

1 **5220 PERSONNEL**

2 Prohibition on Aiding Sexual Abuse

3 The district prohibits any of its employees, contractors or agents from assisting any other school  
4 employee, contractor or agent in obtaining new employment if the district’s employee, contractor or  
5 agent knows or has substantial credible evidence to believe that the individual seeking new employment  
6 engaged in sexual misconduct regarding a minor or a student in violation of the law. This prohibition does  
7 not include the routine transmission of administrative personnel files.

8 This prohibition does not apply under certain conditions specified by the Every Student Succeeds Act  
9 (ESSA) such as:

- 10 1. The matter has been reported to law enforcement authorities and (a) it has been officially closed  
11 or (b) the school officials have been notified by the prosecutor or police after an investigation that  
12 there is insufficient information to establish substantial credible evidence, or;
- 13 2. The individual has been acquitted or otherwise cleared of the alleged misconduct, or;
- 14 3. The case has remained open without charges for more than 4 years after the information was  
15 reported to a law enforcement agency.

16 Legal Reference:  
17 ESSA section 8038, § 8546

18 Policy History:  
19 Adopted on: April 23, 2018  
20 Reviewed on:  
21 Revised on: