

# Emery County School District



## Policy: GEFB—Nepotism

Date Adopted: 16 June 2015  
Current Review / Revision: 16 June 2015

It is the intent of the Emery County School District that the requirements outlined in Utah Code 52-3(1)(4) be followed with regard to all hiring practices. The following is an outline of the Utah Nepotism requirements.

### Definitions

- 1) “Appointee” means an employee whose salary, wages, pay, or compensation is paid for from public funds.
- 2) “Chief Administrative Officer” means the School District Superintendent.
- 3) “Public Officer” means a person who holds a supervisory position that is compensated by public funds.
- 4) “Relative” means a father, mother, husband, wife, son, daughter, sister, brother, grandfather, grandmother, uncle, aunt, nephew, niece, grandson, granddaughter, first cousin, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, or daughter-in-law. Stepdaughter and stepson are excluded from the definition.

### Policy Statements

No public officer may employ, appoint, or vote for or recommend the appointment of a relative in or to any position or employment, when the salary, wages, pay or compensation of the appointee will be paid from public funds and the appointee will be directly supervised by a relative, except as follows:

- 1) The appointee will be employed for a period of 12 weeks or less;
- 2) The appointee is a volunteer;
- 3) The Superintendent determines that the appointee is the only or best person available, qualified, or eligible for the position; and/or
- 4) The appointee will be compensated from funds designated for vocational training.

No public officer may directly supervise an appointee who is a relative when the salary, wages, pay, or compensation of the relative will be paid from public funds, except as follows:

- 1) The relative was appointed or employed before the public officer assumed his/her position, if the relative’s appointment did not violate the provisions of the law in effect at the time of appointment;
- 2) The appointee will be employed for a period of 12 weeks or less;
- 3) The appointee is a volunteer;
- 4) The appointee is the only or best person available, qualified, or eligible for the position;

- 5) The appointee will be compensated from funds designated for vocational training; and/or
- 6) The Superintendent determines that the public officer is the only person available or best qualified to perform supervisory functions for the appointee.

No appointee may accept or retain employment if s/he is paid from public funds, and s/he is under the direct supervision of a relative, except as follows:

- 1) The relative was appointed or employed before the public officer assumed his position, if the relative's appointment did not violate the provisions of the law in effect at the time of appointment.
- 2) The appointee will be employed for a period of 12 weeks or less;
- 3) The appointee is a volunteer;
- 4) The appointee is the only or best person available, qualified, or eligible for the position;
- 5) The appointee will be compensated from funds designated for vocational training; and/or
- 6) The Superintendent determines that the public officer is the only person available or best qualified to perform supervisory functions for the appointee.

This policy shall not apply to the employment of a relative if:

- 1) Fewer than 3,000 people live within 40 miles of the place of employment;
- 2) The job opening has had a reasonable public notice; and
- 3) The relative is the best qualified candidate for the position.