

# Hardeman County Board of Education

Monitoring: <b>Review: Annually, in January</b>	Descriptor Term: <b>Recommendations and File Transfers</b>	Descriptor Code: <b>5.203</b>	Issued Date: <b>04/12/18</b>
		Rescinds: <b>5.203</b>	Issued: <b>08/17/17</b>

1 Other than the routine transmission of administrative and personnel files, district employees are  
2 prohibited from assisting a school employee, contractor, or agent in obtaining a new job if the individual  
3 knows, or has probable cause to believe, that the person seeking a job change engaged in sexual  
4 misconduct regarding a minor or student in violation of the law.<sup>1</sup>

5 These requirements shall not apply if:

6 1. The information giving rise to probable cause has been properly reported to the appropriate law  
7 enforcement agency; and

8  
9 2. The matter has been officially closed in one of the following ways:

10  
11 a. The prosecutor or police have investigated the allegations and notified school officials  
12 that there is insufficient information to establish probable cause;

13  
14 b. The employee, contractor, or agent has been charged and either acquitted or exonerated;  
15 or

16  
17 c. The case remains open, and there have been no charges or indictment filed within four  
18 (4) years of the date the information was reported to the law enforcement agency.

19 The director of schools shall develop administrative procedures to enforce this policy and comply with  
20 federal law.

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#### Legal References

1. 20 USCA 7926

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#### Cross References

Separation Practices for Tenured Teachers 5.200  
Separation Practices for Non-Tenured Teachers 5.201  
Separation Practices for Non-Certified Employees 5.202  
Child Abuse and Neglect 6.409