

**SOUTHERN WEST VIRGINIA COMMUNITY AND TECHNICAL COLLEGE
BOARD OF GOVERNORS
SCP-2XXX**

SUBJECT: Anti-Nepotism Policy

REFERENCE: W. Va. Code § 18B-1-6; 158 WV Code of State Rules 158-6-3; W. Va. Code § 6B,
West Virginia Governmental Ethics Act

ORIGINATION: June 24, 2025

EFFECTIVE:

REVIEWED:

SECTION 1. PURPOSE

- 1.1. Southern West Virginia Community and Technical College (“the College”) establishes this policy to promote transparency, fairness, and accountability by providing clear guidelines for avoiding conflicts between personal interests and public responsibilities. This policy is intended to prevent favoritism, conflicts of interest, and undue influence related to nepotism in all aspects of employment, including hiring, supervision, promotion, performance evaluation, disciplinary action, and compensation.

SECTION 2. SCOPE AND APPLICABILITY

- 2.1 This policy applies to all employees of the College, including but not limited to faculty, staff, and administration (whether full-time, part-time, or temporary), student employees, members of governing boards and committees, and contractors. The policy ensures that nepotism guidelines are uniformly enforced across all levels of employment, maintaining fairness and integrity in institutional decision-making.
- 2.2 This policy governs all employment-related practices including, but not limited to, recruitment and hiring; appointment and reappointment; promotion and advancement; salary decisions; supervision and evaluation; assignment of duties or workspace; and participation in employment decisions impacting a relative.

SECTION 3. DEFINITIONS

- 3.1 Relative – For policy purposes, a relative includes spouse, mother, father, sister, brother, son, daughter, grandmother, grandfather, grandchild, mother-in-law, father-in-law, sister-in-law, brother-in-law, son-in-law, or daughter-in-law.
- 3.2 Nepotism – Nepotism is defined as favoritism shown or patronage granted in employment or working conditions granted by a public official or public employee to a relative or person with whom the public official or public employee resides.
- 3.3 Public Employee – A public employee is defined as any full-time or part-time employee of a state, county, municipal government, or political subdivision, including college staff and faculty.
- 3.4 Public Official – A public official is defined as any person elected to, appointed to, or authorized to act in any state, county, or municipal office or position, regardless of pay, who exercises policy-making or official action affecting public funds or services, and any unpaid volunteer official giving decision-making

authority, including college and university board members appointed or elected to govern the public institution.

SECTION 4. POLICY

4.1 Disclosure Requirements

- 4.1.1 All employees are required to disclose any personal relationships—including those involving relatives—to the Human Resources Office either prior to employment or immediately upon the formation of such a relationship.
- 4.1.2 Disclosure is mandatory in any employment situation that involves supervisory authority, decision-making responsibilities, committee participation, performance evaluations, salary determinations, or promotional opportunities.
- 4.1.3 Hiring managers and supervisors are responsible for ensuring full compliance with this anti-nepotism policy before making any employment-related recommendations or decisions.

4.2 Prohibited Relationships and Actions

- 4.2.1 All persons are prohibited from:
 - 4.2.1.1 Influencing or attempting to influence hiring, evaluation, promotion, salary, duties, discipline, or working conditions of a relative or co-resident.
 - 4.2.1.2 Directly supervising a relative, including performance reviews, discipline, or recommending actions.
 - 4.2.1.3 Participating in decision-making or voting governance matters affecting a relative.

4.3 Employment Restrictions

- 4.3.1 No employee may directly supervise, evaluate, or make decisions affecting a relative's employment, salary, benefits, or working conditions.
- 4.3.2 Employees with hiring authority may not recommend or approve the employment of a relative, or participate in decisions affecting the employment or working conditions of his or her relative.
- 4.3.3 Board of Governors members shall not participate in any official action regarding the employment of a closely related family member that results in financial gain.

4.4 Impartial Administration

- 4.4.1 All employment decisions, including hiring, promotion, supervision, evaluation, and disciplinary action, must be conducted in a fair, objective, and impartial manner.
- 4.4.2 Employees shall disclose any potential conflicts involving relatives or household members to Human Resources immediately.
- 4.4.3 Recusal is required in decisions where impartiality may be compromised due to a familial or personal relationship.

4.5 Conflict of Interest Mitigation

- 4.5.1 If a working relationship between relatives is unavoidable due to specific job responsibilities, the College will implement enhanced oversight and procedural safeguards to ensure fairness, transparency, and compliance with policy.
- 4.5.2 In situations where potential nepotism may arise, Human Resources—upon approval from the President or the President’s designee—will establish a clearly defined line of authority, outlining the appropriate reporting structure and chain of command.
- 4.5.3 Employees must review and sign a formal agreement SCP-2XXX.A, *Workplace Conduct and Professional Expectations Agreement*, that outlines the institution’s expectations regarding neutrality, impartiality, professionalism, and adherence to workplace conduct standards.

