

Skyline Math and Science Academy

Adopted: 4.29.24

Reviewed:

426 NEPOTISM IN EMPLOYMENT

I. PURPOSE

The purpose of this policy is to establish consistent employment guidelines and to prevent situations where an individual may have or be perceived to have unfair influence over the career development, work assignments, work direction, performance reviews, or compensation of a family member who is also employed by Skyline Math and Science Academy.

II. GENERAL STATEMENT OF POLICY

Skyline Math and Science Academy may employ family members of current employees. However, to be hired, transferred, or promoted, close family members may *not* be assigned to the following:

- A. Positions where one can influence the employment conditions or career of the other. This includes decisions involving hiring, termination, compensation, performance evaluation, discipline, promotional opportunities, and work assignments; or
- B. Positions where one reports to, directs the work of, or otherwise has direct or indirect supervision of another close family member.

III. DEFINITIONS

A. Close Family Member

A close family member means the employee's parent, spouse, child (including adopted child), sibling, grandmother, grandfather, grandchildren, niece, nephew, aunt, uncle, first cousin, all step relatives including stepchild, stepmother, stepfather, stepsister and stepbrother, in-law relationships including father- and mother-in-law, daughter- and son-in-law, brother- and sister-in-law, ward of the employee or employee's spouse, domestic partner, or person cohabitating in the employee's household regardless of the degree of relationship.

B. Direct or Indirect Supervision

Direct or indirect supervision means the authority to make, participate in, or recommend employment- and/or compensation-related decisions involving a close family member, including, but not limited to, decisions concerning hiring, promotion, transfer, discipline, termination, salary, evaluation, grievance resolution, or other similar personnel actions.

IV. APPLICATION TO BOARD MEMBERS

From MN Office of the Revisor of Statutes, Section 124E.07, Subd. 3:

An individual is prohibited from serving as a member of the Skyline Math and Science Academy Board of Directors if: (1) the individual, an immediate family member, or the individual's partner is a full or part owner or principal with a for-profit or nonprofit entity or independent contractor with whom Skyline Math and Science Academy contracts, directly or indirectly, for professional services, goods, or facilities; or (2) an immediate family member is an employee of Skyline Math and Science Academy. An individual may serve as a member of the Board of Directors if no conflict of interest exists under this paragraph, consistent with this section.

V. EXCEPTIONS; SPECIAL CIRCUMSTANCES

In exceptional circumstances, a direct or indirect supervision relationship may exist between employees who are close family members. Such circumstances may be necessitated by factors such as the unique qualifications or responsibilities of the individuals involved, the lack of other available appropriate supervisory personnel, or whether the position for which the close family member is being considered is temporary in nature. Any exception must be reviewed and approved in writing by Skyline Math and Science Academy's Executive Director. Any direct or indirect supervision relationship approved by the Executive Director shall be reported to the Board of Directors. All employment decisions affecting the subordinate employee, including, but not limited to, selection, hiring, discipline, performance review, compensation, or leave, must be assigned to other supervisory personnel or, if no other supervisory personnel exist, to Skyline Math and Science Academy's Board of Directors. Exceptions involving Skyline Math and Science Academy's Executive Director and a close family member of the Executive Director shall be approved in writing by Skyline Math and Science Academy's Board of Directors.

VI. ADDRESSING EXISTING CONFLICTS AND CHANGES IN RELATIONSHIP BETWEEN EMPLOYEES

Any Skyline Math and Science Academy employee involved in a direct or indirect supervision relationship with a close family member that existed *prior to* the original approval date of this policy or that arises *after* the adoption of this policy shall promptly notify Skyline Math and Science Academy's Executive Director of such relationship. The Executive Director shall make suitable arrangements for the transfer of one of the employees, assignment of a different supervisor, or a determination that an exception is necessary under Section V of this policy. Any direct or indirect supervision relationship approved by the Executive Director under Section V shall be reported to the Board of Directors. The Executive Director shall promptly notify Skyline Math and Science Academy's Board of Directors of any direct or indirect supervision relationship which arises concerning a close family member of the Executive Director. All such direct or indirect supervision relationships involving the Executive Director shall be resolved by the Board of Directors in accordance with this policy.

VII. COMPLIANCE WITH EQUAL OPPORTUNITY AND DISCRIMINATION LAWS

Nothing in this policy shall be construed as discouraging the employment of close family members for positions that do not involve direct or indirect supervision. Nothing in this

policy shall be construed to otherwise limit the employment opportunities of any person employed by Skyline Math and Science Academy.

Legal References: Minn. Stat. § 124E.07, Subd. 11(c) (Skyline Math and Science Academy) Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
42 U.S.C. § 2000e *et seq.* (Title VII of the Civil Rights Act)

Cross References: MSBA/MASA Model Policy 210.1 (Conflict of Interest – Skyline Math and Science Academy Board Members)
MSBA/MASA Model Policy 401 (Equal Employment Opportunity)