

## **Prohibiting the Aiding and Abetting of Sexual Abuse**

Any individual who is a school employee, contractor or agent, or any state educational agency or local educational agency shall not assist a school employee, contractor or agent in obtaining a new job, apart from the routine transmission of administrative and 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.

The prohibition in this regulation shall not apply if:

- (a) the information giving rise to probable cause has been properly reported to a law enforcement agency with jurisdiction over the alleged misconduct; and has been properly reported to any other authorities as required by federal, state or local law and any one of the following conditions are met; and,
- (b) the matter has been officially closed or the prosecutor or police with jurisdiction over the alleged misconduct have investigated the allegations and notified school officials that there is insufficient information to establish probable cause that the school employee, contractor or agent engaged in sexual misconduct regarding a minor or student in violation of the law or the school employee, contractor or agent has been charged with, and acquitted or otherwise exonerated of the alleged misconduct or 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 Reference: Iowa Administrative Code 281 12.3(14)

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