

## **Section 208/313/405 REPORTING OF ARRESTS BY EMPLOYEES**

(12/2017)

All school employees are required to promptly report all arrests in writing to the superintendent or designee. For purposes of this policy, arrest includes being charged with a crime without being arrested. Any employee arrested or charged with a crime of violence or an act against a child will be immediately placed on suspension pending investigation and any possible action the Board deems appropriate which may include but not limited to unpaid suspension and/or termination of employment.

When an employee reports an arrest for an offense, the superintendent or designee, in consultation with the school corporation's legal counsel, will consider whether immediate action should be taken to protect the safety of students and staff and the integrity of corporation operations prior to the completion of criminal proceedings or prior to the completion of formal action by the corporation in response to the conduct for which arrested. Other considerations may include whether or not under the circumstances and in light of the available evidence formal action by the corporation in response to the conduct should be initiated without waiting for the outcome of criminal proceedings and whether the nature of the offense affects the employee's ability to perform the functions of his/her position in the corporation. Additionally, the employee's history may also be used as a consideration.

The report submitted by the employee should be kept in the employee's personnel file together with a notation as to the school administrator who reviewed the report and include the disciplinary action taken, if any.

If the superintendent or other administrator has a reasonable belief that an employee has been arrested and the employee has not reported the arrest, the superintendent or designee will investigate and determine the appropriate disciplinary action to be taken against the employee.

An employee who fails to disclose an arrest for a felony offense is subject to discipline up to and including termination of employment.

An employee who fails to disclose an arrest for a misdemeanor offense may be subject to discipline other than termination of employment.

All employees will be notified annually of the arrest reporting requirements.