SUBJECT: Nepotism

No member of the Board shall appoint, or vote for, or confirm the appointment, to any office or position within the College, any person related within the second degree by affinity or within the third degree by consanguinity, to any member of the Board.

The method of computing degrees of relationship is the civil law method. Government Code 573.021

Two persons are related to each other by consanguinity if one is a descendant of the other or if they share a common ancestor. For this purpose, an adopted child is treated as a natural child of the adoptive parents. Government Code 573.022

The degree of relationship by consanguinity between a person and his descendant is determined by the number of generations that separate them. If a person and his relative are related by consanguinity, but neither is descended from the other, the degree of relationship is determined by adding the number of generations between the person and the nearest common ancestor shared by him and his relative to the number of generations between the relative and the nearest common ancestor.

If a Board member is the prospective employee’s parent or child, there exists a relationship in the first degree. If a Board member is the prospective employee’s grandparent, grandchild, sister, or brother, there exists a relationship in the second degree. If a Board member is the prospective employee’s great grandparent, great grandchild, aunt, uncle, niece, or nephew, there is a relationship in the third degree. These are the only relationships by consanguinity that are prohibited by the nepotism law. Gov’t Code 573.023

Two persons are related to each other by affinity if they are married to each other or if the spouse of one of the persons is related by consanguinity to the other person. Divorce or the death of the spouse terminates relationships by affinity created by a marriage unless a child of the marriage is living. If a child of the marriage is living, the marriage is considered to continue until the youngest of that marriage reaches the age of 21. Government Code 573.024

A husband and wife are related to each other in the first degree by affinity. For other relationships, the degree of relationship by affinity is the same as the degree of the underlying relationship by consanguinity. If a Board member’s spouse is the prospective employee’s parent or child, or if the prospective employee’s spouse is a Board member’s parent or child, there exists a relationship in the first degree. If a Board member’s spouse is the prospective employee’s grandparent, grandchild, sister, or brother, or if the prospective employee’s spouse is a Board member’s grandparent, grandchild, sister, or brother, there is a relationship in the second degree. These are the only relationships by affinity that are prohibited by the nepotism law. Government Code 273.025
Employees who are relatives or members of an immediate family shall not be employed in the same department if one family member shall have immediate supervisory responsibility for another member.

The term “relative” is to include the following members of the employee’s or spouse’s family: spouse, parent, grandparent or great grandparent, child or grandchild or great grandchild, brother, sister, aunt, uncle, niece, nephew, or cousin.