



**Synergy Academy Charter Public School
Employment References and Verification
Sexual Abuse Policy/procedures**

The Elementary and Secondary Education Act of 1965 (ESEA), as amended by Every Student Succeeds Act, endeavors to help protect students from sexual abuse and misconduct; and Whereas, Section 8546 of the ESEA (20 U.S.C. § 7926) requires that Local Educational Agencies (LEAs) that receive ESEA funds to have in place a Policy on Sexual Abuse and Misconduct of School employees, contractors, or agents; therefore Synergy Academy adopts this Sexual Abuse and Misconduct Employment Referral Policy.

Prohibiting the Aiding and Abetting of **Sexual Abuse Policy** Synergy Academy shall act in good faith when providing employment references and verification of employment for current and former employees.

Synergy Academy and its employees, contractors, and agents, are prohibited from providing a recommendation of employment, and/or from otherwise assisting any school employee, contractor, or agent in obtaining a new position or other employment if he/she or the school has knowledge of, or probable cause to believe that the other employee, contractor, or agent ("alleged perpetrator") engaged in illegal sexual misconduct with a minor or student. This prohibition does not include the routine transmission of administrative and personnel files. In addition, this prohibition does not apply if:

1. The information giving rise to probable cause has been properly reported to a law enforcement agency with jurisdiction; and
 2. The information giving rise to probable cause has been reported to any other authorities as required by local, state or federal law (for instance New Hampshire Division of Children, Youth and Families "DCYF"), and
 3. *At least one of the following conditions applies:*
 - a. The matter has been officially closed by the prosecutor or police with jurisdiction; or
 - b. The school officials have been notified by the prosecutor or police after an investigation that there is insufficient information for them to proceed; or
 - c. The school employee, contractor, or agent has been charged with, and acquitted or otherwise exonerated of the alleged mixed conduct; or
 - d. The case or investigation remains open and there have been no charges filed against or indictment of the school employee, contractor, or agent within four years of the date on which the information was reported to a law enforcement agency.
- Legal References: 20 U.S.C. 7926(a) (§8546(a) of the Elementary and Secondary Education Act/Every Student Succeeds Act School Policy History:

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