

Sam Houston State University
A Member of The Texas State University System

Finance & Operations Human Resources Policy E-2
Nepotism

SUBJECT: Nepotism

PURPOSE: To provide a standard policy to regulate hiring two or more individuals from the same immediate family.

POLICY: It is the policy of Sam Houston State University to refuse to employ, appoint, promote or transfer any person who is related to an officer of the University or his/her spouse within the first or second degree by marriage (affinity) or within the first, second or third degree by blood (consanguinity) to any employee whose duty would involve acting in an official capacity in employment, promotion, and/or transfer decisions; nor shall any person be employed if either person would come under the administrative supervision of the other; or if either would have any official voice in recommending salary increases or promotion in rank for the other. All personnel actions are reviewed to ensure Equal Employment Opportunity (EEO) compliance.

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1. Degrees of Relationship

OFFICER & SPOUSE	<u>1st</u> Child	<u>2nd</u> Grandchild	<u>3rd</u> Great-Grandchild
	Parent	Sister/Brother	Niece/Nephew
	Spouse	Grandparent	Aunt/Uncle
			Great-Grandparent

2. Consanguinity and Affinity

- a. Two persons are related to each other by consanguinity if one is a descendant of the other or if they share a common ancestor. Adoptive children are treated as natural children of the adoptive parents in this regard.
- b. Two persons are related to each other by affinity if they are married to each other or the spouse of one of the persons is related by consanguinity to the other person. Termination of a marriage by divorce or the death of a spouse terminates relationships by affinity created by that marriage unless a child of that marriage is living, in which case the marriage is treated as continuing to exist.

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3. Supervision of Relatives

- a. Departments or comparable administrative units may employ individuals who are related to another within the prohibited degrees provided such employment does not cause one such relative to (a) have responsibility for the direct or indirect supervision of the other relative, or (b) have authority over the salary received or other terms and conditions of employment of the other relative. Employment under either of these conditions may be authorized only by the President. These conditions apply to the continuation of employment as well as the initial appointment.
- (1) This policy does not prohibit the re-appointment or continued employment of any person related to another within either of the prohibited degrees who shall have been employed at the University before the adoption of this policy. However, no University employee may approve, recommend, or otherwise act with regard to the appointment, reappointment, promotion, or salary of any person related within either of the prohibited degrees.
- (2) If the reappointment or continued employment of a person places such person under an administrative supervisor related within the above specified degrees, all subsequent actions with regard to evaluation, reappointment, promotion, or salary shall be the responsibility of the next highest administrative supervisor.

4. Exceptions

- a. Relationships shall not affect honorary positions or nonremunerative positions.
- b. An exception to the nepotism policy is made if the relative of the officer (who is related within the second degree by marriage or within the third degree by blood) has been continuously employed for:
- 30 days, if the officer/board member is appointed;
 - six months, if the officer/board member is elected in a non-general election; or
 - 12 months, if the officer/board member is elected in a general election.
- c. Violation of the nepotism statutes is a misdemeanor involving official misconduct and employees violating this statute are subject to a fine and removal from office.

Reviewed by: David M. Hammonds, Associate VP for Human Resources & Risk Management-03/29/2013
Next review: 04/01/2020