



SECTION: 433

TITLE: NEPOTISM

NESHAMINY SCHOOL DISTRICT

1	1. PURPOSE	The objectives of this policy are to advance Neshaminy School District's	1
2		commitment to hiring the best qualified persons available for school district	2
3		employment positions, and to ensure that personnel management decisions	3
4		are made based upon individual merit. Fulfilling this commitment requires	4
5		that the School District maintain an atmosphere free of "nepotism":	5
6		the hiring, rewarding, advancement or other favorable treatment	6
7		of employees based upon or influenced by family relationships. Nepotism	7
8		can degrade staff morale, can arouse public distrust, and is an obstacle to	8
9		teamwork, effectiveness and quality performance.	9
10			10
11		It is the policy of Neshaminy School District to prevent nepotism	11
12		to the fullest extent possible under the law. The family relationship of an	12
13		employee or applicant for employment to a member of the Board or to any	13
14		other school district employee shall not be a basis for, a factor in, nor an	14
15		influence upon hiring, assignments, advancement, evaluations, or other	15
16		personnel actions.	16
17			17
18	2. Authority	In addition, hiring and other personnel actions shall be further governed in	18
19	SC 1111, 1129	this regard by the guidelines set forth below. The provisions of this policy are	19
20	65 P.S.	in addition to existing provisions of law restricting nepotism, including but	20
21	Sec. 402,403	not limited to Sections 1111 and 1129 of the Public School Code of 1949	21
22		(regarding the hiring and dismissal of professional employees), and the	22
23		Pennsylvania Ethics Act (regarding conflicts of interest).	23
24			24
25	3. DEFINITIONS	The following definitions apply to the interpretation and implementation of	25
26		this policy only:	26
27			27
28		Family Relationship - The relationship, whether by blood, marriage, adoption	28
29		or otherwise, to a "family member" as defined below.	29
30			30
31			31

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45

Family Member – A person’s spouse, parent, step-parent, foster parent, child, step-child, foster child, brother, step-brother, foster brother, sister, step-sister, foster sister, grandparent, grandchild, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, aunt, uncle, niece, nephew, first or second cousin. The term also includes any other person who shares the same residence and is generally regarded within the family as being one of the family members.

Management Team Member – The Superintendent, and any Assistant Superintendent, Deputy Superintendent, Administrative Assistant, Principal, Assistant Principal, and any central office administrator whose job title includes the terms “director,” “coordinator,” “supervisor,” “manager,” or “deputy” or “assistant” to one of the foregoing, as well as any administrator, supervisor, or person who has the authority to hire or whose primary duties are comparable to any of the foregoing.

Personnel Actions – Includes, but is not limited to, employment decisions and actions such as: hiring, dismissal, demotion, suspension or furlough, discipline, commendation, granting or denial of leave or time off, assignment or scheduling of work, changes in job classification, title or duties, promotion or other advancement, wage or salary determinations, performance evaluations or ratings, performance or employee development counseling, approval or denial of attendance at or payment for conferences or employee development programs, and actions or determinations of a similar nature affecting wages, hours, conditions of employment or eligibility for employment or advancement.

Supervisory Functions – Includes but is not limited to monitoring or reporting on job performance, enforcing compliance with workplace rules and policies, tracking absences or time worked, and making initial assessments, reports, recommendations or decisions regarding personnel actions.

Immediate Supervisor – With respect to an employee, the person who performs supervisory functions regarding that employee at the supervisory level. Where such supervisory functions are performed by different persons with respect to the same employee, all persons performing one or more of such supervisory functions with respect to that employee are considered to be an immediate supervisor.

POLICY

General Prohibition – In the context of supervisory functions and personnel actions, school district personnel shall not request or show favoritism for, nor request or give other special consideration or treatment to, an employee or applicant for employment based in whole or part upon that employee’s or applicant’s family relationship to any school district employee or Board

1 member. School district personnel whose higher supervisory chain includes
2 a family member of the employee or applicant involved shall not permit that
3 fact, nor the fact that the employee or applicant involved is a family member
4 of a member of the Board or Management Team, to influence supervisory
5 functions or personnel actions.
6

7 Employees of the Neshaminy School District shall not circumvent this policy
8 by conspiring with other school districts. This includes seeking prohibited
9 favoritism, special consideration or treatment with respect to one's family
10 members or attempting to influence the supervisory functions or personnel
11 actions of other school districts for the purpose of nepotism.
12

13 A family member of any School Board Director or District Management
14 Team member may not be considered for initial employment in the
15 Neshaminy School District as a District Management Team member
16 until the director or management team member has vacated his/her position
17 for a period of not less than three years.
18

19 **Reporting** - School district personnel shall report to the Superintendent any
20 actual or attempted violation of this policy.
21

22 **Limitations on Future Hiring and Assignments** - No person shall be hired or
23 assigned to any position of employment in the school district in which the
24 person would have the authority to supervise, appoint, remove, or discipline
25 a family member.
26

27 No person shall be hired or assigned to any position of employment in the
28 school district in which that person's immediate supervisor would be a family
29 member who would have the authority to appoint, remove, or discipline the
30 other.
31

32 No person shall be hired or assigned to any position of employment which
33 would permit that person to handle confidential material, or have
34 inappropriate access to the material of a family member. No person shall be
35 hired or assigned to any position of employment which would permit
36 that person to audit the work of a family member.
37

38 **Special Review in the Case of Employees Currently Assigned to Supervise**
39 **Family Members** - In the case of persons who prior to the adoption of this
40 policy were assigned to positions where one family member is the immediate
41 or second-level supervisor of another, the administration shall ensure that
42 personnel actions and supervisory functions initiated, performed,
43 recommended or reviewed by a related supervisor regarding the supervised
44 family member are subject to further review at the next higher level of
45 supervision.
46
47

Reassignment or Restructuring When Supervisors Become Family Members

of Persons Supervised - In the event that, subsequent to initial employment or assignment, an employee and that employee's immediate supervisor become family members with respect to each other, every effort shall be made consistent with law and collective bargaining agreements to effect a reassignment of one or both parties. If the Superintendent determines that such a reassignment is not feasible, the administration shall endeavor to restructure or reassign responsibilities for supervisory functions and personnel actions regarding the related employee in a manner that is consistent with the goals of this policy.

Family Relationship Not to Otherwise Disqualify - Except as specifically set forth above, a person's family relationship to a member of the Board, member of the Management Team, or other school district employee shall not otherwise disqualify that person from employment or assignment in the school district, and such persons may be recommended for employment or assignment based upon their individual merit and qualifications.

Family Members Not to Participate in Hiring or Assignment Decisions - Whenever an applicant for any assignment or position of employment in the school district has a family relationship to a member of the Management Team, a School Board member, or to any other school district employee, the related Management Team member, School Board member, or other related employee shall not participate in screening, interviewing, evaluating or recommending the applicants for such assignment or position of employment.

Disclosure of Family Relationship with Management Team or School Board Member - Whenever a person with a family relationship to any member of the Board or member of the Management Team is recommended for employment or assignment, and the fact of such a relationship is known to any person involved in the hiring or assignment process, this information shall be disclosed to the Superintendent and the Board prior to the Board's formal vote on the employment recommendation.

Exceptions - The Superintendent may recommend exceptions to this policy on a case-by-case basis, where exception would be in the best interests of the school district or required by law.

RSM/ms
APPROVED: 11/26/02