

Policy Change	<input checked="" type="checkbox"/>	Subject Matter Area Review	<input checked="" type="checkbox"/>
Procedure Change	<input checked="" type="checkbox"/>	Constituency Group Review	<input checked="" type="checkbox"/>
New Policy	<input type="checkbox"/>	District Council	<input type="checkbox"/>
New Procedure	<input type="checkbox"/>	Board 1 <sup>st</sup> Reading	<input type="checkbox"/>
		Board 2 <sup>nd</sup> Reading	<input type="checkbox"/>

**KEY:**  
**BOLD=** new language  
~~strikethrough=~~ delete language

Comments:

CCLC Fall 2017 Update

Referred to:

Edited:

1/17/18



Policy

7310 Nepotism

The District does not prohibit the employment of relatives [or domestic partners as defined by Family Code Sections 297 et seq.] in the same department or division, with the exception that they shall not be assigned to a regular position within the same department, division or site that has an immediate family member who is in a position to recommend or influence personnel decisions.

Personnel decisions include appointment, retention, evaluation, tenure, work assignment, promotion, discipline, demotion, or salary of the relative [or domestic partner as defined by Family Code Sections 297 et seq.].

**NOTE: Definition moved from below.** For purposes of the policy, “family member” as used in this section is defined as relatives or step-relatives bearing the following relationships to the employee or the employee’s spouse: son, daughter, spouse, mother, father, guardian, sister, brother, grandchild, foster child, foster parent, grandparent, father-in-law, mother-in-law, brother-in-law, sister-in-law, daughter-in-law, son-in-law, step parent, step sibling, step child, uncle, aunt, niece, nephew or any person living in the employee’s household. All references to “spouses” in the District’s policies or procedures shall be read to include registered domestic partners as permitted by California Law.

The District will make reasonable efforts to assign job duties to minimize the potential for creating an adverse impact on supervision, safety, security, or morale, or creating other potential conflicts of interest.

Notwithstanding the above, the District retains the right where such placement has the potential for creating an adverse impact on supervision, safety, security, or morale, or involves other potential conflicts of interest, to refuse to place spouses in the same department, division or facility. The District retains the right to reassign or transfer any person to eliminate the potential for creating an adverse impact on supervision, safety, security, or morale, or involves other potential conflicts of interest.

1 The District will not discriminate in favor of or against any job applicant because of a family member's  
2 employment in the District. Generally, an employee will not be the immediate supervisor of a family  
3 member.

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5 **NOTE: Definition moved above.** For purposes of the policy, "family member" as used in this section is  
6 defined as relatives or step-relatives bearing the following relationships to the employee or the  
7 employee's spouse: son, daughter, spouse, mother, father, guardian, sister, brother, grandchild, foster  
8 child, foster parent, grandparent, father-in-law, mother-in-law, brother-in-law, sister-in-law, daughter-in-  
9 law, son-in-law, step parent, step sibling, step child, uncle, aunt, niece, nephew or any person living in the  
10 employee's household. All references to "spouses" in the District's policies or procedures shall be read to  
11 include registered domestic partners as permitted by California Law.

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13 Exceptions regarding immediate supervision may be made upon approval by the Chancellor. Requests for  
14 approval will be submitted by the appropriate Chancellor's Cabinet member and will include a plan for  
15 hiring, assigning, and/or evaluating the family member that does not involve a second family member.

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17 The Chancellor and Board of Trustees retain the right to refuse any assignment when, in their final  
18 judgment, that assignment has potential for adverse impact on supervision, safety, security or morale,  
19 and/or involves conflict of interest.

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21 **References:**

22 Government Code Section [12940 et seq.](#), **and** [1090 et seq.](#); Family Code Sections [297](#), [297.5](#), [298](#), [298.5](#),  
23 [299](#), [299.2](#), **and** [299.3](#)

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25 **Adopted:** June 28, 2004

26 **Revision Adopted:** February 8, 2012

27 **Last Reviewed:**  
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## Administrative Procedure

### 7310 Nepotism

It is the policy of the Yosemite Community College District to employ the best qualified individuals based on the total needs of the communities it serves.

The District may employ for any position, qualified persons who are related to a current employee provided the following conditions are met:

- A. No employees of the District shall initiate or participate in personnel decisions such as appointment, retention, re-appointment, tenure, work assignment, promotion, demotion, salary, termination, leave of absence, etc., of family members; and
- B. No employees of the District shall participate in the evaluation of another person who is a family member; and
- C. No employees of the District shall exercise direct supervision over another person who is a family member.

All employees have the responsibility for full disclosure in writing that a conflict of interest may exist to the dean, director, department head or other relevant administrator prior to making any employment decisions.

All disclosures additionally will be reported to the Board of Trustees and Chancellor.

#### References:

Government Code Sections [12940 et seq.](#), and [1090 et seq.](#); Family Code Sections [297](#), [297.5](#), [298](#), [298.5](#), [299](#), [299.2](#), and [299.3](#)

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**Procedure Last Revised:** June 13, 2007, February 8, 2012

**Last Reviewed:**