

REFERENCES

General

The District will maintain information regarding current and former employees as confidential within the limits of the law. Only the Superintendent or a person or persons specifically designated by the Superintendent may respond on behalf of the District to a reference request for a current or former employee. Upon request, employees will assist the Superintendent or designee with the preparation of accurate reference information.

The District will not endorse any reference provided outside the directives of this policy and is not responsible for providing legal advice or protection for unauthorized employees who provide references. In accordance with federal law (20 U.S.C. § 7926 and 49 C.F.R. § 40.311), District employees, contractors and agents are prohibited from writing personal references or otherwise providing assistance in obtaining a new job to any other school employee, contractor or agent who has been accused of sexual misconduct regarding a minor or student, as discussed later in this policy.

In accordance with law, District employees, contractors and agents who know or have probable cause to believe that an individual who has served as a District employee, contractor or agent has engaged in sexual misconduct with a minor or student in violation of law are prohibited from writing personal references for or otherwise providing assistance in obtaining a new job to those individuals. Any exceptions to this requirement are listed in Regulation GBLB-R.

All references will follow the requirements contained in Regulation GBLB-R.

Prohibition against Assisting Employees, Contractors or Agents Accused of Sexual Misconduct

In accordance with law, District employees, contractors and agents who know or have probable cause to believe that an individual who has served as a District employee, contractor or agent has engaged in sexual misconduct with a minor or student in violation of law are prohibited from writing personal references for or otherwise providing assistance in obtaining a new job to those individuals. Regulation GBLB-R lists exceptions to this requirement.

Adopted: June 12, 2012

Revised: June 12, 2018
July 21, 2015

Cross Refs: AC, Prohibition against Discrimination, Harassment and Retaliation
BDC, Closed Meetings, Records and Votes
BDDL, Requests for Public Records
JHG, Reporting and Investigating Child Abuse/Neglect

Legal Refs: §§ 162.068, 290.152, 610.021, RSMo.
Jamison v. State Dept. of Soc. Serv., 218 S.W.3d 399 (Mo. 2007)
<http://revisor.mo.gov/main/Home.aspx>