

SERIES 500 – PERSONNEL

General Personnel Policies – 520

Providing a Reference (525)

There are times when a school district administrator or school district employee may be asked to write a letter of recommendation or provide a reference for a current or former employee. Any Norwalk-Ontario-Wilton School District employee responding to a reference request is presumed to be acting in good faith. A school district administrator or school district employee, when acting in good faith, is not susceptible to civil liability when providing a reference to a potential employer. However, a school district administrator or school district employee can be open to civil liability if clear and convincing evidence is given that the person who provided the reference knowingly gave false information or gave information in violation of Wisconsin's blacklisting statute.

A school district administrator or school district employee is prohibited from **assisting** any school district employee, contractor or agent in obtaining a new job, if he/she knows or has reasonable cause to believe that such district employee, contractor, or agent engaged in sexual misconduct regarding a minor or student in violation of state and federal law. "**Assisting**" does not include the routine transmission of administrative and personnel files.

A school district administrator or school district employee may give a letter of recommendation or be a reference for a school district employee if an accusation of sexual misconduct has been investigated by law enforcement and the matter has been officially closed, and/or the individual has been acquitted or exonerated of the alleged misconduct.

Legal Reference: Section 895.487(2), WI Stats
 Section 8546 of the Every Student Succeeds Act (ESSA)

Approved: 5/15/2017