

<b>NEPOTISM</b>		<b>File:</b> BCC
<b>Section: B: Board Governance and Operations</b>	<b>Adopted:</b> 11/18/2022	<b>Last Revised:</b> 11/18/2022

It is the intent of this policy to ensure that employment practices comply with Maine’s “prohibited appointments and employment” statute, 20-A §MRSA 2002 and to avoid favoritism and the appearance of favoritism in employment practices.

## Definitions

For the purpose of this policy:

- A. “Immediate family” means spouse, domestic partner, brother, sister, parent, son, or daughter.
- B. “Administrative supervision” refers to the authority of a person in the position of coordinator or higher.

## Employment

It shall be the policy of the Maine Educational Center for the Deaf and Hard of Hearing/Governor Baxter School for the Deaf Board not to employ as school unit staff any person who is a member of the immediate family of a Board member or of the Executive Director.

By Maine law (20-A MRSA § 1002(2)), a Board member’s spouse is precluded from employment under any circumstances in any public school within the jurisdiction of the Board to which the member is elected.

## Supervision and Evaluation

No person shall be employed in or assigned to a position that is within the administrative supervision of a member of their immediate family, nor in a position in which they are supervised or evaluated, in whole or in part, by a member of their immediate family.

## Exceptions for immediate family of Board members in stipend positions only:

For the purpose of this policy a “stipend employee” means a person who receives limited monetary payment of benefit, through a series of payments or in a lump sum, for personal services performed in an advisory, mentoring, or coaching capacity for s school administrative unit.

With Board approval, the Board may authorize the Executive Director to employ a spouse or domestic partner of the member of the Board as a stipend employee on a contractual basis when that action is in the best interest of the students and the needs of the school unit. Such a contract will summarize potential conflicts of interest and describe mitigations of such conflicts.

Such contract will be for one season or one year only, with no guarantee or expectation of continuation.

<b>NEPOTISM</b>		<b>File:</b> BCC
<b>Section: B: Board Governance and Operations</b>	<b>Adopted:</b> 11/18/2022	<b>Last Revised:</b> 11/18/2022

It is the Board's intent that hiring practices for stipend positions discourage favoritism and political patronage and provide qualified applicants a fair opportunity to be selected on merit, with priority consideration given to the best interest without restricts based solely on family association. To that end, the Executive Director/designee will be responsible for developing job descriptions for stipend positions, including relevant qualifications and duties/ responsibilities.

## **Volunteers**

Under Maine law (20-A MRSA § 1002(2-A)), a board member or a board member's spouse or domestic partner may not serve as a volunteer when that volunteer has primary responsibility for a curricular, co-curricular, or extracurricular program or activity and reports directly to the Executive Director, Director, Coordinator, or other school administrator within the jurisdiction of the Board.

### **Exceptions for immediate family of Board members in volunteer positions only:**

Notwithstanding the preceding paragraph, the Board may permit a Board's member's spouse to serve as a volunteer in the same capacities as other school volunteers. In approving spouses of Board members as volunteers, the Executive Director/designee will ensure that practices applicable to approval of school volunteers discourage favoritism and political patronage and provide qualified applicants a fair opportunity to be selected on merit, with priority consideration given to the best interest without restricts based solely on family association. Board member spouses who volunteer in schools will be subject to the provision of the board's policy IJOC, School Volunteers.

This exception applies only through June 30, 2024, unless extended by the Maine legislature.

Legal Reference: 20-A M.R.S.A. § 1002

Cross Reference: BCB – Board Member Conflict of Interest  
GAB – Job Descriptions  
GDA – Support Staff Positions  
GDGF – Support Staff Employment  
IJOC – School Volunteers

Adopted: November 18, 2022