

EUREKA COUNTY SCHOOL DISTRICT

PERSONNEL POLICIES GOALS

Acquiring and Providing Employment References-AR

1. Acquiring References

Reference and background checks are conducted to assist the District in assessing an applicant's fitness for employment with the District. Only those employees designated by the District Superintendent may acquire employment references. Any authorized employee of the District who attempts to acquire reference information on an applicant must comply with the following:

- a. Obtain a District employment application that is signed and dated by the applicant. The applicant must have completed all relevant sections of the application.
- b. Obtain authorization from the applicant by means of his/her signature directly on the application and/or separate release form for the release of information from former employers, military, educational institutions, other institutions, personal references, and other individuals listed on the application. Authorization for release of such information by the applicant shall include a release from liability of any company, institution, or individual providing such information. If an applicant refuses to sign such a release, s/he will be eliminated from further consideration for employment with the District.
- c. Inform the applicant that the District will conduct a background/reference check and that evaluating the applicant's suitability for employment includes contacting employment and other references, educational institutions, and personal and professional associates to verify information provided.

Note: For safety-sensitive positions as defined by 42 CFR Part 382 and U.S. Department of Transportation regulations, the District shall obtain, pursuant to an applicant's written consent, information on his/her alcohol tests and/or verified positive controlled substance test results, and refusals to be tested within the preceding two (2) years from date of application which are maintained by the previous employers.

- d. Identify the appropriate individual(s) to question regarding the applicant's work performance, knowledge, skills, and abilities related to the essential functions of the position.
- e. Adequately document the conversation and record refusals to provide information.
- f. Maintain strict confidentiality of all background/reference information. Only employees, supervisors, or management officials of the District who have a demonstrable work related need-to-know should be accorded access to such information.

2. Providing References

All requests for employment information shall be referred to the Personnel Specialist. Only those personnel designated by the Superintendent are authorized to release employment information to third parties.

3. The District has a neutral reference policy, as well as a confidential information policy. Only the following personnel information and employment records that the District maintains concerning current and former employees shall be provided upon request:
- a. Name
 - b. Class/Job Title
 - c. Dates of Employment
 - d. Salary
 - e. Information regarding an employee terminated for violent actions in the workplace or who may have demonstrated dangerous behavior in the workplace will be provided only after consultation with District's legal counsel.
 - f. Employment information and opinions regarding the character, honesty, and potential for violence of the District's employees may be provided to governmental employers, including, but not limited to, any federal, state, county, municipality or city employers; or any other private (non-governmental) employer where the employee's character, honesty, and potential for violence are relevant issues. Examples include, but are not limited to, jobs which involve public safety, entrustment for the care or safety of children, the elderly, or health care patients; or positions having access to money and/or valuables. Information in this

section may be provided after consultation with the District's legal counsel.

- g. The District must provide information requested by public safety agencies in accordance with NRS 239B.
- h. Records that are required for employees in safety-sensitive positions, as defined in 42 CFR Part 382 and U.S. Department of Transportation regulations, shall be made available to subsequent employers upon receipt of written request from the employee or former employee.
- i. In accordance with NRS 239.012, a public officer or employee who acts in good faith in disclosing or refusing to disclose information and his/her District, are immune from liability for damages, either to the requester or to the person whom the information concern