

**South Coast Education
Service District**

Code: **GBLA**
Adopted: 4/10/07
Readopted: 11/8/11
Reviewed: 8/2/17
Reviewed: 5/18/20
Readopted: 7/14/20
Orig. Code(s): GBLA

Disclosure of Information

Authorized ESD officials may disclose information about a former employee’s job performance to a prospective employer. ESD officials are immune from civil liability for such disclosures under the following conditions:

1. The disclosure of information regarding the former employee’s job performance is upon request of the prospective employer or the former employee. This disclosure is presumed to be in good faith. Presumption of good faith is rebutted by showing the information disclosed was:
 - a. Knowingly false;
 - b. Deliberately misleading;
 - c. Rendered with malicious purpose; or
 - d. Violated civil right of the employee.
2. Records created pursuant to the legal references below are confidential and are not public records. The ESD may use the record as a basis for providing the information required to be disclosed about an employee:
3. The disclosure is the result of a request from a law enforcement agency, the Oregon Department of Human Services, the Teacher Standards and Practices Commission or the Oregon Department of Education in conducting an investigation related to suspected abuse or suspected sexual conduct to the extent allowable by state and federal law, including laws protecting a person from self-incrimination;
4. Not later than 20 days after receiving a request the ESD, if it has or has had an employment relationship with the applicant shall disclose the information requested.

END OF POLICY

Legal Reference(s):

[ORS 30.178](#)
[ORS 339.370 - 339.400](#)
[ORS 339.388](#)
[ORS Chapter 659](#)

[ORS Chapter 659A](#)
(ORS) 659 or ORS 659A
ORS 339.88(8)(c)
ORS 192.311

ORS 339.378(1)

OR. ATTORNEY GENERAL’S PUBLIC RECORDS AND MEETINGS MANUAL.