



EMPLOYEE SUPERVISION OF RELATIVES

POLICY:	426
ADOPTED:	12/02/91
REVISED:	09/25/23

I. Purpose

The purpose of this policy is to establish consistent employment guidelines and to prevent situations where an individual may have or be perceived to have unfair influence over the personnel actions of a family member.

II. General Statement of Policy

Employees and independent contractors of the District shall not engage in, or be associated with, nepotism in personnel actions or practices. No employee or independent contractor of the school district shall be assigned to a position in which that employee is directly supervised by another employee who is a relative.

III. Definitions

- A. Nepotism. Favoritism applied, without regard to merit, through authority or influence by someone in a position of power, toward family members or others for whom the employee is legally responsible. Favoritism is shown by giving preferential treatment in any employment action to family members and others defined in the policy.
- B. Personnel Actions. Recruit, hire, promote, reclassify, supervise, direct, evaluate, make a salary recommendation, assign work or resources, approve leave requests, give any benefit, discipline or terminate employment or other similar employment actions.
- C. Family Member. Spouse; domestic partner; mother; father; sister; brother; biological; adopted, step or foster child; legal ward; grandparent; grandchild; first cousin; aunt; uncle; niece; nephew; mother-in-law; father-in-law; sister-in-law; brother-in-law; daughter-in-law; son-in-law; grandparent-in-law; grandchild-in-law; or corresponding step relatives; or corresponding relatives of the employee's partner; other persons for whom the employee is legally responsible; and anyone in loco parentis to the employee as a child. In addition, this definition includes any relative residing in the same household.

IV. Implementation

- A. Independent School District 199 will attempt to reduce or eliminate conflicts through recruitment, selection, employment and supervision processes and

procedures specifically limiting familial conflicts. In situations where the district is able to anticipate potential conflicts, alternative arrangements such as, interview teams, assignments and methods of supervision and evaluation will be used.

- B. An employee is responsible for identifying actual or potential conflicts of interest based on nepotism that may occur in the course of their work and shall provide notice of such conflicts to their supervisor.
- C. The district reserves the right to recognize and modify the employment relationship by whatever means necessary. When the conflict of interest cannot be eliminated through alternative arrangements, the hire will not be approved.
- D. In the event that the marriage or adoption of an employee or a member of an employee's family or household places their assignment in conflict with this policy, transfers or other actions required to achieve compliance may be delayed until the completion of the school year in which the conflict arises.

V. Application to Board Members

Board members are not considered to have direct or indirect supervision except in situations when they are called upon to act specifically on matters of employment status or compensation for an applicant or employee. In such cases, board members shall abstain from the action when a close family member is involved.

VI. Compliance with Equal Opportunity and Discrimination Laws

- A. Nothing in this policy shall be construed as discouraging the employment of relatives for positions that do not involve supervision or personnel actions. Nothing in this policy shall be construed to otherwise limit the employment opportunities of any person employed by the district.
- B. This policy shall be administered and maintained consistently with mandates of federal and state equal employment opportunity and discrimination laws.

VII. Administration of Policy

- A. The Director of Human Resources shall be responsible for implementing and administering this policy based on information provided by applicants and employees, and for ensuring that all employment actions taken under this policy are consistent with applicable laws, collective bargaining agreements, and other legal and contractual obligations.
- B. The district reserves the right to review the application of this policy in individual cases that are in temporary positions, e.g. refereeing of youth sports or other

community-service type activities, providing that the selection and hiring is done in accordance with District Human Resources protocols and under the oversight of the Director of Human Resources, except where a family member of the Director of Human Resources is involved, in which case the hiring and selection shall be under the oversight of the Superintendent.

Legal References: Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
42 U.S.C. § 2000e *et seq.* (Title VII of the Civil Rights Act)

Cross References: Policy 210 - Conflict of Interest
Policy 401 - Equal Employment Opportunity



TEACHER TRANSFER PROCESS

POLICY:	429
ADOPTED:	01/09/75
REVISED:	09/25/23

I. Purpose

It is the district belief that teacher quality and effectiveness have a major influence on student achievement and the ability of teachers to change assignments can have a positive impact on teacher quality and student success. The district is committed to maintaining a transparent transfer process, allowing eligible teachers to be considered for openings throughout the school district. ~~It is the intention of the district to provide a process for which teachers have the ability to be considered for transfer throughout the district.~~

II. General Statement of Policy

~~The District has documented the process to move classroom teachers throughout the district in various scenarios.~~ The district maintains a formal process for the reassignment of classroom teachers across various scenarios including; grade level reductions, building level reductions, district reductions, grade level/content changes within a building, voluntary transfer and itinerant/non-classroom transfers. This process is updated yearly and provided to teachers and administrators.

~~In each scenario, staffing decisions are based on the premise of teacher choice in decisions and decisions which best affect the student and teacher teams within a building. The district maintains the right of assignment for any position within the district.~~ While the district considers teacher assignment and the impact on Professional Learning Communities (PLCs) when making placements, it maintains the right of assignment for any position within the organization.

This policy does not apply to any position that is deemed a promotion including teacher on special assignment positions. Promotions are positions that offer additional compensation, additional and/or supervisory responsibilities, or require an administrative license.