

**Policy 401.06: Limitations to Employment References****Status:** ADOPTED**Original Adopted Date:** 1/13/2020 | **Last Reviewed Date:** 2/12/2024 | **Last Revised Date:**

The district believes in taking appropriate measures to promote the health and welfare of all students. Any school employee, 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.

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 Reference: 20 U.S.C. §7926  
281 I.A.C. 12.3(14)

**I.A.C. Iowa Administrative Code**

281 I.A.C. 12.3

**Description**[Administration](#)**U.S.C. - United States Code**

20 U.S.C. §7926

**Description**[Education - Sexual Abuse-Aiding and Abetting](#)**Cross References****Code**

401.05

**Description**[Employee Records](#)

401.05-R(1)

[Employee Records - Regulation](#)

402.02

[Child Abuse Reporting](#)

402.03

[Abuse of Students by School District Employees](#)

405.02

[Licensed Employee Qualifications, Recruitment, Selection](#)

411.02

[Classified Employee Qualifications, Recruitment, Selection](#)