

07.05.99.K1 Nepotism



Approved: March 6, 2024
Next Scheduled Review: March 6, 2029

Rule Summary

An employee of Texas A&M University-Kingsville (Texas A&M-Kingsville) may not appoint, confirm the appointment of, or vote for the appointment or confirmation of the appointment of an individual to a position that is to be directly or indirectly compensated from public funds or fees of office if the individual is a covered relative of the employee as provided in this rule. This prohibition for any Texas A&M-Kingsville employee with authority to make or confirm appointments includes the supervision or authority over any term or condition of a covered relative's employment. All Texas A&M-Kingsville positions of employment are covered by this rule, including graduate assistant and student worker positions.

This rule supplements System Policy *07.05, Nepotism*.

Definitions

Click to view [Definitions](#).

Rule

1. GENERAL

- 1.1. Applicants and employees must disclose covered relatives employed by Texas A&M-Kingsville. Employees must promptly disclose any changes or updates to their covered relatives to Human Resources.
- 1.2. An employee's consensual relationship with an individual who is not the employee's spouse is addressed by System Regulation *07.05.01, Consensual Relationships*.
- 1.3. The president or designee may authorize the hiring or supervision of an employee's covered relative provided that the determination of supervision complies with System Policy *07.05, Nepotism*.
 - 1.3.1. Disclosure of covered relative(s) employed at the university must be routed for review through the appropriate dean or department head, vice president or division administrator, president, or designee. The vice president, president, or designee will provide a written decision to Human Resources.

- 1.3.2. If the president is related to the applicant or employee, approval must be obtained from the chancellor in accordance with Section 2.2 of System Policy 07.05.

2. APPLICANT DISCLOSURE OF COVERED RELATIVES

- 2.1. Applicants must disclose covered relative(s) on the employment application. If the position is not posted through Human Resources, such as a student worker position, the *Disclosure of Employment of Relatives Form* must be submitted. Human Resources will identify and appropriately address inherent conflicts of interest that may exist concerning disclosed covered relatives of the applicants in the relevant candidate pool and the hiring manager/committee.
- 2.2. After an offer of employment has been accepted, the hiring manager will review the reporting structure and interactions of disclosed covered relatives, if applicable, to ensure compliance with System Policy 07.05. If a covered relative has responsibility for direct or indirect supervision of an employee or authority over any term or condition, including salary or wages, of the other's employment, an alternative reporting structure must be developed that complies with System Policy 07.05.
- 2.3. A disclosure of a covered relative(s) employed at the university by an applicant having accepted an offer of employment, whether an alternative reporting structure has been developed, must be routed for review as specified in Section 1.3 of this rule, for final approval and authorization.

3. EMPLOYEE DISCLOSURE OF COVERED RELATIVES

- 3.1. An employee will disclose covered relative(s) by submitting a *Disclosure of Employment of Relatives Form*.
- 3.2. When an employee discloses a covered relative(s) is employed at the university, the department will review the reporting structure and interactions of disclosed covered relatives to ensure compliance with System Policy 07.05. If either covered relative has responsibility for direct or indirect supervision of the other or authority over any term or condition including salary or wages of the other's employment, an alternative reporting structure must be developed that complies with System Policy 07.05.
- 3.3. All disclosures of covered relatives employed at the university, whether an alternative reporting structure has been developed, must be routed for review as specified in Section 1.3 of this rule, for final approval and authorization.

4. EMPLOYMENT ACTIONS FOR REVIEW

- 4.1. Employment actions for faculty, such as internal promotions, transfers, demotions, restructuring, and reduction in force, will be reviewed by the Office of Academic Affairs.
- 4.2. Employment actions for staff, internal promotions, transfers, demotions, and reclassifications will be reviewed by Human Resources.
- 4.3. If the requested employment action results in a covered relative having responsibility

for direct or indirect supervision of the other or authority over any term or condition including salary or wages of the other's employment, the department will develop an alternative reporting structure that complies with System Policy 07.05. Additional considerations will be made including determining what impact the employment action would have on an alternative reporting structure currently in place. This would not prohibit employment action; however, the alternative reporting structure should be reviewed and, if applicable, updated.

- 4.4. If the requested employment action results in the creation or modification of an alternative reporting structure, a memorandum detailing the requested employment action, the covered relatives involved, and the alternative reporting structure will be routed as specified in Section 1.3 of this rule, for review and authorization.

5. REPORTING POTENTIAL CONFLICTS OF INTEREST

- 5.1. An employee will promptly report, in writing, to their supervisor any situation involving a covered relative or any other family member that could create the appearance of a conflict of interest for the employee in their official capacity.
- 5.2. Covered relatives within sponsored research are addressed under System Regulation 15.01.03, *Financial Conflicts of Interest in Sponsored Research*.

6. RECORDS

- 6.1. *The Disclosure of Employment of Relatives Form*, reports of potential conflicts of interest, and related memoranda will be kept electronically as directed by Human Resources and in both the employee's and the relative's official personnel files.

7. VIOLATIONS

- 7.1. Suspected violations may be reported to Human Resources in writing, or via the [System Risk, Fraud, and Misconduct EthicsPoint Hotline](#).
- 7.2. An employee who fails to report or disclose covered relatives who are employed by Texas A&M-Kingsville may be subject to disciplinary action, up to and including termination.

Related Statutes, Policies, or Requirements

[Tex. Gov't Code Ch. 573](#)

[System Policy 07.05, Nepotism](#)

[System Regulation 07.05.01, Consensual Relationships](#)

[System Regulation 15.01.03, Financial Conflicts of Interest in Sponsored Research](#)

Appendices

[Disclosure of Employment of Relatives Form](#)

[Primary and Secondary Supervisory Relationships Examples](#)

Contact Office

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