

**Policy #: 526.1**

## **SCHOOL DISTRICT OF WEBSTER**

**Date Adopted: June 19, 2017**

**Date Revised:**

**Policy Title: Employment References and Verification**

Other (i.e., non-District) employers are strongly encouraged to direct all requests for an employment reference or for verification of employment regarding a current or former District employee to District Office

Upon receipt, the processing of and any District response to a request for an employment reference or verification of employment shall be coordinated with the District Accountant or District Administrator. To the extent consistent with applicable law, the District reserves discretion to determine the extent of any response to another employer's request for an employment reference or verification of employment.

When the District receives and responds to another employer's request for an employment reference or verification of employment, any administrator, supervisor, or authorized designee who provides information on behalf of the District is expected to act in good faith, without knowingly providing false information, malice, or engaging in unlawful conduct. Any response to such requests shall also be consistent with applicable legal requirements regarding the disclosure of personnel record information.

Neither the District nor any employee, contractor, or agent of the District shall assist another 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 engaged in sexual misconduct with a minor or student in violation of the law. This prohibition does not include the routine transmission of administrative and personnel files. In addition, this prohibition does not apply if the information giving rise to probable cause has been properly reported to a law enforcement agency, or any other authorities as required by local, state, or federal law, AND at least one of the following conditions applies:

1. The matter has been officially closed or school district officials have been notified by the prosecutor or police after an investigation that there is insufficient information to establish probable cause that the school employee, contractor or agent engaged in sexual misconduct regarding a minor or student in violation of the law; or
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 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.

### **Legal References:**

#### **Wisconsin Statutes**

[Section 19.36\(10\)](#) [limitations on public access to district records, including certain personnel records such as letters of reference]

[Section 103.13\(6\)](#) [limitations on employee and former employee access to their own personnel records, including letters of reference]

[Section 111.322](#) [discriminatory actions prohibited]

[Section 895.487](#) [civil liability exemption; employment references]

#### **Federal Law**

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[20 U.S.C. 7926](#)

[required policy prohibiting school employees, contractors or agents from aiding and abetting sexual abuse]