



ADMINISTRATIVE
POLICIES AND PROCEDURES MANUAL

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6/1/98

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SUBJECT

APPOINTMENTS

SUB-TOPIC

APPOINTMENT OF RELATIVES (NEPOTISM RULES)

APPOINTMENT OF RELATIVES (NEPOTISM RULE)

An appointment made within the University on either a full-time or part-time basis shall be made solely with regard to the special fitness of the appointee, subject to applicable statutes; and subject also to Part One, Chapter III, Section 5 of the Regents' Rules and Regulations which is reproduced below:

Section 5 Appointment of Relatives (Nepotism Rule)

- 5.1 Whenever an appointment is made, either on a full-time or part-time basis, it shall be made solely with regard to the special fitness of the appointee, subject to applicable statutes; and subject also to the provisions of this Section of the Regents' Rules and Regulations.
- 5.2 In accordance with the prohibition of Article 5996a, Vernon's Civil Statutes, no person related to any member of the Board of Regents within the second degree by affinity or within the third degree by consanguinity shall be eligible for appointment to any office, position, employment, or duty with The University of Texas System or any component institution thereof, when the salary, fee, or compensation of such appointee is to be paid, either directly or indirectly, out of public funds of any kind.
- 5.21 Article 5996a, Vernon's Civil Statutes, does not prohibit the reappointment or continued employment of any person who shall have been continuously employed in any such office, position, employment, or duty for a period of one (1) year prior to the appointment of the member of the Board of Regents related to such person within the prohibited degree, nor does it apply to prohibit honorary or nonremunerative positions; provided that when such person is reappointed or continued in employment, the member of the Board of Regents who is related to such person in the prohibited degree shall not participate in the deliberation or voting upon the reappointment, continuation of employment, change in status, compensation or dismissal of such person, if such action applies only to such person and not to a bona fide class or category of employees.



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5.22 Those persons related within the prohibited degrees are indicated on the charts displayed in this Section as Table 1.

5.23 The prohibition of Article 5996a, Vernon's Civil Statutes, applies to all programs administered under the Board of Regents and may not be waived.

5.3 Even though the appointment of a person would not be prohibited by Article 5996a, Vernon's Civil Statutes, no officer, official or employee of The University of Texas System may approve, recommend, or otherwise act with regard to the appointment, reappointment, promotion, or salary of any person related to such officer, official, or employee within the second degree by affinity or the third degree by consanguinity regardless of the source of funds for payment of salary.

5.31 If the appointment, reappointment, or promotion of a person places him or her under an administrative supervisor related within the above specified degree, all subsequent actions with regard to reappointment, promotion, or salary shall be the responsibility of the next highest administrative supervisor. It shall also be the responsibility of the next highest administrator to make a written review of the work performance of such employee at least annually and submit each review for approval or disapproval by the component institution's Human Resources Director in the case of classified employees or the chief administrative officer in the case of faculty or nonclassified employees.

5.32 If the appointment, reappointment, or promotion of a person places him or her in an administrative or supervisory position with responsibility to approve, recommend or otherwise act with regard to the appointment, promotion, or salary of a person who is related to them within the degree prohibited by Article 5996a, all subsequent actions regarding the



