



# FALSE ACCUSATIONS

*Suggestions for  
Assisting Falsely  
Accused School  
Employees*



[arizonaaea.org/helpdesk](http://arizonaaea.org/helpdesk)



## Suggestions for Assisting Falsely Accused School Employees

School employees who are falsely accused of criminal conduct in connection with their employment often remain stigmatized and feel devastated. Even if a school employee is exonerated from all criminal charges, all charges are withdrawn or dismissed, or an investigation by law enforcement is concluded without filing charges, the employee may find it difficult to maintain a career in education.

The following list of actions may assist the employee in returning to work and restoring his/her reputation. Every situation is different, and not all suggestions may be applicable or appropriate. Discuss the pros and cons of the suggestions with your AEA-assigned attorney, AEA Organizational Consultant, or other AEA representative.

### Returning to Work

1. Keep a file with copies of police reports, court documents, correspondence, and other relevant materials.
2. Consider sending a letter to the administration confirming that you have been exonerated, that charges were dismissed, or that no charges were filed. Attach applicable court documents or statements from law enforcement. Ask that the letter be placed in your personnel file.
3. Ask your school district to reinstate you. Consider whether a transfer to a different site would be advisable. Work with the administration to determine what should be said to colleagues, students, and parents.
4. Consider whether employment in a different school district may be advisable. Check with AEA staff who may have relationships with governing board members, administrators, and employees in other school districts that will facilitate finding employment elsewhere.
5. Ask the administration to consider disciplining or transferring the individual (student or co-worker) who made the false allegations. Check district policies for relevant provisions.
6. Think about how to respond to inquiries about the situation. Keep your response neutral, factual, and brief. Do not disclose details or student names.

#### What do I say?

Examples of appropriate responses:

*"This matter has been fully resolved."*

*"I'm glad to be back at work. Don't believe everything you've heard."*

## **Restoring Your Reputation**

1. Consider asking the administration to send a letter to colleagues and parents confirming that you have been exonerated, that the charges were dismissed, or that no charges were filed.
2. Consider sending a letter to the State Board of Education confirming that you have been exonerated, that charges were dismissed, or that no charges were filed. Ask that the letter be placed in your certificate file and that all certificate records be updated to reflect that you were falsely accused. If you receive a letter from the State Board of Education investigator, be sure to immediately contact the AEA for assistance.
3. Consider sending a letter to the media outlets that covered the arrest or initial situation confirming that you have been exonerated, that charges were dismissed, or that no charges were filed. Ask that the media publish a story with this information. Weigh the risk of generating new publicity and consult with AEA staff or your attorney about what you say to the media.
4. Consult with a lawyer who specializes in defamation law to determine whether a lawsuit against the accuser is viable or advisable. Note that AEA does not fund such a consultation.
5. Consult with a psychologist, counselor, or other health care professional to handle the stress and other emotions that occur when an individual is falsely accused. Check your district's insurance coverage to determine if there are counseling benefits or an Employee Assistance Program.

## **Local Associations Can Assist Falsely Accused Employees**

1. Negotiate policies that set specific time frames for investigations so that employees are not on indefinite administrative leave.
2. Negotiate policies that give employees access to all investigation records.
3. Negotiate policies that make students and co-workers accountable for false allegations and subject to possible disciplinary action.



## A Final Note

For more information and assistance, contact your local association, [arizonaaea.org/helpdesk](http://arizonaaea.org/helpdesk), or your AEA Organizational Consultant.

**[arizonaaea.org/helpdesk](http://arizonaaea.org/helpdesk)**

**(877) 828-1983**



This booklet is a general guide for AEA members and is not intended to provide complete information or legal advice on specific problems. Changes in laws and cases may modify the information provided. To find Arizona statutes on the Internet, go to [www.azleg.gov](http://www.azleg.gov).



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