



Gibbons Capitol Report
January 25, 2008

Protecting Students

Last fall, the Associated Press found that 87 licensed teachers in Missouri lost their credentials because of sexual misconduct over a five year period beginning in 2001. That ranks Missouri 11th out of the 50 states. They found that at least 50 of those teachers who lost their teaching license had sexually abused their students, while another 15 assaulted other children they met outside the classroom. Even more alarming is some of those teachers continued to teach at new school districts because they were able to outrun their dangerous pasts.

The Problem

School districts are often following a rule that less is better when it comes to sharing the reasons for the dismissal of former employers with prospective employers. The new school district may get the truth, but they don't get the whole truth about the person's background. Why? Because they are afraid they will be sued for libel. It's unacceptable to allow the fear of lawsuits to trump the safety of our students. But that's exactly what's happening in some cases.

The Worst Case

Despite acts of misconduct that were threatening and dangerous in schools, there is a track record of people going on to another school district and finding employment. One of the most egregious cases documented is a teacher who worked in eight school districts over 15 years. His history included multiple sexual harassment complaints in 2000, but he went on to teach in three other school districts before his license was finally revoked because of sex with an underage girl.

Providing a Backbone

Senate Bill 713 makes sure that Department of Elementary and Secondary Education and school district employees are able to discuss and report the full scope of personnel files to prospective new employers. It does so by granting civil immunity to Department of Elementary and Secondary Education and school district employees who report truthful information to employers about past employees. The legal expense fund would pay for the defense of any school district or school district employee.

I came up with the idea after studying the Associated Press' findings. The bill still allows confidentiality agreements to protect students who have been harmed or sexually abused while making sure the teachers who did it don't get hired in another district. We want to protect our students by making sure the whole truth is reported when it comes to school officials recommending teachers who have dangerous pasts. By creating a safe harbor for employers who tell the whole truth when recommending teachers to new districts, we can stop these few harmful teachers from falling through the cracks.