

### **Nepotism**

The following definitions are included in 20-A MRSA §1002(1A) and (1A-1):

- A. "Employee" means a person who receives monetary payment or benefits, for personal services performed for the school administrative unit.
- B. "Volunteer" means a person who performs personal services for a school administrative unit without monetary payment or benefits of any kind or amount.

For the purposes of this policy, the following additional definitions apply:

- A. "Administrators" includes the Director of Special Services, Assistant Director of Special Services, Athletic Director, Principals, Assistant Principals, Business Manager, Director of Adult Education, Facilities Director, Food Service Director, Director of Technology, and Transportation Director.
- B. "Immediate Family" includes spouse/domestic partner, brother, sister, parent, son or daughter.
- C. "Extended Family" includes grandparent, grandchild, uncle, aunt, niece, nephew or in-law.

### **Board Members**

Immediate and extended family members of Board members will not be employed by RSU 40, subject to the following exemptions:

- A. Immediate and extended family members, except spouses, who are employed as of the date of policy adoption, for as long as they remain continuously employed.
- B. Employees who are employed on the date that an immediate or extended family member of theirs is elected to the Board.
- C. Board members are expected to recuse themselves from participating in any personnel action involving an immediate or extended family member employed by RSU 40.
- D. In accordance with 20-A MRSA §1002(2A), a Board member's spouse may not serve as a volunteer when that volunteer has primary responsibility for a curricular, cocurricular or extracurricular program or activity and reports directly to the Superintendent, Principal, Athletic Director or other school administrator.

**Superintendent**

Immediate and extended family members of the Superintendent or Assistant Superintendent will not be employed by RSU 40, subject to the following exemptions:

- A. Employees who are employed on the date that an immediate or extended family member of theirs is elected to the Superintendency.
- B. If a member of the Superintendent's immediate or extended family is employed under paragraph (a), appropriate measures shall be taken by the Board to avoid a conflict.

**Administrators**

No person will be employed in a position within the jurisdiction of an administrator who is a member of that person's immediate or extended family. Nor will any person be employed in a position in which a member of the immediate or extended family of that person is responsible, in whole or in part, for their supervision or evaluation. This provision is subject to the following exemption:

- A. Employees who are employed as of the date of policy adoption, for so long as they remain continuously employed. In such cases, appropriate measures will be taken to avoid a conflict.

**Exceptions to Policy**

The Board may approve an exception to this policy (except for the statutory prohibitions) if there is a determination that it is in the best interest of the school unit and appropriate measures can be taken to avoid a conflict. It is the intent of the Board that this provision be narrowly construed and used only in rare circumstances.

Legal Reference: 20-A M.R.S. §1002

Cross Reference: BCB – Board Member Conflict of Interest

Adopted: May 5, 2016

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