

Administrative Procedure 404

STAFF INVOLVEMENT IN CIVIL LEGAL PROCEEDINGS

Background:

In the interest of keeping staff focus on educational matters, the Division instructs staff to minimize discretionary involvement in civil legal proceedings.

Procedures:

1. When requested by a parent who is, or may be, involved in a child custody legal proceeding, to provide information regarding students, staff are to restrict their information to providing statements of attendance, student marks or other factual information that would normally be shared with a parent. Other opinions or observations regarding the students or parents are to be communicated only if required by a court and under subpoena.
2. Notwithstanding expressions of support that a Division employee might offer as a private person to a friend who is party to a civil legal proceeding, Division staff are not to provide any expressions of support which are based on the employment status or office of the employee providing the reference.
3. When supervisory personnel are requested by employees who are parties to civil legal proceedings to provide character or employment letters of reference, the supervisors are to decline the requests. Employees who request such references are to be encouraged to access any performance appraisals that may be in their personnel files.
4. The foregoing procedures notwithstanding, when allegations directly or indirectly bring the reputation of the Division into question, the supervisor may write a letter which presents the employment related facts.

Reference:

Section 85, 87, 108, 109 Education Act

Revised:

August 2014