

Adopted: _____

Reviewed: February 14, 2020

UBAH MEDICAL ACADEMY

NEPOTISM (493)

I. PURPOSE

Charter Schools are required to have a Nepotism Policy in accordance with MN Statute 124D.10 Sub (11). The purpose of this document is to provide Minnesota International Middle School's policy on nepotism.

II. POLICY STATEMENT

It is the policy of Ubah Medical Academy to address the issue of nepotism while ensuring that the school complies with the Minnesota Human Rights Act.

III. DEFINITIONS

- A. "Nepotism" means the inappropriate action regarding appointment, employment, promotion or the advocacy of such action, by a public official in a position to influence directly or indirectly, these personnel decisions.
- B. "Employment Action" means to hire, promote, reclassify, supervise, direct, evaluate, make a compensation recommendation, assign work or resources, approve leave requests, give any benefit, or terminate employment.
- C. "Family Member" for this policy means an individual who is related to an employee as a father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, grandchild, grandparent, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, half-sister, or legal guardian. It also includes individuals of the same sex or the opposite sex living together in a committed relationship whether married or not.
- D. "Alternative Arrangements" for this policy means removing the responsibility to influence to hire, promote, reclassify, supervise, direct, evaluate, or make a compensation recommendation, assign work or resources, approve leave requests, give any benefit, or terminate employment for the family member, and recusing self from influencing employment related decisions. This includes relationships that are post-hire. If alternative arrangements are not possible, employment is not feasible.

IV. POLICY

- A. Employees and independent contractors or consultants will be hired based on meeting the objective criteria established by the administration for the position or the contract. Employees will be hired or dismissed upon a majority vote of school board members.

- B. An employee may not hire, supervise, promote, evaluate, or participate in the evaluation of a relative employed by or contracted with the school.

V. PROCEDURES

- A. Individuals must notify the director if any family member applies for a position for which they will be responsible or may influence the employment actions referred to in this policy. The director must notify the board chair if any of his/her family members apply for a position.
- B. In considering the employment of an employee's family member, the school must ensure that:
 - i. The relative has the appropriate education and credentials for the job;
 - ii. The position is an existing position with a published description and determined pay and performance expectations;
 - iii. The position is posted and the potential candidates vetted in accordance with the procedures of the school.
- C. Internal and external applicants are required to self-disclose, at the time of application, if the position for which they are applying reports to or supervises a family member.
- D. Internal and external applicants who have family members who work at the school must have an approved alternative arrangement in place prior to being approved for employment if the family member is involved in any employment actions regarding the applicant.
- E. If a conflict of interest cannot be eliminated through alternative arrangements, the hire will not be approved.
- F. All employees hired who have family members working at the school must have on file an approved relationship disclaimer with an approved alternate arrangement if necessary.
- G. Individuals who do not notify the director and who do not have the necessary alternative arrangements are in violation of school policy and will be subject to corrective action.

VI. ACCOUNTABILITY

Individuals violating this policy will be held accountable with consequences up to and including termination.

Legal References: Minn. Stat. §124D.10 (Charter Schools)
Minn. Stat. §363A (Human Rights)

Cross Reference: Ohio State University Nepotism Policy 1.25 (Revised 7/1/2012)