

General Personnel

Exhibit - EHR Letter to Applicant's Current/Former Employer

Use this letter when the Cooperative contacts an applicant's current or former employer to complete a sexual misconduct related employment history review. 105 ILCS 5/22-94.

On Cooperative Letterhead

Re: Applicant's Sexual Misconduct Related Employment History Review

Attention [*insert name of applicant's current/former employer*]:

You are receiving this letter pursuant to the Illinois School Code (105 ILCS 5/22-94) because your organization has been listed by the applicant as a current employer, a former employer that was a school or school contractor, or a former employer at which the applicant had direct contact with children or students, meaning the possibility of care, supervision, guidance, or control of children or students or routine interaction with children or students.

To help protect children and students from the threat of sexual misconduct, Illinois law requires all Illinois public/non-public elementary and secondary schools to conduct sexual misconduct related employment history reviews on certain applicants for hire. Therefore, we are required to ask, and you are required to complete, the enclosed standardized form, which was developed using a template created by the Ill. State Board of Education (ISBE). Illinois law further requires you to disclose the information requested on the enclosed form within twenty (20) calendar days of your receipt of the form. If you have an office of human resources or central office, such information must be provided by that office. Additionally, if you answer yes to any question, you must provide further information about the matter disclosed as well as all related records. Information received shall not be deemed a public record.

We will use the information we receive from you to evaluate the applicant's fitness to be hired or for continued employment. We may also report the information, as appropriate, to ISBE, a State licensing agency, a law enforcement agency, a child protective services agency, another school or contractor, or a prospective employer.

Under Illinois law, an employer, school, school administrator, or contractor who provides information or records about a current or former employee or applicant pursuant to this request is immune from criminal and civil liability for the disclosure of the information or records, unless the information or records provided were knowingly false. This immunity is in addition to, and not a limitation on, any other immunity provided by law or any absolute or conditional privileges applicable to the disclosure by virtue of the circumstances of the applicant's consent to the disclosure. Additionally, this immunity extends to any circumstances when the employer, school, school administrator, or contractor in good faith shares findings of sexual misconduct with another employer.

Unless the laws of another state prevent the release of the information or records requested, or disclosure is restricted by the terms of a contract entered into before July 1, 2023, and notwithstanding any other provisions of law to the contrary, an employer, school, school administrator, contractor, or applicant must report and disclose all relevant information, records, and documentation that may otherwise be confidential.

Please return a copy of your response by email to: [*insert email address*], or by US mail to:

Thank you for your cooperation,

[Insert title, such as Executive Director or Assistant Director]

Enclosure: *Authorization for Release of Sexual Misconduct-Related Information and Current/Former Employer Response form*

Adopted: 10/25/2023