

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: April 23, 2013
TO: **BOARD OF EDUCATION**
FROM: S. Dallas Dance, Superintendent
SUBJECT: **REPORTED ON PROPOSED NEW BOARD OF EDUCATION
POLICY 4010, *NEPOTISM***
ORIGINATOR: Margaret-Ann F. Howie, Esq., General Counsel
RESOURCE PERSON(S): Patricia S. Clark, Policy and Compliance Officer

RECOMMENDATION

That the Board of Education reviews the proposed new Policy 4010, *Nepotism*.
Following discussion at the March 19, 2013, Board meeting, the policy has been revised.
This is the first reading.

Attachment I – Policy Analysis
Attachment II – Policy 4010
Attachment III – Policy 4010, Form A

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

Statement of Issues or Questions Addressed

This policy has been developed to ensure that no conflict of interest exists or favoritism is shown for an immediate family member in the hire, retention, promotion, or other employment-related issues. Following discussion at the Board of Education meeting on March 19, 2013, additional revisions have been recommended by the Policy Review Committee. The policy has been edited to: (1) include a definition of “direct chain of supervision;” (2) define “family member” as an individual within the second degree of consanguinity or within the first degree of affinity; and (3) include a consanguinity and affinity relationship chart. 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*

Draft of Proposed Policy

Attached

Other Alternatives Considered by Staff

No other alternatives were considered.

Timeline

First reading – April 23, 2013

Public comment – May 7, 2013

Third reading/vote – June 11, 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. *DIRECT CHAIN OF SUPERVISION* - INCLUDES ANY POSITION FOR WHICH THE SUPERVISING EMPLOYEE IS RESPONSIBLE FOR MAKING EMPLOYMENT-RELATED DECISIONS, INCLUDING HIRING, DISCIPLINE, EVALUATION, PROMOTION, DISMISSAL OR CONFERRING OF ANY BENEFIT OF EMPLOYMENT.
- B. *FAMILY MEMBER* – ANY INDIVIDUAL WITHIN THE SECOND DEGREE OF CONSANGUINITY OR WITHIN THE FIRST DEGREE OF AFFINITY AS SHOWN IN POLICY 4010, FORM A.
- C. *NEPOTISM* – FAVORITISM SHOWN TO A FAMILY MEMBER WITH REGARD TO HIRING, RETENTION, PROMOTION, OR OTHER EMPLOYMENT-RELATED ISSUES.

III. STANDARDS

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

- A. THE BOARD PROHIBITS ITS EMPLOYEES FROM DEMONSTRATING FAVORITISM IN THE HIRING, EMPLOYMENT, RETENTION, PROMOTION OF FAMILY MEMBERS.
- B. AN EMPLOYEE MAY NOT HOLD A POSITION THAT IS RESPONSIBLE FOR A DIRECT CHAIN OF SUPERVISION FOR ANOTHER EMPLOYEE WHO IS A 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 REVIEWS AND CONSIDERS ANY EXCEPTIONS CONCERNING THE EMPLOYMENT OF A FAMILY MEMBER OF THE SUPERINTENDENT.

V. IMPLEMENTATION

THE BOARD DIRECTS THE SUPERINTENDENT TO IMPLEMENT THIS POLICY.

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

ATTACHMENT: FORM A, *CONSANGUINITY AND AFFINITY RELATIONSHIP CHART*

POLICY
ADOPTED: _____

BOARD OF EDUCATION OF BALTIMORE COUNTY

BALTIMORE COUNTY PUBLIC SCHOOLS

CONSANGUINITY AND AFFINITY RELATIONSHIP CHART

Employee					
Consanguinity (Includes individuals related by blood to the Employee)			Affinity (Includes the Employee's Spouse and individuals related to the Spouse)		
First Degree	Second Degree	Third Degree	First Degree	Second Degree	Third Degree
Father or Mother	Grandparents	Great Grandparents	Spouse	Grandparents	Great Grandparents
Son or Daughter (& Spouse)	Grandchildren (& Spouse)	Great Grandchildren (& Spouse)	Father or Mother	Grandchildren	Great Grandchildren
	Uncle or Aunt (& Spouse)	Great Uncle or Aunt (& Spouse)	Son or Daughter	Uncle or Aunt	Great Uncle or Aunt
	First Cousin (& Spouse)	Children of Great Uncle or Aunt (& Spouse)		First Cousin	Children of Great Uncle or Aunt
	Nephew or Niece (& Spouse)	Second Cousin (& Spouse)		Nephew or Niece	Second Cousin
	Brother or Sister (& Spouse)	Children of First Cousin (& Spouse)		Brother or Sister	Children of First Cousin
		Grand Nephew or Niece (& Spouse)			Grand Nephew or Niece (& Spouse)