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0142.1 NEPOTISM (M)

The Board of Education adopts this Nepotism Policy as a condition of receiving State aid pursuant to N.J.A.C. 6A:23A-6.2(a).

For the purposes of this Policy, "relative" means an individual's spouse, civil union partner as defined at N.J.S.A. 37:1-28et seq., domestic partner as defined at N.J.S.A. 26:8A-3, or the parent, child, sibling, aunt, uncle, niece, nephew, grandparent, grandchild, son-in-law, daughter-in-law, stepparent, stepchild, stepbrother, stepsister, half-brother, or half-sister of the individual or of the individual's spouse, civil union partner, or domestic partner, whether the relative is related to the individual or the individual's spouse, civil union partner, or domestic partner by blood, marriage, or adoption pursuant to N.J.A.C. 6A:23A-1.2.

For the purposes of this Policy, "immediate family member" means the person's spouse, partner in a civil union as defined at N.J.S.A. 37:1-28et seq., domestic partner as defined at N.J.S.A. 26:8A-3, or dependent child, residing in the same household.

For the purposes of this Policy, "administrator" is defined as set forth in N.J.S.A. 18A:12-23.

No relative of a Board member or the Superintendent of Schools shall be employed in an office or position in this school district except:

1. A person employed by the district on or before October 1, 2008 or on or before the date an employee's relative becomes a Board member or Superintendent shall not be prohibited from continuing to be employed or to be promoted in the district in accordance with the effective date as outlined in the initial version of N.J.A.C. 6A:23A-6.2 adopted on July 1, 2008. However, this shall not pertain to extending an employment contract to allow for an increase in annual pay directly related to an extension of the work year; and

2. The district may employ a relative of a Board member or the Superintendent provided the district has obtained approval from the Executive County Superintendent. Such approval shall be granted only upon demonstration by the district that it conducted a thorough search for candidates and the proposed candidate is the only qualified and available person for the position.

The Superintendent shall not recommend to the Board, pursuant to N.J.S.A. 18A:27-4.1, the ~~any~~ relative of the Superintendent or a Board member, unless the relative is subject to an exception as outlined at N.J.A.C. 6A:23A-6.2(a)2. and at 1. and 2. above

A district administrator shall not exercise direct or indirect authority, supervision, or control over the administrator's ~~a~~ relative. If it is not feasible to eliminate such a direct or indirect supervisory relationship, appropriate screens and/or alternative supervision and reporting mechanisms shall be put in place.

A district administrator or Board member whose relative is a member of the bargaining unit shall not discuss or vote on the proposed collective bargaining agreement with that unit or from participating in any way in negotiations, including, but not limited to, being a member of the negotiating team; nor should that district administrator be present with the Board in closed session when negotiation strategies are being discussed; however, the administrator may serve as a technical resource to the negotiating team and may provide technical information necessary to the collective bargaining process when no one else in the district can provide such information.

A district administrator or Board member who has an immediate family member who is a member of the same Statewide union in another school district shall not participate in any way in negotiations, including, but not limited to, being a member of the negotiating team or being present with the Board in closed sessions when negotiation strategies are being discussed, prior to the Board attaining a tentative memorandum of agreement with the bargaining unit that includes a salary guide and total compensation package. Once the tentative memorandum of agreement is established, a ~~school~~ district administrator with an immediate family member who is a member of the same Statewide union in another school district may fully participate in the process, absent other conflicts. However, a district administrator who has an immediate family member who is a member of the same Statewide union in another district may serve as a technical resource to the negotiating team and may provide technical information necessary to the collective bargaining process when no one else in the district can provide the information.

In accordance with N.J.A.C. 6A:23A-6.2(b), per diem substitutes and student employees who are relatives of a Board member or the Superintendent shall be excluded from the provisions of this Policy and N.J.A.C. 6A:23A-6.2.

N.J.A.C. 6A:23A-6.2

Adopted: November 20, 2008
Revised: June 16, 2009
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