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Owner: Human Resources Human Resources
Policy Area: Chapter 7 Human Resources
References: Legally Advised

BP 7310 Nepotism

(Replaces current SBCCD BP 7310)

The District does not prohibit the employment of relatives or domestic partners as defined by Family Code Sections 297 et seq. in the same department or division, with the exception that they shall not be assigned to a regular position within the same department, division, or site that has an immediate family member who is in a position to recommend or influence personnel decisions.

Personnel decisions include appointment, retention, evaluation, tenure, work assignment, promotion, discipline, demotion, or salary of the relative or domestic partner as defined by Family Code Sections 297 et seq.

Immediate family means spouse, parents, grandparents, siblings, children, stepchildren, grandchildren, and in-laws or any other relative living in the employee's home.

The District will make reasonable efforts to assign job duties to minimize the potential for creating an adverse impact on supervision, safety, security, or morale, or creating other potential conflicts of interest.

Notwithstanding the above, the District retains the right, where such placement has the potential for creating an adverse impact on supervision, safety, security, or morale, or involves other potential conflicts of interest, to refuse to place spouses in the same department, division, or facility. The District retains the right to reassign or transfer any person to eliminate the potential for creating an adverse impact on supervision, safety, security, or morale, or involves other potential conflicts of interest.

References:

Government Code Sections 1090 et seq. and 12940 et seq.;

~~Family Code Sections 297 et seq.~~

Attachments:

- [BP 7310 Nepotism- Comments](#)
- [BP 7310 Nepotism- Legal Citations](#)
- [BP7310 -OLD.pdf](#)
- [SBCCD - Overview for Legal Update 31 Final Version.docx](#)

Approval Signatures

Step Description	Approver	Date
Chapter owners are notified	Kristina Hannon	pending

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changes per Legal Update #31

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