4.6 Reporting, Investigation, and Resolution Procedures

- 4.6.1 In alignment with the institution’s commitment to transparency, fairness, and ethical conduct, all employees, officials, and affiliated individuals are expected to promptly report any actual, perceived, or potential violations of this anti-nepotism policy.
- 4.6.2 Any individual who becomes aware of a relationship or situation that may represent a violation of the anti-nepotism provisions must report it immediately. This includes, but is not limited to, personal relationships that may result in conflicts of interest in hiring, supervision, evaluation, promotion, or disciplinary decisions, as well as any attempt to improperly influence employment-related outcomes involving a family member or related party.
- 4.6.3 To the extent permitted by law, the identity of individuals who report suspected violations will be kept confidential. Retaliation against any person who, in good faith, reports a concern is strictly prohibited and may result in disciplinary action, up to and including termination of employment.
- 4.6.4 The Office of Human Resources will serve as the primary point of contact for all anti-nepotism concerns and is responsible for coordinating the review process and initiating appropriate actions.
- 4.6.5 Upon receiving a report, Human Resources will conduct a preliminary assessment to determine whether further review is warranted.
- 4.6.6 If the matter involves a potential violation of the West Virginia Ethics Act or presents ambiguous, preemptive, or complex concerns, Human Resources may refer the matter to the West Virginia Ethics Commission for a formal advisory opinion or investigation, as appropriate.
- 4.6.7 In cases of clear and direct violations—such as an employee supervising or evaluating a relative—Human Resources may implement corrective measures without the need for an external advisory opinion. The institution has an obligation to ensure legal compliance and maintain the integrity of its personnel decisions.
- 4.6.8 Remedies to address actual or perceived conflicts of interest may include, but are not limited to, the reassignment of supervisory duties to an unrelated individual, recusal from personnel decisions involving the relative, or transfer of one party to a different department or reporting structure.
- 4.6.9 All investigations will be conducted impartially and in a timely manner to ensure fairness and accountability.

4.7 Training and Compliance

- 4.7.1 All employees involved in hiring, supervision, or employment-related decision-making are required to complete mandatory training on anti-nepotism, ethical conduct, and conflict of interest mitigation, as coordinated by the Office of Human Resources. Human Resources will maintain records of both initial and refresher training to ensure ongoing compliance and accountability.

4.8 Consequences for Violations

- 4.8.1 Willful or negligent violations of this policy may result in corrective or disciplinary action, as appropriate. Consequences may include reassignment, removal from supervisory responsibilities, formal disciplinary measures, or termination of employment.
- 4.8.2 Any deliberate failure to disclose a relevant relationship as required by this policy will be subject to formal investigation and may result in disciplinary action, up to and including termination.

SECTION 5. BACKGROUND OR EXCLUSIONS

- 5.1 None.

SECTION 6. GENERAL PROVISIONS

- 6.1 None.

SECTION 7. RESPONSIBILITIES AND PROCEDURES

- 7.1 To ensure compliance with this Anti-Nepotism Policy and relevant provisions of the West Virginia Ethics Act, the following chain of responsibility shall apply:

7.1.1 Employees and Supervisors

- 7.1.1.1 Responsibility: All employees, including faculty and staff, are responsible for disclosing known or potential nepotism concerns.
- 7.1.1.2 Action Required: Notify their immediate supervisor or the Office of Human Resources of any personal relationship that may present a conflict.

7.1.2 Immediate Supervisors

- 7.1.2.1 Responsibility: Upon being notified, supervisors must report potential nepotism issues to the Office of Human Resources promptly.
- 7.1.2.2 Action Required: Cooperate in gathering relevant information and ensuring no personnel actions are taken until review is complete.

7.1.3 Office of Human Resources

- 7.1.3.1 Responsibility: Serve as the primary office for intake, review, and resolution of nepotism-related concerns.
- 7.1.3.2 Action Required:
- 7.1.3.2.1 Determine if a policy violation exists.
 - 7.1.3.2.2 Initiate corrective measures (e.g., reassignment, recusal).

- 7.1.3.2.3 Maintain documentation.
- 7.1.3.2.4 Refer cases to the WV Ethics Commission if legal ambiguity or involvement of high-level officials exists.

7.1.4 Chief Human Resources Officer or Designee

- 7.1.4.1 Responsibility: Make final determinations in clear-cut cases, implement remedies, and coordinate institutional compliance.
- 7.1.4.2 Action Required: When needed, consult legal counsel or institutional leadership before proceeding with high-impact decisions.

7.1.5 President or Designee

- 7.1.5.1 Responsibility: In cases involving senior administrators, appointed officials, or board members, the President or Board Chair may be involved in oversight.
- 7.1.5.2 Action Required: Determine institutional response in consultation with legal counsel and applicable state guidance.

SECTION 8. CANCELLATION

- 8.1 None.

SECTION 9. REVIEW STATEMENT

- 9.1 This policy shall be reviewed on a regular basis with a time frame for review to be determined by the President or the President's designee. Upon such review, the President or President's designee may recommend to the Board that the policy be amended or repealed.

SECTION 10. SIGNATURES

Board of Governors Chair	Date

President	Date

- Attachments:** None.
- Distribution:** Board of Governors (12 members)
www.southernwv.edu
- Revision Notes:** June 24, 2025 – Originated.