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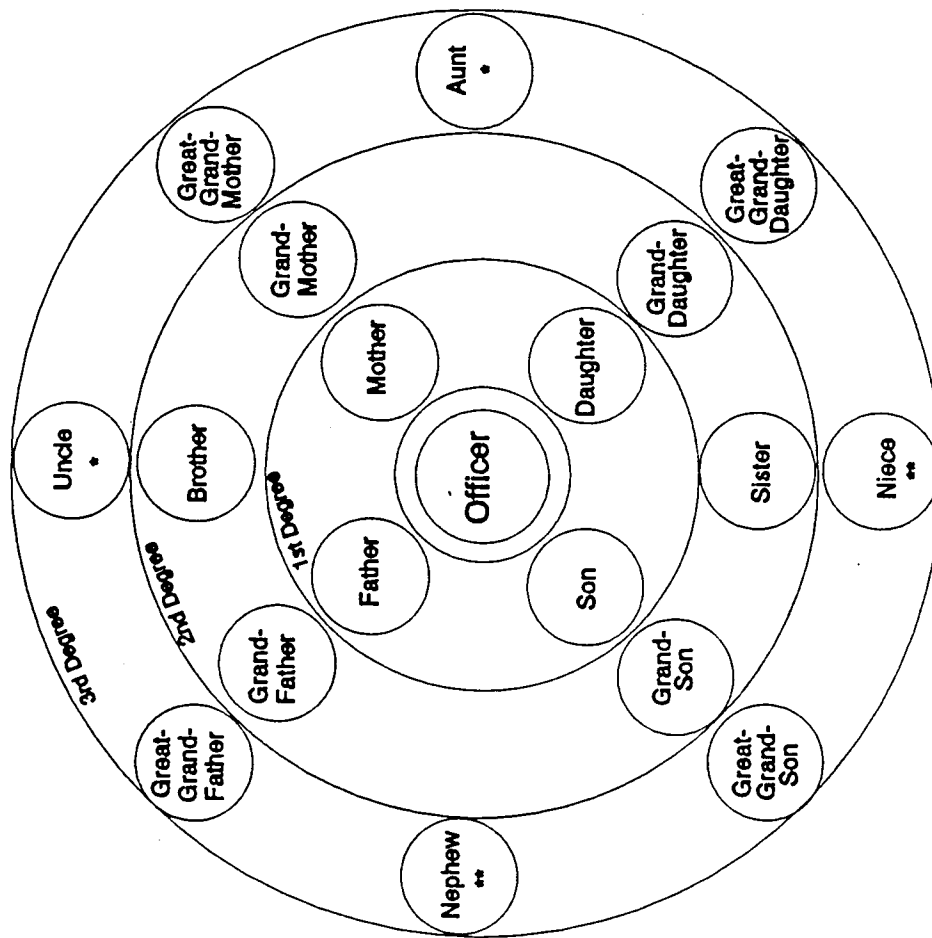
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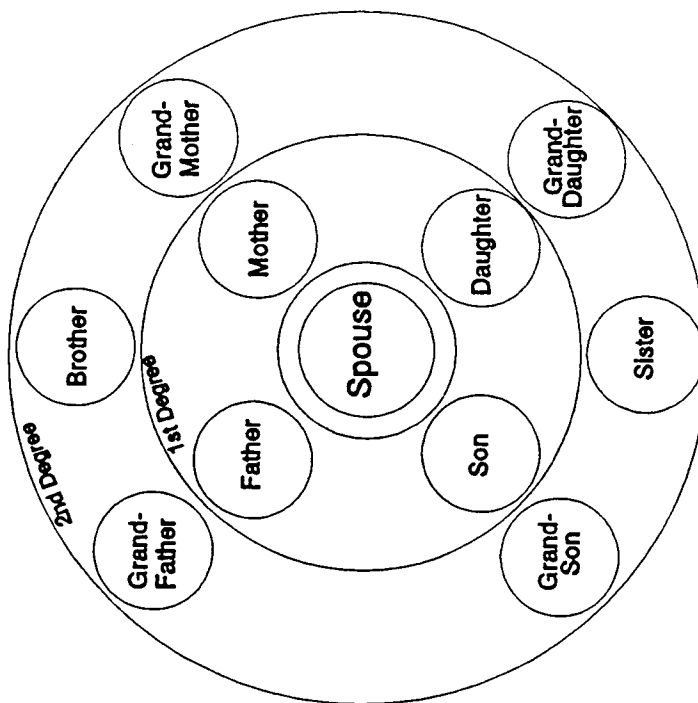
APPOINTMENT OF RELATIVES (NEPOTISM RULES), Continued

- 5.32 (Continued) reappointment, promotion or salary of such person shall be made by the next highest administrator or supervisor at the component institution or The University of Texas System.
- 5.33 It shall be the responsibility of the administrator or supervisor acting pursuant to Section 5.31 or 5.32 to make a written review of the work performance of such person at least annually and to submit such review to the next highest administrator or supervisor at the component institution or The University of Texas System.
- 5.34 The provisions of Section 5.31 shall apply to situations where two employees of the System marry and one spouse is the administrative supervisor of the other.
- 5.35 All situations covered by Section 5.31 shall be reported annually through the institution's docket or with the annual operating budget.

CONSANGUINITY KINSHIP



AFFINITY KINSHIP



* Who is a sister/brother of the officer's parent
**Who is a child of the sister/brother of the officer