

Book	School Board Policies
Section	500 Series: Personnel
Title	Employment References and Verification (Aiding and Abetting of Sexual Abuse)
Code	526.1
Status	Draft

Employment References and Verification (Aiding and Abetting of Sexual Abuse)

The District shall act in good faith when providing employment references and verification of employment for current and former employees.

Neither the School Board nor any employee, contractor, or agent of the District shall assist another school employee, contractor, or agent in obtaining a new position or other employment in a school, local educational agency, Cooperative Educational Service Agency, or child care program, or in any other substantially-similar work environment that would involve contact with or responsibility for children or students, if he/she or the Board knows or has reasonable suspicion to believe that the other employee, contractor, or agent engaged in sexual misconduct with a minor or student in violation of the law. Sexual misconduct in violation of the law includes a violation, or the solicitation, conspiracy, or attempt to commit a violation, of any of the offenses specified in section 301.45(1d)(b) of the state statutes. This prohibition does not include the routine transmission of administrative and personnel files. In addition, this prohibition does not apply if the information that is known, or that is the basis of reasonable suspicion, has been properly reported to a law enforcement agency, and any other authorities as required by law, AND at least one of the following conditions applies:

1. School district officials have been notified by the prosecutor or police that any related case or investigation has been closed without a conviction (including cases or investigations that are closed without the filing of any charges); or
2. The school employee, contractor, or agent has been charged with, and acquitted or otherwise exonerated of the alleged misconduct.
3. When the District receives and responds to another employer's request for an employment reference or verification of employment, any administrator, supervisor, or authorized designee who provides information on behalf of the District is expected to act in good faith, without knowingly providing false information, malice, or engaging in unlawful conduct. Any response to such requests shall also be consistent with applicable legal requirements regarding the disclosure of personnel record information.

Legal:

[Section 19.36\(10\)](#)

[Section 103.13\(6\)](#)

[Section 111.322](#)

[Section 115.31](#)

[Section 118.07\(4p\)](#)

[Section 301.45\(1d\)\(b\)](#)

[Section 895.487](#)