

425.00 NEPOTISM

I. PURPOSE

The purpose of this policy is to establish consistent practices for the employment of family members or business partners.

II. GENERAL STATEMENT OF POLICY

The District may employ family members or business partners of current employees. However; no employee or independent contractor of the District may be hired, transferred, promoted, or assigned to a position in which that employee would be directly supervised by another employee who is a family member or business partner. Family members and business partners may not be assigned to the following:

- a. Positions where one can influence the employment conditions or career of the other. This includes decisions involving hiring, retention, termination, compensation, performance evaluation, discipline, promotional opportunities, and work assignments; or
- b. Positions where one reports to, directs work of, or otherwise has direct or indirect supervision of another family member or business partner.

No employee or independent contractor of the School District shall be assigned to a position in which that employee is directly supervised by another employee who is (1) a member of his or her immediate family (parent, spouse, child, or sibling); (2) an in-law; or (3) a member of the employee's household.

In the event that marriage or adoption of an employee or of a member of an employee's family or household places his or her assignment in conflict with this policy, transfers or other actions required to achieve compliance may be delayed until completion of the school year in which the conflict arises. In this instance, the expectation would be to make arrangements to have the employee report directly to another leader in the department/division/site.

The provisions of this policy shall not apply to any assignment made prior to the adoption of this policy by the Board.

Any District employee involved in the direct supervision of a family member or a business partner that arises after the adoption of this policy is expected to immediately notify Human Resources of such a relationship. The district will work to change the reporting line when possible so that at a minimum the employee is in an indirect versus a direct reporting line.

Employees witnessing nepotism under this policy shall report such activity to the Head of Human Resources or their designee. No employee may be subject to retaliation or disciplinary action for good faith reports under this policy.

III. DEFINITIONS

- a. “Nepotism”, as defined in this policy, means favoritism in the workplace based on familial or a similar close relationship, which consists of making employment decisions or other business decisions based on a family relationship.
- b. “Family Member” for the purposes of this policy, is defined as a familial or other close relationship whether by blood, adoption, marriage, domestic partner, a person the employee is in a romantic relationship with, or a person living in the employee’s household regardless of the degree of relationship.
- c. “Business Partner” means the employee has a legally defined relationship with another person as part of a corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization, or legal entity which engages either in nonprofit or for-profit activities.
- d. “Direct Supervision” means the employee is hired into a position that is in a direct reporting line to a family member.

IV. EXCEPTIONS

An exception may be considered (1) in the case of a hard to fill position of which the position has been posted for a lengthy period of time and has produced no suitable candidates. Or, (2) in the case of a temporary position with a defined end date. In both of these instances, the expectation would be to attempt to make arrangements to have the employee report directly to another leader in the department/division/site.

The concurrence of the Executive Chief of Human Resources will be required for an exception to this policy.

V. REPORTING BY RELATED PERSONS

All related persons are expected to disclose their relationship in advance of any employment decisions being made involving the other. Employees must self-report the relationship to their Human Resources prior to making, participating in or attempting to participate in employment decisions covered by this policy.

VI. REPORTING BY PERSONS WHO BECOME RELATED AFTER HIRING DECISION IS MADE

Individuals who become “related (a member of the family)”, such as employees who marry, enter into domestic partnership, become residents of

the same household, start dating or otherwise engage in a consensual relationship) are expected to promptly disclose the relationship to the Superintendent or designee, such as Head of Human Resources prior to making, participating in or attempting to participate in employment decisions covered by this policy.

VII. COMPLIANCE WITH EQUAL OPPORTUNITY AND DISCRIMINATION LAWS

Nothing in this policy shall be construed as discouraging the employment of close family members or business partners for positions that do not involve direct or indirect supervision. Nothing in this policy shall be construed to otherwise limit employment opportunities of any person employed by the district.

VIII. COMPLAINTS

Concerns or complaints about possible policy violations should be submitted to the Superintendent or designee, such as the Head of Human Resources. All such complaints will be treated as confidentially as feasible and will be addressed by the Superintendent or designee such as the Head of Human Resources or their designee.

LEGAL REFERENCES:

Minn. Stat. Ch. 363 (Minnesota Human Rights Act)

42 U.S.C., Section 2000c et seq.(Title VII. of the Civil Rights Act)

CROSS REFERENCES:

401.00 Equal Employment Opportunity

