



## BOISE STATE UNIVERSITY

University Policy 7050

# Nepotism

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### **Effective Date**

January 1994

### **Last Revision Date**

September 26, 2022

### **Responsible Party**

Human Resources and Workforce Strategy, (208) 426-1616

### **Scope and Audience**

This policy applies to all current and prospective University employees and also covers employment relationships and relationships in which an employee may instruct, lecture, advise, mentor, coach, or otherwise supervise a student who is a Family Member as defined under this policy.

Consensual romantic or sexual relationships are covered under University Policy 7010 (Consensual Relationships) and University Policy (Faculty/Staff and Student Consensual Relationships).

Potential conflicts of interests or conflicts of commitment created by Consensual Relationships or other relationships between University employees or between a University employee and a vendor, contractor, volunteer, or affiliate are addressed in University Policy 1110 (Conflict of Interest and Conflict of Commitment).

### **Additional Authority**

- Idaho Code § 18-1359 (Using Public Position for Private Gain)
- Idaho State Board of Education Policy, Section I.G. (Conflict of Interest)
- Idaho State Board of Education Policy, Section II.Q. (Conflict of Interest and Ethical Conduct - All Employees)

- IDAPA 15.04.01.024 (Conflict of Interest and Personal Conduct)
  - IDAPA 15.04.01.025 (Nepotism)
  - University Policy 1110 (Conflict of Interest and Commitment)
  - University Policy 7010 (Consensual Relationships)
  - University Policy 7015 (Faculty/Staff and Student Consensual Relationships)
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## 1. Policy Purpose

To prohibit the preferential treatment or perceived preferential treatment of an individual based on a familial relationship and to provide the process for reporting and disclosing potential violations of this policy.

## 2. Policy Statement

Boise State University seeks to hire, promote, and transfer the most qualified individuals based on job-related qualifications. Likewise, the university is committed to the success of all students. However, the protection of the individual, as well as the university, requires certain safeguards against conflicts of interest, whether real or perceived, that arise through the preferential treatment of an individual based on familial relationship as defined under this policy.

A relationship by family, marriage, or domestic partnership will not automatically preclude the hiring, promotion, or transfer of an individual, or the academic or non-employment related supervision of a student, as long as there is no undue or inappropriate influence on the terms and conditions of an individual's employment and/or employment decisions, or academic progress or student success by virtue of the relationship.

## 3. Definitions

### 3.1 Family Member

An employee's spouse or domestic partner, parent, step-parent, guardian, brother, sister, mother-in-law, father-in-law, child, step-child, any dependent of the employee living in the same household, grandmother, grandfather, aunt, uncle, niece, nephew, brother-in-law, sister-in-law, first cousin, or grandchild.

## 4. Employment of a Family Member

- a. A University employee may not appoint, employ, vote for, participate on a search committee, or unduly influence the terms and conditions of employment to any position of any Family Member.

- b. The employment of a Family Member may be permitted in limited circumstances so long as:
- The current employee has not in any way been involved in the interview and hiring of the Family Member;
  - The Family Member is deemed qualified for the position;
  - The employment of the Family Member does not, in the opinion of the Conflict of Interest and Export Control Coordinator, create any actual or perceived conflict of interest under University Policy 1110 (Conflict of Interest and Commitment); and
  - The current employee is not in a position to affect or influence the assignment of duties, work responsibilities, compensation, hours, performance evaluations, career progress, promotion, tenure, benefits, or other terms and conditions of employment of the Family Member.
- c. Family Members are permitted to work in the same University department or unit provided:
- No direct reporting or supervisor/subordinate relationship exists between the current employee and the Family Member; and
  - The current employee is not in a position to affect or influence the assignment of duties, work responsibilities, salary, hours, performance evaluations, career progress, promotion, tenure, benefits, or other terms and conditions of employment of the Family Member.

#### 4.1 Required Reporting/Disclosure

- a. University employees must immediately notify their supervisor and Human Resources and Workforce Strategy of any employment relationship, or potential employment relationship, involving a Family Member in which such relationship may influence the terms and conditions of employment or an employment decision. A supervisor aware of such a relationship, or potential relationship, must immediately report the relationship to Human Resources and Workforce Strategy. If the employee believes the circumstance necessitating a report to Human Resources and Workforce Strategy also constitutes a conflict of interest under University Policy 1110 (Conflict of Interest and Commitment), the employee must also submit a supplemental [Conflict of Interest Disclosure Form](#).
- b. Internal and external applicants are required to self-disclose, at the time of application, if they are a Family Member of an employee to whom the position for which they are applying reports to or supervises.

## 4.2 Alternative Arrangements

- a. Reports and disclosures made under this policy will be reviewed on a case-by-case basis considering the relationship of authority and/or influence between the Family Member such as supervision, morale, safety, security, favoritism, nature of the job description and applicant pool, and any conflicts of interest under University Policy 1110 (Conflicts of Interest and Commitment).
- b. If a conflict is deemed to exist or develops from the relationship involving the Family Member, the appropriate supervisor, in consultation with Human Resources and Workforce Strategy, will remediate the relationship through appropriate actions such as appointing a qualified alternative supervisor; removing the responsibility or influence to hire, promote, reclassify, supervise, direct, evaluate, or make a compensation recommendation, assign work or resources, approve leave requests, give any benefit, or otherwise determine that the employment relationship is not feasible. If a sponsored project is involved, disclosure to the sponsor may be required and such disclosure will be made in accordance with procedures developed by the Office of Sponsored Projects.
- c. In the event that the relationship with the Family Members ends, the University may address, if applicable, any other conflicts arising from the relationship covered under University Policy 1110 (Conflicts of Interest and Commitment) and/or University Policy 7010 (Consensual Relationships).

## 5. Academic or Non-Employment-Related Supervision of a Student Who is a Family Member

Employees are permitted to act as instructors, lecturers, advisors, mentors, graduate assistants, coaches, or housing supervisors toward their Family Member provided:

- No direct supervisory or evaluative relationship exists; and
- The employee is not in a position to directly affect the academic progress or academic success of the student who is their Family Member.

### 5.1 Required Reporting/Disclosure and Alternative Arrangements

- a. An employee who may be in or who is currently in a position to directly affect or influence the academic progress or academic success of a student who is their Family Member must immediately notify the Vice President for Student Affairs and Enrollment Management.

- b. If a conflict is deemed to exist or develops from the relationship with the Family Member, the Vice President for Student Affairs, or designee, will work with the appropriate individuals to manage the conflict, or appearance of the conflict, through appropriate actions such as appointment of a qualified alternative instructor, evaluator, or supervisor.

## 6. Protection Offered to Parties Who Report/Disclose

- a. A report or disclosure under this policy will be treated as highly sensitive information and special attention will be given to maintaining the privacy of all involved parties. Information will be shared only on a need-to-know basis or as otherwise required by law or by conditions imposed by a sponsor.
- b. It is a violation of this policy to retaliate against any individual who seeks advice or action under this policy or who makes a good-faith report or disclosure under this policy.

## 7. Forms

Conflict of Interest Disclosure Form

<https://web.boisestate.edu/coi/#/>

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## Last Review Date

October 17, 2023

## Revision History

July 1995; October 2007; July 2012; September 26, 2022