

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS
NEPOTISM

DBE
(LOCAL)

Nepotism Prohibited

The College District will not employ any person who is related by blood (within the third degree), or by marriage (within the second degree), to a member of the Board or to any officer of the College District. The College District will also not employ any individual who lives in the same household as a Board member or as an officer of the College District.

[For an explanation of prohibited degrees, see the graphic illustration in DBE(EXHIBIT)].

A member of the Board or officer of the College District will not use his or her position to influence another College District employee to hire a member of his or her family in violation of this policy.

Independent Contractor

This nepotism policy also governs the hiring by the College District of an individual as an independent contractor.

Exceptions and Restriction on Promotion

This nepotism policy does not apply to an employee who has been continuously employed by the College District for a period of at least six (6) months prior to the election of the member of the Board, or for a period of at least 30 days before the appointment of the member of the Board or an officer of the College District.

An employee who falls within the exception listed in this policy, may remain employed.

If the employee does not fall within this exception or has not been continuously employed by the College District for the required time periods listed above, then the employee will be terminated from the individual's position and the College District's employment.

Job Applicants

In all cases involving employment, fair and equitable hiring practices will be observed. Persons responsible for employment decisions in the College District will avoid any act or practice that might be interpreted as preferential consideration shown a family member of the Board member or an officer of the College District.

Financial Interests

In compliance with the College District's accreditation standards, the Chair of the Board and a majority of other voting members of the Board must be free from any contractual, employment, personal, or familial financial interest in the College District and will comply with the requirements for disclosing conflicts of interest or for abstention, as set forth in BBFA(LEGAL).

Effect of Board Member Resignation

All public officers will continue to perform the duties of their offices until their successors are duly qualified, i.e., sworn in. Until the vacancy created by a Board member's resignation is filled by a successor, the Board member continues to serve and have the duties and powers of office, and a relative within a prohibited degree of

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relationship is barred from employment by the College District during that time period.

Source of Funds

The rules against nepotism apply to employees paid with public funds, regardless of the source of those funds.

Penalties

An individual who violates this policy in violation of Government Code Chapter 573, Subchapter C or Government Code 573.062 (the nepotism prohibitions) will be removed from the individual's position.

An individual commits an offense involving official misconduct if the individual violates (1) Government Code Chapter 573, Subchapter C, or (2) Government Code Section 573.062(b), or (3) Government Code Section 573.083.