

REVISED POLICY - ESSA

LETTERS OF REFERENCE

The Board of Education recognizes that any current or former employee's request to an administrator for a letter of reference is an opportunity to share information about the staff member's performance with a prospective employer. The Board, however, does not require that such references be provided and a current or former employee should have no expectation that a letter of reference will be written upon request. The decision to comply with such a request shall be solely at the discretion of the administrator and the:

- business manager
- personnel director
- Superintendent

If an administrator opts, however, to prepare such a letter, the Board expects that administrator to provide specific and truthful comments concerning the employee's actual performance that can be substantiated by the individual's personnel file. The letter must be reviewed by the:

- business manager
- personnel director
- Superintendent

before it may be released.

In accordance with State law, an administrator who, in the scope of his/her employment, provides a letter of reference is entitled to at least a qualified privilege for his/her statements provided such statements were made in good faith without malice.

All District employees, including but not limited to an administrator who prepares a letter of reference or provides an employment reference pursuant to this policy, are prohibited from assisting a District employee, contractor or agent in obtaining a new job if s/he 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 or Federal law. "Assisting" does not include the routine transmission of administrative and personnel files. The only exceptions permitted are those authorized by the Every Student Succeeds Act, such as where the matter has been investigated by law enforcement and the matter was officially closed due to lack of probable cause or where the individual was acquitted or otherwise exonerated of the alleged misconduct.

~~The Superintendent shall develop the administrative guidelines necessary to implement this policy.~~

This policy does not excuse the District from providing responses to request for information as to Unprofessional Conduct, as required by State law.

Section 8546 of the Every Student Succeeds Act (ESSA)
M.C.L. 423.452, 380.1230(b)