THE CALIFORNIA STATE UNIVERSITY
Office of the Chancellor
401 Golden Shore
Long Beach, CA 90802-4210
(562) 951-4425

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Supersedes: FSA 78-19

To: CSU Presidents

From: Jackie R. McClain
Vice Chancellor
Human Resources

Subject: **Revised CSU Nepotism Policy**

It is the policy of the California State University to seek for its administrators, instructional faculty, and support staff the most qualified candidates through appropriate search procedures preceding each appointment and promotion. There shall be no bars to the appointment of immediate family members in administrative, faculty or staff employment categories, in the same or different units or departments so long as the following standard is met:

> ***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 as defined below.***
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> ***In each of the following circumstances, special written provisions must be prepared for review and approval by the head of the organizational unit (e.g. Dean or Director) before an individual may be appointed: (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 shall 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***

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> ***an immediate family member. The plan should provide that the head of the organizational unit is to review all decisions on personnel matters. In those cases where related employees will be working for the same immediate supervisor, the plan should include steps to be taken to alleviate any pressures toward favoritism that could occur as a result of supervising members of the same immediate family. The head of the organizational unit shall be responsible for investigating concerns about conflicts of interest or favoritism involving members of the same immediate family.***
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> ***Regarding financial matters, the California State University is covered by the Financial Integrity and State Manager's Accountability Act (FISMA, Government Code §13400 et seq.), which requires separation of duties for financial transactions. These requirements can be found in the State Administrative Manual (SAM, chapter 8080).***

For the purposes of this policy, "immediate family member" is defined 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.

Campuses may enact policies that set reasonable restrictions on an individual's capacity to function as a judge or advocate in specific situations involving a member of his/her immediate family. However, consistent with applicable law, any such restriction cannot have the effect of denying any equal employment opportunity.

Exceptions to this policy are at the discretion of the President or the Chancellor for the Office of the Chancellor.

If you have any questions, please contact Employee Relations at (562) 951-4421.

This Human Resources memorandum is also available on Human Resources Administration's Web page at: http://www.calstate.edu/HRAdm/memos.shtml.

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