

Bylaws

Egg Harbor Township Board of Education

0000 Bylaws

0142.2 NEPOTISM

The Board of Education adopts this Nepotism Policy as a condition of receiving State aid pursuant to N.J.A.C. 6A:23A-6.2.

No relative of a Board member or the Superintendent of Schools shall be employed in an office or position in this school district except that a person employed by the school district on the effective date of the Policy or the date a relative becomes a Board member or Superintendent shall not be prohibited from continuing to be employed or promoted in the district. The Superintendent of Schools shall not recommend to the Board of Education pursuant to N.J.S.A. 18A:27-4.1 any relative of a Board member or Superintendent for any new position of employment.

For the purposes of this Policy, "relative" means an individual's spouse, by marriage or civil union pursuant to N.J.S.A. 37:1-33, domestic partner as defined in N.J.S.A. 26:8A-3, or the individual's or spouse's parent, child, sibling, aunt, uncle, niece, nephew, grandparent, grandchild, son-in-law, daughter-in-law, stepparent, stepchild, stepbrother, stepsister, half-brother or half-sister, whether the relative is related to the individual or the individual's spouse by blood, marriage or adoption.

For the purposes of this Policy, "immediate family member" means the person's spouse, partner in a civil union as defined in NJSA 37:1-33, domestic partner as defined in NJSA 26:8A-3, or dependent child residing in the same household.

For the purposes of this Policy, "administrator" is defined as set forth in NJSA 18A:12-23.

However, in accordance with N.J.A.C. 6A:23A-6.2(a)2, the district may employ a relative of a Board member or Superintendent provided the district obtains approval from the Executive County Superintendent of Schools. Such approval shall be granted only upon demonstration by the school district that it conducted a thorough search for candidates and the proposed candidate is the only qualified and available person for the position.

In accordance with NJAC 6A:23A-6.2(a)6.(b), per diem substitutes and student employees who are relatives of a Board member or the Superintendent of Schools shall be excluded from the provisions of this Policy and NJAC 6A:23A-6.2.

A school district administrator shall be prohibited from exercising direct or indirect authority, supervision, or control over a relative of the administrator. Where it is not feasible to eliminate such a direct or indirect supervisory relationship, appropriate screens and/or alternative supervision and reporting mechanisms must be put in place.

A school district administrator or Board member who has a relative who is a member of the bargaining unit shall be prohibited from discussing or voting on the proposed collective bargaining agreement with that unit or from participating in any way in negotiations, including, but not limited to, being a member of the negotiating team; nor should that school district administrator be present with the Board in closed session when negotiation strategies are being discussed; provided that the administrator may serve as a technical resource to the negotiating team and may provide technical information necessary to the collective bargaining process when no one else in the district can provide such information.

A school district administrator or Board member who has an immediate family member who is a member of the same Statewide union in another school district shall be prohibited from participating in any way in negotiations, including but not limited to, being a member of the negotiating team or being present with the Board of Education in closed sessions when negotiation strategies are being discussed, prior to the Board of Education attaining a Tentative Memorandum of Agreement with the bargaining unit that includes a salary guide and total compensation package. Once the Tentative Memorandum of Agreement is established, a school district administrator with an immediate family member who is a member of the same Statewide union in another school district may fully participate in the process, absent other conflicts. Notwithstanding these provisions, a district administrator who has an immediate family member who is a member of the same State-wide union in another district may serve as a technical resource to the negotiating team and may provide technical information necessary to the collective bargaining process when no one else in the district can provide the information.

N.J.A.C. 6A:23A-6.2

Adopted: 10/28/2008

Revised: 04/28/2009, 9/28/2010, 10/11/2022