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.

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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 CONFERRED BENEFITS 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
# BALTIMORE COUNTY PUBLIC SCHOOLS

## CONSANGUINITY AND AFFINITY RELATIONSHIP CHART

<table>
<thead>
<tr>
<th>Employee</th>
<th>Consanguinity  (Includes individuals related by blood to the Employee)</th>
<th>Affinity  (Includes the Employee's Spouse and individuals related to the Spouse)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>First Degree</td>
<td>Second Degree</td>
</tr>
<tr>
<td>Father or Mother</td>
<td></td>
<td>Grandparents</td>
</tr>
<tr>
<td>Son or Daughter (&amp; Spouse)</td>
<td></td>
<td>Grandchildren (&amp; Spouse)</td>
</tr>
<tr>
<td>Uncle or Aunt (&amp; Spouse)</td>
<td></td>
<td>Great Uncle or Aunt (&amp; Spouse)</td>
</tr>
<tr>
<td>First Cousin (&amp; Spouse)</td>
<td></td>
<td>Children of Great Uncle or Aunt (&amp; Spouse)</td>
</tr>
<tr>
<td>Nephew or Niece (&amp; Spouse)</td>
<td></td>
<td>Second Cousin (&amp; Spouse)</td>
</tr>
<tr>
<td>Brother or Sister (&amp; Spouse)</td>
<td></td>
<td>Children of First Cousin (&amp; Spouse)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Grand Nephew or Niece (&amp; Spouse)</td>
</tr>
</tbody>
</table>

Policy 4010, Form A

Adopted _________