

Employment References and Verification

Code #526.01

It is the policy of the Tri-County Area School District Board of Education to refuse to assist a school employee, contractor or agent in obtaining a new job when there is probable cause to believe that the school employee, contractor or agent engaged in sexual misconduct regarding a minor or student in violation of the law. It is also the policy of the Board to prohibit all school employees, contractors or agents from assisting a school employee, contractor or agent in obtaining a new job if the employee knows or has probable cause to believe that the school employee, contractor or agent engaged in sexual misconduct regarding a minor or student in violation of the law.

Assisting an individual to obtain a new job includes, but is not limited to, providing personal references and letters of recommendation. The routine transmission of administrative and personnel files upon request shall not be considered assisting an individual to obtain a new job.

The prohibition on assisting a school employee, contractor or agent shall not apply when the information giving rise to probable cause has been properly reported to a law enforcement agency, child protective services and any other authorities as required by federal, state or local law and one of the following applies:

1. The matter has been officially closed or the prosecutor or police with jurisdiction has investigated the allegations and notified school officials that there is insufficient information to establish probable cause;
2. The school employee, contractor or agent has been charged with and acquitted or otherwise exonerated of the alleged misconduct; or
3. The case or investigation remains open and there have been no charges filed against the school employee, contractor or agent within four (4) years of the date on which the information was reported to a law enforcement agency.

Legal Reference: Every Student Succeeds Act 20 U.S.C §7926

Attorney Review: March, 2017
1st Reading: March 28, 2017
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