

Anti-Nepotism Policy and Procedures

Purpose: *The Raices del Saber Governing Board recognizes the importance of maintaining public trust and avoiding all real or perceived instances of nepotism in its hiring and compensation practices and with this policy specifies how it will ensure anti-nepotism.*

Policy: As a public charter school, Raices del Saber Xinachtli School will comply with §22-8B-10 NMSA 1978, and shall not initially employ or approve the initial employment in any capacity of a person who is the spouse, father, father-in-law, mother, mother-in-law, son, son-in-law, daughter, daughter-in-law, brother, brother-in-law, sister, sister-in-law, grandparent or grandchild of a member of the Governing Board or of the Principal.

However, the Governing Board may waive the nepotism rule for family members of the Principal when provisions are made for someone else to supervise the employee's performance. The procedure for this waiver by the governing body shall be pursuant to the Open Meetings Act including provisions of notice, agenda, and open and closed session requirements. See below the conditions under which a waiver will not be considered.

Procedures:

1. When the Principal wishes to obtain a waiver of the nepotism policy, s/he must ask for the board to approve the hire during a public meeting.
2. The agenda will list an action item for closure of the open meeting for an executive session and will state: Pursuant to NMSA § 10-15-1(H)(2) DISCUSSION SUBJECT PERTAINING TO WAIVER OF NMSA 22-5-6 NEPOTISM POLICY: In the matter of hiring a family member of the Raíces Principal with provisions for the employee's performance to be supervised by someone else.
3. A motion for closure must be approved by a majority of a quorum of the Governance Board Members with the vote of each individual Board Member recorded in the minutes of the meeting.
4. Only the subject announced in the agenda may be discussed in the closed meeting.
5. No formal action may be taken in the closed meeting.
6. Following completion of the closed meeting, the minutes of the open meeting that was closed or the minutes of the next open meeting if the closed meeting was separately scheduled shall state that the matters discussed in the closed meeting were limited only to those specified in the motion for closure or in the notice of the separate closed meeting. This statement shall be approved by the Board under NMSA § 10-15-1 (G) of THE OPEN MEETINGS ACT as part of the minutes.

- a. A formal motion to approve the waiver, may be made in the reconvened open meeting or at the next open board meeting if the closed meeting was separately held.
- b. The motion must be approved by a majority of a quorum of the Governance Board Members with the vote of each individual Board Member recorded in the minutes of the meeting.

Conditions under which a waiver will not be considered:

A waiver will not be considered for the hiring of a relative of the Principal for any position related to the management of school finances (for example the business manager or anyone else who is involved in keeping financial records or the dispensing of funds).

Conditions under which a waiver will be considered:

A waiver will be considered for the hiring of a relative of the Principal under the following conditions:

1. the relative
 - a. has very specific skills critical to the job description, and
 - b. the position is critical to achieving the mission and goals of the school, and
 - c. there is no one in the community (or at a reasonable distance beyond the community) available to fill the position.
2. the salary for the position is commensurate or in line with the salaries for other similar staff positions in the school.
3. the staff member which receives the waiver will be supervised and evaluated by
 - a. the Coach of the Curriculum Team (instead of the Principal) if the position is a teacher or an education specialist such as a therapist or the special education position; or
 - b. will be supervised and evaluated by the Director of Operations and Community Outreach if the position is a contracted or office management job.