



Complying with the SMU Nepotism Policy

FAQs for Faculty and Staff

Q1. What is Nepotism?

A1. Nepotism refers to favoritism shown on the basis of family or similar relationship.

Q2. What is the Reason for this Policy?

A2. The purpose of the policy is to insure that critical employment or other business decisions are made fairly and are based on objective factors rather than because of favoritism. Apart from sacrificing quality, favoritism or the appearance of favoritism can trigger mistrust, undermine morale, loyalty or judgment, impede appropriate decision-making, lead to a loss of productivity, or even generate legal challenges based on allegations of discriminatory treatment.

Q3. Who is Covered by the Policy?

A3. The policy covers Trustees, members of committees of the Board of Trustees, Executive Officers, Deans, and any other faculty or staff members with supervisory or decision-making authority over employment or other business decisions.

Q4. Isn't Nepotism Covered Under the Conflict of Interest Policy?

A4. Nepotism can represent one type conflict of interest when decisions are made based on factors other than the university's best interests. But conflict of interest is a broader concept and can also exist without regard to family or similar relationships.

Q5. What do I do if I Think a Potential Nepotism Problem Exists?

A5. You should speak with your supervisor about your concerns to determine if there is in fact an issue. If your supervisor decides that your concerns are valid, s/he will discuss appropriate strategies for resolving the problem. If you think there is a potential problem and you are the person with the relevant decision-making authority (rather than someone else), you should bring the matter to the attention of the appropriate Dean, Vice President, or Executive Officer.

Q6. What if my Supervisor is the Person I Think is in Violation of the Policy?

A6. If you think your supervisor is showing favoritism in violation of the policy, you should discuss your concerns with your supervisor's immediate superior or with the General Counsel.

Q7. What are the Consequences for Violating the Policy?

A7. Violation of the policy may result in disciplinary action in accordance with appropriate university policies and procedures, up to and including discharge.

Q8. Who will Decide Whether there is a Policy Violation?

A8. The appropriate Dean, Vice President, or Executive Officer to whom the supervisor or decision-maker in question reports will decide whether a violation exists in consultation with the General Counsel. If that supervisor or decision-maker is a Dean or Executive Officer, the Board of Trustees Conflicts Committee will decide.

Q9. Does this Policy mean that Two or More Family Members Cannot Work at SMU Simultaneously?

A9. No. Having another family member also employed by the university is not necessarily a problem. A potential problem arises only when one family member supervises another, makes a hiring, retention, or promotion decision regarding another, or is in a position to influence such decisions concerning another family member. Similarly, when one family member is in a position to determine or influence a business decision benefiting another family member, a potential problem exists.

Q10. My Spouse and I are in the Same Field, and we were Recruited to SMU as Part of a Package. What do we do now? What if one of us becomes Department Chair?

A10. Being in the same department is not a problem provided one of the spouses does not have supervisory authority over the other. Discussions with the head of the department about possible issues may be warranted. If one of you ultimately becomes department chair, then the Dean should be consulted to see if non-preferential procedures for employment decisions affecting the other spouse can be developed and implemented.

Q11. I'm the Supervisor of my Department and have just Married a Colleague who Reports to me. What do I do now?

A11. When a problematic relationship begins after both parties are employed, the individual with supervisory or decision-making authority should immediately report the matter to the responsible Dean, Vice President, or other Executive Officer, who will determine whether or not a set of non-preferential procedures can be created and implemented to avoid actual or apparent favoritism.

Q12. I've just been Hired into a Position for which I am Qualified. My Grandfather is a Member of the Board, but he Played no role in the Decision to Hire me, and the Board does not Typically Oversee Work in my Department. Can I Keep my Job?

A12. Under the described circumstances, the existence of actual favoritism is remote, although it is not impossible that your grandfather's position may cause your supervisor to give you preferential treatment, even inadvertently. Unless there is reason to believe that your grandfather is influencing your supervisor's conduct, your job position should not be negatively affected. However, the circumstances should be reported to the Board of Trustees Conflicts Committee to avoid even the appearance of impropriety.

Q13. I do not have Sole Decision-Making Authority for a Particular Employment/Business Decision but am One of Several Individuals who Make the Decision Collectively. What do we do if a Decision Involves one of my Relatives Covered under the Policy?

A13. As in the previous example, it would be prudent to identify the relationship at issue and recuse yourself from any decision involving the covered relative. Collectively, you and the other decision-makers should inform the appropriate Dean, Vice President, or other Executive Officer for further guidance.

Q14. Is an Otherwise Impermissible Action under the Policy Acceptable if I Delegate my Decision-Making Authority to Someone Else?

A14. It depends on the circumstances. If you are in a position to influence the recipient of the delegated authority (for example, that person reports directly to you), then the potential problem still exists. Again, the appropriate Dean, Vice President, or other Executive Officer should be informed and, if possible, a plan for non-preferential treatment should be prepared and approved.

Q15. How do I Obtain an Exception to the Policy?

A15. Favoritism – or even the appearance of favoritism – toward a family member is generally to be avoided. However, the University recognizes that in some cases, a person with unique skills or qualifications essential to a job (or even just the best candidate for a job) may be connected by family relationship to a supervisor or decision-maker. Likewise, in evaluating potential business partners, the existence of a family relationship may suggest that a favorable business or contractual relationship must be avoided. In situations where application of the policy would deprive the University of a valuable employee or business venture, exceptions may be made. An individual seeking a waiver or exception should provide the responsible Dean, Vice President, or other Executive Officer with a written explanation of the circumstances and the justification for a waiver, as well as a written plan for avoiding preferential treatment.

Q16. What if I have Other Questions about this Policy?

A16. For other questions about this policy and its application, contact the SMU General Counsel at (214) 768-3233 or paul.ward@smu.edu.