

GADA - EMPLOYMENT REFERENCES AND VERIFICATION (PROHIBITING AIDING AND ABETTING OF SEXUAL ABUSE)

Category: Priority/Required By Law

See also Policies: GBCD, GBJ, GCF, GDB

The Wilton-Lyndeborough Cooperative School District shall act in good faith when providing employment references and verification of employment for current and former employees.

The 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 ALL THREE of the following criteria are met:

1. The information giving rise to probable cause has been properly reported to a law enforcement agency with jurisdiction; AND
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: January 4, 2022

Second Reading: January 18, 2022

Final Adoption: January 18, 2022

Legal References:

20 U.S.C. 7926(a) (§8546(a) of the Elementary and Secondary Education Act/Every Student Succeeds Act

Legal References Disclaimer: *These references are not intended to be considered part of this policy, nor should they be taken as a comprehensive statement of the legal basis for the Board to enact this policy, nor as a complete recitation of related legal authority. Instead, they are provided as additional resources for those interested in the subject matter of the policy.*