

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: March 19, 2013
TO: **BOARD OF EDUCATION**
FROM: S. Dallas Dance, Superintendent
SUBJECT: **REPORT ON THE PROPOSED NEW BOARD OF EDUCATION
POLICY 4010, NEPOTISM**
ORIGINATOR: Kevin A. Hobbs, Deputy Superintendent
**RESOURCE
PERSON(S):** Lisa Grillo, Chief Human Resources Officer

RECOMMENDATION

That the Board of Education reviews the proposed new Policy 4010. This is the first reading.

Attachment I – Policy Analysis
Attachment II – Policy 4010

**POLICY ANALYSIS FOR
BOARD OF EDUCATION POLICY 4010
NEPOTISM**

Statement of Issues or Questions Addressed

The Superintendent, in response to audit findings pointing out a potential conflict of interest, directed that a policy on nepotism be created. The policy establishes standards to ensure no conflict of interest exists or favoritism is shown for an immediate family member in the hire, retention, promotion, or other employment-related issues. The Policy Review Committee is recommending that the Board approve the policy.

Cost Analysis and Fiscal Impact on School System

No fiscal impact is anticipated by the revision of this policy.

Relationship to Other Board of Education Policies

1. Board of Education Policy 8363, *Conflict of Interest – Prohibited Conduct*

Legal Requirements

1. None

Similar Policies Adopted by Other Local School Systems

1. Anne Arundel County Board of Education, Policy GAF, *Nepotism*
2. Baltimore City Board of School Commissioners, Policy GBEG, *Nepotism*
3. Calvert County Board of Education, Policy 6910, *(Personnel) of the Board of Education Regarding Nepotism*
4. Howard County Board of Education, Policy 7020, *Nepotism*
5. Montgomery County Public Schools, Regulation GCA-RA, *Employee Conflict of Interest*
6. Wicomico County Board of Education, *Assignment of Close Relatives*

Draft of Proposed Policy

Attached

Other Alternatives Considered by Staff

No other alternatives were considered.

Timeline

First reading – March 19, 2013

Public comment – April 23, 2013

Third reading/vote – May 7, 2013

PERSONNEL: GENERAL

NEPOTISM

I. POLICY STATEMENT

- A. THE BOARD OF EDUCATION OF BALTIMORE COUNTY (BOARD) ENCOURAGES THE PROMOTION AND RETENTION OF QUALIFIED INDIVIDUALS AND PROMOTES HIGH STANDARDS OF ETHICAL BEHAVIOR IN THE EMPLOYMENT, EVALUATION, PROMOTION, AND SELECTION PROCESSES.
- B. THE BOARD BELIEVES THAT EMPLOYMENT, RETENTION, AND PROMOTION OF INDIVIDUALS SHOULD BE BASED ON QUALIFICATIONS FOR THE POSITION, PERFORMANCE, AND ABILITY. THE BOARD RECOGNIZES ITS RESPONSIBILITY TO ESTABLISH STANDARDS THAT WILL ASSIST IN AVOIDING CONFLICTS OF INTEREST, NEPOTISM, AND THE APPEARANCE OF FAVORITISM TOWARDS IMMEDIATE FAMILY MEMBERS.

II. DEFINITIONS

- A. *IMMEDIATE FAMILY MEMBER* – THE SPOUSE, PARENT, SIBLING, CHILD, GRANDPARENT, GRANDCHILD, AUNT, UNCLE, NIECE, NEPHEW, ALL STEP-RELATIONSHIPS, OR ANY OTHER INDIVIDUAL WHO HAS LIVED REGULARLY IN THE EMPLOYEE’S HOUSEHOLD.
- B. *NEPOTISM* – FAVORITISM SHOWN TO AN IMMEDIATE FAMILY MEMBER WITH REGARD TO HIRING, RETENTION, PROMOTION, OR OTHER EMPLOYMENT-RELATED ISSUES.

III. STANDARDS

TO ENSURE THAT NO CONFLICT OF INTEREST EXISTS OR FAVORITISM IS SHOWN FOR AN IMMEDIATE FAMILY MEMBER, THE FOLLOWING STANDARDS SHALL APPLY:

- A. THE BOARD PERMITS THE EMPLOYMENT OF IMMEDIATE FAMILY MEMBERS, AS LONG AS THE EMPLOYMENT DOES NOT CREATE AN ACTUAL CONFLICT OF INTEREST OR THE APPEARANCE OF A CONFLICT OF INTEREST.
- B. AN EMPLOYEE MAY NOT HOLD A POSITION THAT IS RESPONSIBLE FOR A DIRECT CHAIN OF SUPERVISION FOR ANOTHER EMPLOYEE WHO IS AN IMMEDIATE FAMILY MEMBER.

IV. EXCEPTIONS

- A. ANY EXCEPTION TO THIS POLICY MAY ONLY OCCUR AFTER REVIEW BY THE CHIEF HUMAN RESOURCES OFFICER AND WITH THE APPROVAL OF THE SUPERINTENDENT.
- B. THE BOARD SHALL APPROVE ANY EXCEPTIONS CONCERNING THE EMPLOYMENT OF AN IMMEDIATE FAMILY MEMBER OF THE SUPERINTENDENT.

V. IMPLEMENTATION

THE BOARD DIRECTS THE SUPERINTENDENT TO IMPLEMENT THIS POLICY.

RELATED POLICIES: BOARD OF EDUCATION POLICY 8363, *CONFLICT OF INTEREST – PROHIBITED CONDUCT*

POLICY
ADOPTED:

BOARD OF EDUCATION OF BALTIMORE COUNTY