

Regulation

ANNE ARUNDEL COUNTY PUBLIC SCHOOLS

Related Entries: Policy GAF
Responsible Office: Human Resources

NEPOTISM

A. PURPOSE

To establish procedures for the employment, transfer or promotion of immediate family members of an employee, a contractor or consultant, or a member of the Board of Education of Anne Arundel County Public Schools (AACPS) while maintaining a high level of productivity, and the avoidance of favoritism or a conflict of interest.

B. BACKGROUND

Employment decisions such as hiring, promoting, transferring, evaluating, awarding salary and terminating employees should be based on qualifications for the position, ability, and performance.

Anne Arundel County Public Schools intends to avoid favoritism, and the appearance of favoritism, and conflicts of interest in employment decisions.

Anne Arundel County Public Schools recognizes that from time to time it will employ, promote, or transfer an immediate family member of another AACPS employee, a contractor, consultant, or a member of the Board of Education of Anne Arundel County Public Schools and recognizes the importance and value of guidelines when making such decisions.

C. DEFINITION

1. Immediate Family Member is the spouse, parent, child, sibling, grandparent, grandchild, aunt, uncle, niece, or nephew and all corresponding in-law and step relationships. This term also includes any non-relative living in an employee's household.
2. Nepotism is favoritism shown to an individual on the basis of a relationship defined above.
3. Principal or Supervisor is any employee, regardless of job description or title, having authority in the interest of AACPS to hire, transfer, suspend, layoff, recall, evaluate, promote, discharge, assign, reward, or discipline other employees, or responsibility to direct them, or to adjust their grievances.
4. Prohibited Relationship is the professional working relationship of an employee with an immediate family member where one employee has primary or secondary supervision over an immediate family member, or in any other way has influence over the hire,

transfer, suspension, layoff, promotion, discharge, assignment, evaluation or discipline of an immediate family member.

5. Primary Supervision is direct supervision of one employee over another.
6. Recuse, or Disqualification, refers to the act of abstaining from participation in an official action when the action impacts an “immediate” family member.
7. Secondary Supervision is indirect supervision of one employee over another, usually within a chain of command.
8. Chain of Command is a series of management positions in order of authority. For example, within the Office of School Performance the chain of command begins with the principal who reports to the director, who reports to the chief school performance officer, who reports to the deputy superintendent, who reports to the superintendent.

D. PROCEDURES

1. During the hiring process, including applications for transfer or promotion, all employees are required to complete an Acknowledgement of Nepotism Policy form. This form provides space for an employee to list any immediate family members already employed by AACPS.
2. During employment, if an immediate family relationship develops, the impacted employees are required to complete a new Acknowledgement of Nepotism Policy form and forward it to their supervisor and the Director of Human Resources.
3. If a prohibited relationship is discovered during review of the Acknowledgement of Nepotism Policy by Human Resources staff, they will notify the impacted employee, the employee’s supervisor and/or department head, and the Director of Human Resources. The Director of Human Resources, in collaboration with the Superintendent, will determine if any further action is required.
4. When approved by the Superintendent and Director of Human Resources, individuals who are immediate family members as defined herein, are permitted to work in the same school or division, provided no direct reporting or supervisor-to-subordinate relationship exists. That is, no employee is permitted to work within "the chain of command" when one relative's work responsibilities, salary, hours, career progress, benefits or other terms and conditions of employment could be influenced by the other relative.
 - a. The principal/supervisor shall have the authority and responsibility for determining if such a potential for a conflict of interest or the appearance of a conflict of interest exists or does not exist. If none is identified, the principal/supervisor must submit a memo to the Director of Human Resources indicating that a relationship exists between two members of the school/department; include the names and positions of the employees, and a statement that no conflict of interest exists.

- b. Immediate family members may have no influence over the wages, hours, benefits, career progress, and other terms and conditions of employment of other immediate family members.
5. Where the principal/supervisor has made a determination that such a conflict of interest, or the appearance of a conflict of interest, does not exist, this determination shall be reviewed by the Director of Human Resources prior to any appointment being finalized.
6. Employees who marry while employed, or become part of the same household, are treated in accordance with these guidelines. That is, a new Acknowledgment of Nepotism Policy form must be completed by each employee per item 2, above. If the principal/department head determines that the potential for a conflict arises as a result of the relationship, one of the employees may be transferred at the earliest practicable time.

The decision as to which employee would be subject to transfer will be reviewed and approved by the Director of Human Resources based on the recommendation of the highest level of management in the employee's organization and based on the best interests of AACPS.

7. Any exceptions to this policy must be approved by the Superintendent, except in cases where the Superintendent is the employee in a prohibited relationship, as defined by this Regulation. In such cases, any exception must be approved by the Board of Education.
8. To prevent an actual conflict of interest or the appearance of a conflict of interest, an employee working in the departments of Employee Relations, Finance, Internal Auditing, or Human Resources must recuse him or herself from decisions that impact the wages, hours, benefits, career progress and other terms and conditions of employment of other family members.
9. Employees must notify Human Resources within thirty (30) days when they become the immediate family member of another employee, or a contractor or consultant, or a member of the Board of Education.
10. On an annual basis, all employees will complete an Acknowledgment of Nepotism Policy form and submit it to Human Resources for review and inclusion in their Official Personnel File.

Regulation History: *Developed by Superintendent 10/10/07
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Note previous regulation history: *None*