



Sexual Abuse and Misconduct Policy

Whereas, the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the 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;

Whereas, Coral Community Charter School (School) is a Local Educational Agency under New Mexico State law; therefore

Coral Community Charter School adopts this Sexual Abuse and Misconduct Policy.

The School, as well as any School employee, contractor, or agent, is forbidden from providing a recommendation of employment for an employee, contractor, or agent that the School or the individual acting on behalf of the School knows, or has probable cause to believe, that the employee, contractor, or agent has engaged in sexual misconduct with a student or minor in violation of the law. This Policy shall not be construed to prohibit the School from following routine procedures regarding the transmission of administrative or personnel files. However, the School is prohibited from doing more than ministerial functions to facilitate the employee obtaining new employment.

Pursuant to Section 8546 of the Elementary and Secondary Education Act the prohibition on providing a recommendation of employment does not apply if:

- The alleged misconduct has been properly reported to law enforcement and any other authorities required by Federal, State, or local law; and
- The matter has been officially closed, the employee, contractor, or agent has been exonerated, or the relevant case or investigation remains open without an indictment or other charges having been brought within four years of the date on which the information was provided to law enforcement.

*Approved by the Governing Board of Coral Community Charter School on
November 27, 2018*

