



# POLICY TITLE: LICENSED PUBLIC EMPLOYEE ARREST REPORTING

**Policy Type: Executive Limitations**

Legal Citation: R277-516, Background Check Policies and Required Reports of Arrests for Licensed Educators, Volunteers, Non-licensed Employees, and Charter School Governing Board Members

The School requires all licensed educators, non-licensed employees, volunteers, any employee who drives a vehicle as an employment responsibility, and charter board members to report all arrests.

Accordingly, the School Director shall not:

1. Fail to post this policy on the School's website.
2. Fail to require all licensed educators who are arrested for the below noted offenses to report the incident within 48 hours of the incident to the School Director or designee.

3. any matters involving an alleged sex offense;
4. any matters involving an alleged drug offense;
5. any matters involving an alleged alcohol-related offense;
6. any matters involving an alleged offense against the person under Title 76, Chapter 5, Offenses Against The Person;
7. any matters involving an alleged felony offense under Title 76, Chapter 6, Offenses Against Property;
8. any matters involving an alleged crime of domestic violence under Title 77, Chapter 36, Cohabitant Abuse Procedures Act; and
9. any matters involving alleged crimes under federal law or the laws of another state comparable to the violations listed in Subsections a through f.
10. Fail to inform the charter school board chair of a licensed educators arrest with 48 hours of receipt of information from a licensed educator.
11. Fail to allow a licensed educator to report for work following an arrest unless directed not to report for work by the employer, consistent with school policy.

12. Fail to require all non-licensed employees, volunteers, any employee who drives a vehicle as an employment responsibility, and charter board members to report the following incidences to the School Director:
13. convictions, including pleas in abeyance and diversion agreements;
14. any matters involving an alleged sex offense;
15. any matters involving an alleged drug offense;
16. any matters involving an alleged alcohol-related offense;
17. any matters involving an alleged offense against the person under Title 76, Chapter 5, Offenses Against The Person;
18. Fail to establish a timeline for a non-licensed employee, volunteer, any employee who drives a vehicle as an employment responsibility, and charter board member to report the offense.
19. Fail to immediately suspend the accused non-licensed employee, volunteer, any employee who drives a vehicle as an employment responsibility, and charter board member from student supervision responsibilities for alleged sex offenses and other alleged offenses which may endanger students during the period of investigation;
20. Fail to immediately suspend the accused non-licensed employee, volunteer, any employee who drives a vehicle as an employment responsibility, and charter board member from transporting students or

public education vehicle operation or maintenance for alleged offenses involving alcohol or drugs during the period of investigation;

21. Fail to provide adequate due process for the accused non-licensed employee, volunteer, any employee who drives a vehicle as an employment responsibility, and charter board member consistent with Section 53A-15-1506.
  
22. Fail to develop a process to review arrest information and make employment or appointment decisions that protect both the safety of students and the confidentiality and due process rights of employees and charter school board members; as well as a timeline and procedures for maintaining records of arrests and convictions on non-licensed employees and charter school board members.
  
23. Fail to include final administrative determinations and actions following the investigation of a non-licensed employee, volunteer, any employee who drives a vehicle as an employment responsibility, and charter board member in the records and maintain the records only as necessary to protect the safety of students and with strict requirements for protection of confidential employment information.