

**I. Policy Statement**

The Board of Education is committed to a policy of employment and advancement based on qualifications and merit and does not discriminate in favor of or in opposition to the employment of relatives or those with whom a Board member or employee has a close relationship. In an effort to prevent conflicts of interest and to promote fair and equitable employment practices, the Board of Education prohibits nepotism in hiring, promotion, evaluation of performance, and the administration of benefits.

**II. Purpose**

The purpose of this policy is to promote fair employment practices, prevent discrimination, and to avoid conflicts of interest related to hiring, promotions, performance evaluations, and the administration of benefits. This policy also seeks to avoid the appearance of favoritism.

This policy does not apply to non-employment related, business issues such as procurement.

**III. Definitions**

Within the context of this policy, the following definitions apply:

- A. Close Relationship – Individuals related by marriage or domestic partnership or any other relationship in which objectivity is impaired.
- B. Conflict of Interest – A situation in which a person has a private or personal interest sufficient to influence or appear to influence the objective exercise of his or her official duties.
- C. Family Member – A person related to the 1<sup>st</sup> or 2<sup>nd</sup> degree of a blood relationship (see Appendix A).
- D. Favoritism – Unfair advantage.
- E. Nepotism – Favoritism shown in employment-related matters and/or evaluations toward an individual with whom one is in a close relationship or toward a family member.
- F. Supervising Authority – Any person who evaluates, investigates, and/or signs-off on performance, discipline, employment, payroll, leave, and/or benefit related issues. This includes team leaders and department chairs with duties related to classroom assignments.

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**IV. Standards**

- A. This policy applies to all current employees and candidates for employment, whether full or part-time, temporary or permanent. It also applies to those contingent workers who are sourced through a contracted service.
- B. Employment decisions must be based on merit, avoiding discrimination and favoritism of any kind.
- C. An employee with supervising authority will not be in a position that directly or indirectly supervises, evaluates, disciplines, and/or makes decisions that impact the employment status of a family member and those with whom the employee has a close relationship.
- D. Family members and those with whom the employee has a close relationship will not be hired, assigned, transferred, or promoted if such action would violate this policy.
- E. This policy must be adhered to when determining assignments, transfers, promotions, terminations, and the administration of benefits.
- F. Board of Education members and employees must notify the Executive Director of Human Resources (EDHR) within 10 business days of becoming aware that they are or have become a family member of or have entered into a close relationship with another Howard County Public School System (HCPSS) employee or member of the Board and submit the Relationship Disclosure Form.
- G. When approved by the EDHR, individuals who are family members and those with whom the employee has a close relationship are permitted to work in the same school, division, department or office, provided no reporting or supervisor-to-subordinate relationship exists.
- H. An employee may not influence the work responsibilities, salary, hours, career progress, benefits, or other terms and conditions of employment of his or her family member or those with whom the employee has a close relationship, separate from its impact on a group of employees.
- I. Board members and employees will not vote or take action involving the employment, assignment, promotion, individual compensation, discipline, suspension, or dismissal of a family member or those with whom the employee has a close relationship. They must disqualify themselves from every proceeding, vote, and discussion regarding any such matter and must recuse and excuse themselves from the room during closed session discussions related to such procedures.
- J. To prevent an actual conflict of interest or the appearance of a conflict of interest, employees within the Office of Human Resources (OHR), Payroll, General Counsel, and Internal Audit will recuse themselves from decisions that impact the wages, hours,

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benefits, career progress and other terms and conditions of employment of their family members and those with whom the employee has a close relationship.

- K. There is no prohibition beyond these standards against family members or those with whom the employee has a close relationship working for HCPSS or working in the same location.

## **V. Responsibilities**

- A. The OHR will ensure that all applicants have completed the Relationship Disclosure Form prior to hire, promotion, and/or transfer.
- B. The OHR will ensure that all new employees are informed of this policy at the time of hire.
- C. The OHR will consider the provisions of this policy when finalizing all assignments, transfers, and promotions.
- D. Employees with supervisory authority will abide by the provisions of this policy.
- E. The Superintendent/designee will report on the number of cases of nepotism found during monitoring efforts as part of the annual Human Resources Report.

## **VI. Delegation of Authority**

The Superintendent is authorized to develop appropriate procedures for the implementation of this policy.

