

**161.151 Removal of references to criminal allegations not resulting in charge or conviction from school employee's personnel file -- Nonpreclusion of separate investigation.**

- (1) All records and references relating to an allegation of a criminal offense committed by a school employee that did not lead to formal charges and all records relating to a criminal proceeding in which a school employee was found not guilty or the charges were dismissed shall be removed from the school employee's personnel file by the superintendent or the superintendent's designee in the local school district.
- (2) The provisions of subsection (1) of this section shall not preclude a school district from separately investigating, taking action upon, and creating and maintaining records on the same or a similar fact situation upon which the allegations of a criminal offense was based.

**Effective:** July 15, 1998

**History:** Created 1998 Ky. Acts ch. 469, sec. 1, effective July 15, 1998.