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## Anti-Nepotism Policy

### POLICY STATEMENT

It is the policy of Yosemite Valley Charter School to avoid Nepotism, which means to avoid creating or maintaining circumstances in which the appearance or possibility of favoritism, conflicts of interest, or management disruptions exist due to a relationship between an Yosemite Valley Charter School decision-maker and his or her Family Member. This policy is to ensure effective supervision, internal discipline, security, safety, and positive morale in the workplace and to avoid the potential for problems of actual or perceived favoritism, conflicts in loyalty, discrimination, and appearances of impropriety or conflict of interest. This policy applies to all Yosemite Valley Charter School board members, employees, individual consultants hired or retained by Yosemite Valley Charter School, and School Services Providers hired or retained by Yosemite Valley Charter School.

Relationships between Yosemite Valley Charter School board members, employees, consultants, or School Services Providers are permissible under the following circumstances:

- (a) Family Members of Yosemite Valley Charter School board members, employees, individual consultants, or School Services Providers shall not be hired for or retained in an employment position if one Family Member would have the authority or be in a position to directly supervise, hire, or discharge the other.
- (b) Any time a board member, employee, individual consultant, or School Services Provider is a Family Member of another, the relationship shall not result in an adverse impact on work productivity or performance. The determination of whether there is an adverse impact shall be in the discretion of the supervisor(s) of the employee(s), consultant(s), or School Services Provider(s), or in the case of a board member, in the discretion of the Yosemite Valley Charter School board of directors.
- (c) Any time a board member, employee, individual consultant, or School Services Provider is a Family Member of another, the relationship shall not create an actual conflict of interest under the law, and shall not create a detrimental perceived conflict of interest. The determination of whether there is a detrimental perceived conflict of interest shall be in the discretion of the supervisor(s) of the employee(s), consultant(s) or School Services Provider(s), or in the case of a board member, in the discretion of the Yosemite Valley Charter School board of directors.

## **DEFINITIONS**

**“Family Members”** include an employee's parent, child (natural, adopted, or legal guardianship), spouse, domestic partner, brother, sister, grandparent, grandchild, step-relationships within the preceding categories, brother-in-law, sister-in-law, son-in-law, daughter-in-law and father-in-law.

**“Nepotism”** describes a work-related situation in which there is the potential for favoritism toward a Family Member (such as giving a job, promotion, biased performance reviews, or more favorable working conditions) on the basis of the familial relationship.

**“School Services Provider”** shall mean any provider of school services to Yosemite Valley Charter School , and in the case of an organization shall mean be the responsible individual at such organization that provides school services to Yosemite Valley Charter School .

## **PROCEDURES**

When a Family Member of a current Yosemite Valley Charter School board member, employee, individual consultant, or School Services Provider applies to become a board member or employee, or requests to be a consultant or School Services Provider, the Family Member’s application/request must be denied if a conflict under this policy exists (e.g., if one Family Member would have the authority or be in a position to directly supervise, hire, or discharge the other). Special circumstances may be reviewed by the Board in the event that Yosemite Valley Charter School ’s best interests would be served otherwise.

When a Family Member of a current Yosemite Valley Charter School board member, employee, individual consultant, or School Services Provider applies for a transfer to a new employment position within Yosemite Valley Charter School, the Family Member’s application must be evaluated to determine whether a conflict under this policy exists. If a conflict exists, the application for transfer must either be denied or one of the Family Members must seek a position transfer to avoid the conflict, if any such opportunity exists. In the event that no such opportunity exists, the application for transfer must be denied.

In implementing this policy, it is permissible to ask an applicant, potential consultant, or School Services Provider to state whether he or she has a Family Member who is presently employed by or on the board of Yosemite Valley Charter School , but such information may not be used as a basis for an employment decision except as stated herein.

When a relationship that creates a conflict with this policy occurs during employment, Yosemite Valley Charter School will attempt to arrange a transfer or change in position/duties to eliminate the conflict. If a suitable transfer/change in position/duties is not available, one of the employees may be

separated from service. Every attempt will be made to effect transfer or separation on the basis of agreement between the employees involved and Yosemite Valley Charter School . If a mutual agreement is unattainable, the Board will determine, in Yosemite Valley Charter School 's best interest, which employee is to be transferred or separated.

## **RESPONSIBILITIES**

The Senior Director or designee shall coordinate with the current employee's direct supervisor to develop appropriate plans to ensure that a Family Member's employment does not conflict with this policy. If the situation cannot be resolved by a transfer, then the Senior Director or designee will deny the application for employment. Special circumstances may be reviewed by the Board in the event that Yosemite Valley Charter School 's best interests would be served by the employment of a Family Member.

The Senior Director or designee shall investigate reports of Nepotism and take appropriate action. Employees are required to disclose changes in their personal situations to the Senior Director or designee which may be covered by this policy. Supervisors may inquire about the family relationship between employees to determine the appropriateness of the working relationship under this policy. The Board shall make the final determination concerning potential conflicts with this policy involving the Senior Director.

Approved by the Yosemite Valley Charter School Board of Directors on September 30, 2018.