

LIMITATIONS TO EMPLOYMENT REFERENCES

The district believes in taking appropriate measures to promote the health and welfare of all students. Any school employee, **volunteer**, contractor, or agent shall not assist another school employee, contractor, or agent in obtaining a new job, apart from the routine transmission of administrative personnel files, if the individual or agency knows, or has probable cause to believe, that such school employee, contractor, or agent engaged in sexual misconduct regarding a minor or student in violation of the law. **Sexual misconduct means physical or sexual abuse of students, including but not limited to sexual or physical relationships, grooming behavior, and otherwise inappropriate relationships with students.**

This limitation does not apply if the matter has been properly reported to law enforcement and any other regulatory authorities required by law, and either:

- the matter has been officially closed by the law enforcement agency;
- the individual is acquitted or otherwise exonerated of the alleged misconduct; or
- more than four years has passed since the case was opened, and no charges or indictment have been filed.

Note: This is a mandatory policy. The language stated in the policy reflects the standards established for schools receiving funding under the Every Student Succeeds Act.

Legal References: 20 U.S.C. §7926
Iowa Code §256
281 I.A.C. 12.3(14)

Cross References: 401.5 Employee Records
402.2 Child Abuse Reporting
402.3 Abuse of Students by School District Employees
405.2 Licensed Employee Qualifications, Recruitment, Selection
411.2 Classified Employee Qualifications, Recruitment, Selection