

Scappoose School District 1J

Code: **GBLA**
Adopted: 1/09/06

Disclosure of Information

An employer who discloses information about a former employee's job performance to a prospective employer is immune from civil liability under the following conditions:

1. Disclosure of information is upon request of the prospective employer; or
2. Disclosure of information is upon request of the former employee;
3. The information is related to job performance;
4. The action is presumed to be in good faith.

The disciplinary records of a district employee who has been convicted of a crime listed in ORS 342.143 are not exempt from disclosure under ORS 192.501 or ORS 192.502 and may be released to any person upon request. Prior to the disclosure of a disciplinary record an education provider shall remove any personally identifiable information from the record that would disclose the identity of a child, a crime victim or a school employee who is not the subject of the disciplinary record.

The disclosure is the result of a request from a law enforcement agency, the Department of Human Services or the Teacher Standards and Practices Commission regarding the records of investigations of suspected child abuse by a district employee.

Presumption of good faith is rebutted by showing the information disclosed was:

1. Knowingly false;
2. Deliberately misleading;
3. Rendered with malicious purpose;
4. Violated civil rights.

END OF POLICY

Legal Reference(s):

[ORS 30.178](#)
[ORS 339.370 - 339.375](#)

[ORS 339.388\(7\)](#)
[ORS Chapter 659](#)

[ORS Chapter 659A](#)