



Book	Policy Manual
Section	300 Employees
	Nepotism
Code	304.1
Status	Active
Adopted	September 19, 2017

Purpose

The objective of this policy is to advance the district's commitment to hiring the best qualified persons available for school district employment positions, and to ensure that personnel management decisions are made based upon individual merit. Fulfilling this commitment requires that the district maintain an atmosphere free of nepotism. Nepotism, or the appearance of nepotism, can degrade staff morale, cause public distrust, and is an obstacle to teamwork, effectiveness and quality performance and therefore, is prohibited by this policy.

Authority

The provisions of this policy are in addition to existing provisions of law restricting nepotism, including but not limited to Sections 1111 and 1129 of the Public School Code of 1949 (regarding the hiring and dismissals of temporary professional and professional employees), and Pennsylvania's Public Official and Employee Ethics Act (regarding conflicts of interests).

Definitions

Nepotism shall mean showing favoritism to a relative, domestic partner or romantic relationship partner of a School Board member, commissioned officer, or management level employee in hiring recommendations or decisions, recommendations or decisions for contracts with the district employment/personnel processes or district-provided pecuniary benefits offered to its employees.

School Board Member shall mean any person who is elected or appointed as a member of the West York Area Board of School Directors.

Commissioned Officer shall mean any district Superintendent, district Assistant Superintendent, or other commissioned officer of the district.

Domestic Partner shall mean a person with whom another person maintains a household and a romantic relationship, other than a person to whom s/he is legally married.

Management Level Employee shall be defined as district employee whose compensation is determined by the written administrative compensation plan contemplated by Section 1164 of the Public School Code, or a district employee in a supervisory position, which requires him/her to

evaluate employees' performance and/or make employment/personnel recommendations; or a district employee responsible for administering the district's business and/or personnel operations.

Relative shall mean anyone's father, mother, brother, sister, husband, wife, son, daughter, stepfather, step-mother, step-child, grandparent, grandchild, nephew, niece, first cousin, son-in-law, daughter-in-law, brother-in-law, sister-in-law, parent-in-law, foster child, aunt or uncle. Romantic Relationship shall mean dating or engaging in an intimate relationship.

Guidelines

No School Board member, commissioned officer, or management level employee shall seek to assist or advocate for the appointment, hiring promotion, retention or advancing of his/her relative, domestic partner or person for whom s/he is in a romantic relationship, to any regular employment, professional or otherwise, within the district.

No School Board member, commissioned officer, or management level employee shall seek to assist, advocate or support that the district enter into a contract valued at \$500 or more with his/her relative, domestic partner or person for whom s/he is in a romantic relationship (or any entity that the relative, domestic partner or romantic relationship partner is associated), unless the existence of the relationship is disclosed in advance to the both Superintendent and School Board and the district awards any contract valued at \$500 or more in strict compliance with the "open and public process" , enumerated in Section 1103(f) of the Public Official and Employee Ethics Act.

No commissioned officer or management level employee shall supervise, evaluate, discipline, oversee or handle any personnel task for any district employee who is his/her relative, domestic partner or person for whom s/he is a romantic relationship.

Any commissioned officer or management level employee in such relationships with a district employee at the time of this policy's adoption shall disclose such relationship to the Superintendent and School Board, so the district may determine what, if any, changes should be made to the assignment of those affected by this policy.

The provisions of this policy regarding the prohibition of appointments, hiring, promotion, advancement and/or contracting, may be waived by the Board upon a public vote of at least six (6) disinterested Board members that, considering such factors as the person's experience, qualifications and/or nature of the position, the public interest would be served and not harmed as a result of the waiver. Any such waiver shall be contingent upon the School Board member, commissioned officer, or management level employee whose relative, domestic partner or romantic relationship would benefit from such a waiver strictly complying with Pennsylvania's Public Official and Employee Ethics Act when performing their respective duties.

The provisions on this policy prohibiting a commissioned officer or management level employee from supervising, evaluating, disciplining, overseeing or handling any personnel task for any district employee who is his/her relative, domestic partner or person for whom s/he is a romantic relationship may be waived if, and only if, all of the steps are strictly complied with: (1) the nature of the relationship between the commissioned officer or management level employee and the district employee is immediately disclosed in writing to the Superintendent (or, alternatively, to the School Board if the relationship involves the Superintendent); (2) the Superintendent and School Board discuss whether permitting the district employee to be a subordinate employee to the commissioned officer or management level employee would impair district operations; and (3) the Superintendent and School Board authorize the reporting relationship, and the commissioned officer or management level employee strictly complies with any written directives given by the Superintendent or School Board regarding the same.

I have read the above policy and understand it:

Signature: _____ Date: _____