## **VII. References**

- A. Legal
- B. Other Board Policies
  - Policy 2070 Ethics
  - Policy 7030 Employee Conduct and Discipline
  - Policy 7070 Appointments to Administrative and Supervisory Certificated Positions
  - Policy 7080 Transfer of School Based Administrators
  - Policy 7090 Transfer of Teachers
  - Policy 7120 Selection of Coaches and Advisors of High School Extracurricular Activities
  - Policy 7130 Substitute Teachers
- C. Relevant Data Sources
- D. Other
  - HCPSS Ethics Regulations

HCPSS Organizational Charts  
HCPSS School Staffing Documents  
Relationship Disclosure Form  
Relationship Chart

**VIII. History**

ADOPTED: July 9, 1992  
REVIEWED:  
MODIFIED: February 12, 2015  
REVISED: January 10, 2008  
December 5, 2019  
EFFECTIVE: July 1, 2020

**I. Definitions**

Within the context of this policy, the following definition applies:

Chain of Command – The order in which authority and power is wielded and delegated from top management to every employee at every level of the organization.

**II. Disclosure of Family Members and Close Relationships**

- A. An employee who has known family members and/or individuals with whom the employee has a close relationship working for the Howard County Public School System (HCPSS) and who does not have a Relationship Disclosure Form on file, must notify their supervisor and submit the form to the Executive Director of Human Resources (EDHR) within 10 business days of becoming aware of this policy.
- B. If a Board of Education member or employee enters into a close relationship that would create a violation of this policy:
  - 1. Within 10 business days, both employees must notify his or her supervisor of the close relationship and submit a Relationship Disclosure Form to the Executive Director of Human Resources (EDHR).
  - 2. After a review of the case, one of the employees may be transferred to a position in the same job classification if available. The transfer will take place as soon as possible.
  - 3. If accommodations of this nature are not feasible, the employees will be permitted to determine which of them will accept a temporary position until a suitable placement is found or resign.
- C. If the disclosure of a family member or close relationship would be detrimental to an employee's well-being or that of his or her family, they should schedule a confidential consultation with the EDHR to discuss the case.

**III. Reporting Suspected Violations**

Employees and supervisors who suspect and/or learn of violations of Policy 7020 are to take the appropriate actions:

- A. Employees who suspect and/or learn of violations of Policy 7020 are expected to confidentially consult with his or her supervisor.
- B. Supervisors who suspect and/or learn of violations of Policy 7020 will ensure the Relationship Disclosure Form is completed by the employee and submitted to the EDHR within 10 business days of becoming aware of the relationship. If the employee fails to comply with written direction to submit the Relationship Disclosure Form, the supervisor will notify the OHR for immediate action.

**IV. Hiring/Promoting/Transferring Family Members and Individuals in Close Relationships**

- A. Family members of employees and individuals with whom they have a close relationship who are currently working for HCPSS may be hired, promoted, or transferred if:
  - 1. They are the best qualified or only candidate for a position in a critical shortage area; and
  - 2. They will not be supervising or working under the supervision of a family member.
- B. If no other placement options are available and if the candidate is the best choice for a given position based on merit, a request for an exception must be made in writing to the EDHR. The EDHR, in conjunction with the highest ranking executive of the hiring division, will evaluate the request and issue a written response.
- C. The number of Relationship Disclosure Forms received from July 1 through June 30th will be reported to the Board of Education on an annual basis.

**V. Supervising and Monitoring Employees Who are Family Members and Those With Whom the Employee has a Close Relationship**

The following guidelines will apply when managing or monitoring the employment relationship of family members or an individual with whom the employee has a close relationship within the same school, division, department or office. These guidelines apply to an employee who would, under normal circumstances, be in the chain of command of a supervisor who happens to be a family member:

- A. Reporting Structure
  - 1. An employee will not be under the direct or indirect supervision or control of a family member or an individual with whom the employee has a close relationship.

2. Although the employee works in the division that is managed by a family member or an individual with whom the employee has a close relationship, the employee will report to a higher level supervisor who is able to supervise and evaluate the employee's day-to-day responsibilities. For example, if the family members are a Community Superintendent and principal, the principal will report to the Chief of School Management and Instructional Leadership.

**B. Supervisor Responsibilities**

The employee's supervisor will make all decisions regarding salary, performance evaluations, job assignment changes, work-related travel, and time-off.

**C. Monitoring**

1. The OHR will solicit annually, an evaluation conducted by the employee's supervisor of the team's working environment when two or more individuals who are related work in the same school, division, department or office.
2. An evaluation may be initiated prior to the annual review as deemed necessary by the OHR.

**VI. Guidelines for Contracted Services**

- A. Agencies who are Board-approved must require individuals who are being recommended to augment HCPSS employees to complete the Relationship Disclosure Form.
- B. The agency will forward the completed Relationship Disclosure Form to the EDHR prior to placement of the individual.
- C. HCPSS hiring supervisors are responsible for notifying the OHR of all individuals who are sourced through a contracted service provider if they will be working in any HCPSS building in any capacity for greater than five (5) consecutive days.

**VII. History**

ADOPTED: December 5, 2019  
REVIEWED:  
MODIFIED:  
REVISED:  
EFFECTIVE: July 1, 2020



# HCPSS POLICY 7020 NEPOTISM RELATIONSHIP CHART

