

ALL PERSONNEL**Employment of Relatives**

The Superintendent desires to maximize staff and community confidence in Office of Education hiring, promotion, and other employment decisions by promoting practices that are free of conflicts of interest or the appearance of impropriety.

The Office of Education aims to hire the best personnel for any given opening and to foster good working relationships among employees in all situations.

It is well recognized that employing immediate family members to work in the same area of an organization may produce conflicts of interest and problems concerning disparate treatment. This may not only harm the functioning of the organization, but it can also damage the integrity of the Office of Education.

It is therefore the policy of the Superintendent to prohibit the appointment of any person to a position for which his/her immediate family member maintains management, supervisory, evaluation, or promotion responsibilities and to prohibit an employee from participating in any decision that singularly applies to any of his/her immediate family members.

For purposes of this policy, immediate family member includes the individual's spouse, domestic partner, parents, grandparents, children, grandchildren, brothers, sisters, aunts, uncles, nieces, nephews, and the similar family of the individual's spouse or domestic partner.

In addition, the Superintendent or designee may determine, on a case-by-case basis, whether to appoint a person to a position in the same department or facility as an employee with whom the employee maintains a personal relationship when that relationship has the potential to create (1) an adverse impact on supervision, safety, security, or morale of other employees or (2) a conflict of interest for the individuals involved which is greater because of the their relationship than it would be for another person.

An employee shall notify his/her supervisor within 30 days of any change in his/her circumstances that may constitute a violation of this policy.

If two existing employees work together in a supervisory relationship, and become immediate family members, as herein defined, a case-by-case review shall be made by the Superintendent. In some circumstances, one of the employees may be transferred or otherwise reassigned. Existing employees should not ordinarily be transferred or reassigned into a supervisory relationship with an immediate family member.

Personnel

Superintendent's Policy 4112.7(b) 4212.7(b) 4312.7(b)

Individuals are expected to notify Personnel if any family member applies for a position for which he/she is responsible or may influence the employment actions referred to in this policy.

Internal and external applicants are required to self-disclose, at the time of the application, if the position for which he/she is applying directly or indirectly reports to or supervises a family member.

There may be times when an exception to the policy is made, but only with the knowledge and approval of the Superintendent. For example, a concession may be considered for a highly-specialized or difficult to fill position. Such an exception will be carefully evaluated on a case-by-case basis.

Legal Reference:

EDUCATION CODE

35107 *School district employees*

FAMILY CODE

297-297.5 *Rights, protections, benefits under the law; registered domestic partners*

GOVERNMENT CODE

1090-1098 *Prohibitions applicable to specified officers*

12940 *Unlawful employment practices*

CODE OF REGULATIONS, TITLE 2

7292.0-7292.6 *Marital status discrimination, especially:*

7292.5 *Employee selection*