EMPLOYMENT REFERENCES AND VERIFICATION
~~(PROHIBITING AIDING AND ABETTING SEXUAL ABUSE)~~

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

The School District, and its employees, contractors, and agents, are prohibited from providing a recommendation of employment, and/or from otherwise assisting any school employee, contractor, or agent in obtaining a new position or other employment if he/she or the District has knowledge of, or probable cause to believe that the other employee, contractor, or agent ("alleged perpetrator") engaged in illegal sexual misconduct with a minor or student. This prohibition does not include the routine transmission of administrative and personnel files.

In addition, this prohibition does not apply if:

1. The information giving rise to probable cause has been properly reported to a law enforcement agency with jurisdiction;

2. The information giving rise to probable cause has been reported to any other authorities as required by local, state or federal law (for instance New Hampshire Division of Children, Youth and Families "DCYF"), and

3. At least one of the following conditions applies:

    a. The matter has been officially closed;

    b. The District officials have been notified by the prosecutor or police after an investigation that there is insufficient information for them to proceed;

    c. The school employee, contractor, or agent has been charged with, and acquitted or otherwise exonerated; or

    d. The case or investigation remains open and there have been no charges filed against or indictment of the school employee, contractor, or agent within four years of the date on which the information was reported to a law enforcement agency.

First reading: June 19, 2019
Second reading: July 17, 2019
Approved: July 17, 2019

Legal Reference:
20 U.S.C. 792(1) (§8546(a) of the Elementary and Secondary Education Act/Every Student Succeeds Act