

HOLMDEL TOWNSHIP
BOARD OF EDUCATION
Holmdel, New Jersey 07733

File Code: 4212.8

POLICY

NEPOTISM

The Holmdel Township Board of Education adopts this Nepotism Policy as a condition of receiving State Aid pursuant to N.J.A.C. 6A:23A-6.2.

For the purposes of this Policy, "relative" means an individual's spouse, by marriage or civil union pursuant to N.J.S.A. 37:1-33, domestic partner as defined in N.J.S.A. 26:8A-3, or the individual's or spouse's parent, child, sibling, aunt, uncle, niece, nephew, grandparent, grandchild, son-in-law, daughter-in-law, stepparent, stepchild, stepbrother, stepsister, half-brother or half-sister, whether the relative is related to the individual or the individual's spouse by blood, marriage or adoption.

For the purposes of this Policy, "immediate family member" means the person's spouse, partner in a civil union as defined in N.J.S.A. 37:1-33, domestic partner as defined in N.J.S.A. 26:8A-3, or dependent child residing in the same household.

For the purposes of this Policy, "administrator" is defined as set forth in N.J.S.A. 18A:12-23.

No relative of a Board member or the Superintendent of Schools shall be employed in an office or position in this school district except that a person employed by the school district on the effective date of the Policy or the date a relative becomes a Board member or Superintendent of Schools shall not be prohibited from continuing to be employed in the person's current position or, in the case of a reduction in force, in any position to which that person has a legal entitlement.

The Superintendent of Schools shall not recommend to the Board of Education pursuant to N.J.S.A. 18A:27-4.1 any relative of a Board member or the Superintendent of Schools.

In accordance with N.J.A.C. 6A:23A-6.2(a)6.(b), per diem substitutes and student employees who are relatives of a Board member or the Superintendent of Schools shall be excluded from the provisions of this Policy and N.J.A.C. 6A:23A-6.2.

However, the district may seek approval from the Executive County Superintendent to promote such an existing employee where such promotion is justified by the needs of the district to ensure implementation of the Core Curriculum Content Standards and

upon a demonstration that the existing employee is the most qualified candidate for the

position after full advertising and interviewing has occurred. The Superintendent of Schools shall not recommend to the Board of Education pursuant to N.J.S.A. 18A:27-4.1 any relative of a Board member or the Superintendent of Schools unless the person is subject to this exception.

A school district administrator shall be prohibited from supervising or exercising authority with regard to personnel actions over his/her relative. Where it is not feasible to eliminate such a direct or indirect supervisory relationship, appropriate screens and/or alternative supervision and reporting mechanisms must be put in place.

A school district administrator or board member who has a relative who is a member of the bargaining unit shall be prohibited from discussing or voting on the proposed collective bargaining agreement with that unit or from participating in any way in negotiations, including, but not limited to, being a member of the negotiating team; nor should that school district administrator be present with the Board in closed session when negotiation strategies are being discussed; provided, however, that the administrator may serve as a technical resource to the negotiating team and may provide technical information necessary to the collective bargaining process when no one else in the district can provide such information.

A school district administrator and/or Board member who has an immediate family member who is a member of the same Statewide union in another school district shall be prohibited from participating in any way in negotiations, including but not limited to, being a member of the negotiating team or being present with the Board of Education in closed sessions when negotiation strategies are being discussed, prior to the Board of Education attaining a Tentative Memorandum of Agreement with the bargaining unit that includes a salary guide and total compensation package; once the Tentative Memorandum of Agreement is established, a school district administrator and/or Board member with an immediate family member who is a member of the same State-wide union in another school district may fully participate in the process, absent other conflicts. Notwithstanding the above, a district administrator who has an immediate family member who is a member of the same Statewide union in another district may serve as a technical resource to the negotiating team and may provide technical information necessary to the collective bargaining process when no one else in the district can provide such information.

Source: Regular Board Meeting

Date: August 20, 1986

Revised: April 1, 1996

Revised: October 29, 2008

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Legal References: N.J.A.C. 6A:23A-6.2