

### NEPOTISM EMPLOYMENT RELATIONSHIPS

A. The School Board shall not employ or pay any teacher or other School Board employee from the public funds, federal, state, or local, or the Superintendent shall not recommend to the School Board the employment of any teacher or other employee, if the teacher or other employee is the father, mother, brother, sister, spouse, son, daughter, son-in-law, daughter-in-law, sister-in-law, brother-in-law, or any person who meets the definition of "immediate family" as defined in Va. Code §2.2-3101 of the Superintendent or of any member of the School Board.

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This policy shall apply to any person employed by the School Board in the operation of the Albemarle County Public Schools, adult education programs, and/or any other program maintained and operated by the School Board.

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B. This policy shall not be construed to prohibit the employment, promotion, or transfer within the Albemarle County Public Schools of any person within a relationship described in section A when such person:

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1. Has been employed pursuant to a written contract with the School Board or employed as a substitute teacher or teacher's aide by the School Board prior to the taking of office of any member of the School Board or Superintendent; or
2. Has been employed pursuant to a written contract with the School Board or employed as a substitute teacher or teacher's aide by the School Board prior to the inception of such relationship; or
3. Was employed by the School Board at any time prior to June 10, 1994, and had been employed at any time as a teacher or other employee of any Virginia School Board prior to the taking of office of any member of the School Board or Superintendent.

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~~Notwithstanding the rules stated in Sections A and B above, the School Board may employ or pay, and the Superintendent may recommend for employment, any family member of a School Board member provided that~~

~~The member certifies that they had no involvement with the hiring decision; and~~

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1. ~~The superintendent certifies to the remaining members of the School Board in writing that the recommendation is based upon merit and fitness and the competitive rating of the qualifications of the individual and that no member of the Board had any involvement with the hiring decision.~~

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C. A person employed as a substitute teacher may not be employed to any greater extent than he/she was employed by the School Board in the last full school year prior to the taking of office of such School Board member or Superintendent or to the inception of such relationship. The exceptions in subsection B.1, B.2, and B.3 shall apply only if the prior employment has been in the Albemarle County Public Schools.

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- D. If any member of the School Board or the Superintendent knowingly violates these provisions, he/she shall be personally liable to refund to the Albemarle County Director of Finance any amounts paid in violation of this policy. The funds shall be recovered from the individual by action or suit in the name of the Commonwealth on the petition of the attorney for the Commonwealth and shall be for the use of the Albemarle County Public Schools.

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E. With all other supervisory staff, the following regulations shall apply:

1. A supervisor shall not recommend to the Superintendent the employment of any individual whom he/she would supervise, directly or indirectly, through the line of supervision, if that individual is a spouse, father, mother, brother, sister, son, daughter, mother-in-law, father-in-law, son-in-law, daughter-in-law, sister-in-law, brother-in-law, or any person who meets the definition of "immediate family" as defined in Va. Code §2.2-3101.
2. In addition, a supervisor shall not be the direct supervisor or indirect supervisor, through the line of supervision, of any employee if that employee is a spouse, father, mother, brother, sister, son, daughter, mother-in-law, father-in-law, son-in-law, daughter-in-law, sister-in-law, brother-in-law, or any person who meets the definition of "immediate family" as defined in Va. Code §2.2-3101. In instances where a transfer/promotion of a supervisory employee would create a conflict with this policy, the Superintendent will make a decision regarding the transfer of one employee in the best interest of the Division.

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Adopted: July 1, 1993  
Amended: December 8, 1997; January 27, 2011; December 14, 2017  
Reviewed: August 9, 2007; April 23, 2015; May 14, 2015

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Legal Ref.: Code of Virginia, 1950, as amended, §§ 2.2-3101, 2.2-3119

Cross Ref.: BBFA, *School Board Member Conflict of Interest*  
GAH, *School Employee Conflict of Interest*  
GBC, *Standards of Conduct*  
GBCA, *Employee Discipline*