring.

- B. If this policy is waived, a board member, school employee, or teacher under contract with a cooperative must not be involved in the interview, selection process, hiring, supervision, or evaluation of an employee who is an immediate family member.
- C. In accordance with Minnesota Statutes Section 124E.07, subdivision 3(e), an individual is prohibited from serving as a member of the school board if, among other things, an immediate family member is an employee of the school.

V. EMPLOYEES MUST PROVIDE NOTICE OF IMMEDIATE FAMILY RELATIONSHIPS

Any employee who has an immediate family member that applies to work for the school on or after August 1, 2024 or who is hired as an employee on or after August 1, 2024 shall promptly notify the charter school's chief administrator of such relationship. For applicants, the chief administrator shall decide whether to recommend a waiver of the policy to the school board. The chief administrator will also determine how to address the unknown hiring of an immediate family member of an employee should that occur in accordance with the law and this policy.

VI. ADDRESSING CHANGES IN RELATIONSHIP BETWEEN EMPLOYEES

If two employees marry, or begin living together as domestic partners, the employees must immediately notify the charter school's chief administrator of such relationship. The chief administrator will then determine how to address the situation in accordance with the law and this policy.

Legal References:

Minn. Stat. § 124E.07, Subds. 3 and 6

Minn. Stat. § 124E.02(g)