

**CHARTER SCHOOL OF MORGAN HILL
ANTI-NEPOTISM POLICY**

Consistent with the principle that employees and prospective employees of Charter School of Morgan Hill (“CSMH” or the “School”) shall be hired, evaluated, and advanced on the basis of individual merit, without reference to considerations of race, sex, religion, sexual orientation, or national origin, or any other factors not involving professional qualifications and performance, the following restrictions, designed to avoid the possibility of favoritism based on family or personal relationship, shall be observed with respect to personnel:

1. No one with supervisory responsibility shall hire or recommend for hire any related person.
2. Related persons currently employed by the School shall immediately disclose all family and personal relationships with other School employees. All persons wishing to be considered for employment with the School shall disclose family and personal relationships with then-current School employees or students.
3. With respect to proposed employment decisions which would result in the concurrent service of related persons within the same department, a person related to an incumbent employee may not be employed if the professional qualifications of other candidates for the available position are demonstrably superior to those of the related person.
4. With respect to the concurrent service of related persons within the same department, neither related person shall be permitted, either individually or as a member of the faculty or as a member of a committee, to participate in the evaluation, advancement, or salary decisions of the other related person.
5. Consistent with applicable conflict of interest laws as affirmed in the CSMH Charter and MOU with the Charter Authorizer, no member of the Board, School administration or faculty member shall engage in recommendations, discussions, or otherwise participate in any decision or recommendation relating to the appointment, promotion, retention, tenure, or employment of a related person.
6. In the event of a lack of candidates, a need for specialized skills, or other unique circumstances as determined on a case-by-case basis, the restriction against hiring related persons may be waived in the best interest of CSMH upon the approval of the CSMH Board of Directors, subject to compliance with other applicable conflict of interest laws.
7. When other qualified candidates have not applied, assignments of short duration (generally less than 60 working days) may be exempt from these guidelines, subject to compliance with other applicable conflict of interest laws.

8. This policy shall not supplant the application of applicable conflicts of interest laws to CSMH.

Definition of “Related Persons”

The following relationships create related persons:

- Parent and child
- Siblings
- Grandparent and grandchild
- Aunt and/or uncle and niece and/or nephew
- First cousins
- Spouses and registered domestic partners
- Guardian and ward
- Any corresponding in-law, step, or adoptive relative, or anyone residing in a permanent basis in the home of a current School employee or student.
- Persons engaged in amorous relationships; an amorous relationship exists when two (2) persons voluntarily have a physical relationship or are engaged in a romantic courtship (e.g. dating or engaged) that may or may not have been consummated.

Policy Statement on Consensual Relationships

Consensual romantic or sexual relationships between supervisors and employees and between faculty /staff are potentially exploitative and must be avoided. They raise serious concerns about the validity of the consent, conflicts of interest, and unfair treatment of others. In addition, a supervisor will be prohibited from evaluating an employee's job performance if he/she is romantically/sexually involved with that employee.

The School's anti-nepotism policy precludes individuals from evaluating the work performance of others with whom they have intimate familial or personal relationships, or from making hiring, salary, or similar financial decisions concerning such persons. The same principles apply to supervisor-employee relationships in the context of work or academic evaluation.

Violations of this Policy Statement on Consensual Relationships, if proven, will result in the imposition of corrective actions and/or disciplinary sanctions, up to and including termination of employment.

Effective Date

The provisions of this policy shall be applicable prospectively only, with reference to hiring decisions made after the adoption date of the policy.

ADOPTED: [DATE]

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