

MEMORANDUM

DATE: October 19, 2007

TO: Mark Baldwin, Dean, College of Education
Vicki Golich, Dean, College of Arts & Sciences
Dennis Guseman, Dean, College of Business
Marion Reid, Dean, Library & Information Services
Mary Elizabeth Stivers, Associate V.P. Academic Resources
David Barsky, Associate V.P. Academic Programs

FROM: Emily F. Cutrer
Provost and Vice President for Academic Affairs

SUBJECT: Guidelines for Employment and Supervision of Family Members Within Academic Affairs

The purpose of this document is to provide guidelines and procedures for the employment and supervision of relatives as faculty members or academic professionals. The CSU Nepotism Policy defines an "immediate family member" as a close relative including: parent, child, grandparent, grandchild, sibling, uncle, aunt, nephew, niece, first cousin, spouse, registered domestic partner, step-parent, step-child, brother-in-law, sister-in-law, father-in-law, mother-in-law, son-in-law, daughter-in-law, and by guardianship and/or adoption or a person residing in the immediate household except live-in household employees or roomers. Relatives of domestic partners shall be treated as relatives of spouses.

"No CSU employee shall vote, make recommendations or in any way participate in decisions about any personnel matter which may directly affect the selection, appointment, evaluation, retention, tenure, compensation, promotion, termination, other employment status or interest of an immediate family member."

Special written provisions must be prepared for review and approval by the Provost before an individual can be appointed to a temporary or tenure track position. One of the following circumstances must apply:

- (1) If the individual is to be assigned to a position under the supervision or control of an immediate family member who has or may have a direct effect on the individual's progress or performance; OR
- (2) If the individual is to be assigned to work for the same immediate supervisor as another immediate family member

The special written provisions must include a plan to ensure that personnel matters including evaluation, retention, tenure, promotion, wages, hours and other terms and conditions of employment, will not be decided based on the relationship as an immediate family member. The plan should provide that the dean or associate

vice president is to review all decisions on personnel matters and investigate concerns about conflicts of interest or favoritism involving members of the same immediate family.

Types of Supervision

The employment and supervision of Unit 3 members involves two types of decisions/assignments:

1. Key personnel decisions which may directly affect the selection, appointment, evaluation, retention, tenure, compensation, promotion, termination, or other employment status; AND
2. Day-to-day decisions such as work assignments, office space, travel, and other benefits.

Key Decisions

An employee cannot participate in key decisions involving a relative who is a university employee. The responsibility for key decisions must be assigned to another individual who is higher in administrative rank than either relative (an alternate administrator). In some cases, it may be necessary to assign the responsibility to someone of an equal rank (e.g., another dean, director, chair, or coordinator), but the responsibility for key decisions cannot be given to someone whose own evaluation will be supervised by one of the relatives.

This arrangement must be put in writing and placed in the personnel file of each relative. The appropriate dean or associate vice president is responsible for establishing administrative review and for responding to complaints or concerns about the review process. If a dean, associate vice president or provost is one of the related family members, then the provost or the president (if the provost is one of the related family members) will be responsible for arranging alternate administrative review.

Day-to-Day Assignments

Day-to-day assignments normally will be handled by the person assigned such responsibilities whether or not he or she is a relative of an individual who is subject to such assignments. The alternate administrator should do periodic monitoring to avoid either actual or perceived biases. Individuals perceiving a conflict of interest or bias may discuss it with the alternate administrator. If the alternate administrator agrees that there is a problem, he or she should consult with the dean, associate vice president or provost about how to remedy the situation. If a dean, associate vice president or provost is one of the relatives, the alternate administrator should consult with the provost or president.

Thank you for your cooperation with this matter. Should you have any questions, please contact Mary Elizabeth Stivers at 750-4052.

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