

Adopted: 19 May, 2020

DACA

Modified:

Employee's Duty to Personally Report Arrests and Convictions

An employee who is arrested, cited, or charged for violation of the law shall report the arrest, citation, or charge within 48 hours or as soon as possible to the Director of Human Resources.

An employee shall report convictions, including pleas in abeyance, or diversion agreements within 48 hours or as soon as possible upon receipt of notice of the conviction, plea in abeyance, or diversion agreement.

After receiving arrest information about the employee, the Superintendent or designee shall review the arrest information and assess the employment status considering the employee's assignment.

- An employee shall be immediately suspended from student supervision responsibilities for alleged sex offenses and other alleged offenses that may endanger students during the period of investigation.
- An employee shall be immediately suspended from any duties that require the employee to transport students or operate or maintain a district vehicle for alleged offenses involving drugs or alcohol during the period of investigation.
- The employee shall report for work following the arrest unless directed not to report for work by the District, consistent with district policy.

Failure to report any arrest or conviction pursuant to this policy may result in disciplinary action, up to, and including, termination.

Documents and records related to an employee's arrest and/or conviction, plea in abeyance, or diversion agreements, as well as final administrative determinations and actions following investigation, shall be maintained for a minimum of two (2) years following termination of employment with the District and require protection of confidential employment information.

[Utah Admin. Rules R277-516-3 \(September 21, 2017\)](#)

[Utah Admin. Rules R277-516-5 \(September 21, 2017\)](#)

[Utah Code § 53G-11-406\(1\) \(2018\)](#)

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District Reports to State Board of Education—

The Superintendent or designee shall report the conviction, arrest or offense information received from licensed educators to the State Board of Education within forty-eight (48) hours of receipt of information from licensed educators.

“Licensed educator” means an individual who holds a valid Professional Educator License, Associate Educator License, or LEA Specific License, and has satisfied all requirements to be a licensed educator in the Utah public school system (examples are teachers, school administrators, and school district specialists). A licensed educator may or may not be employed in a position that requires an educator license. Licensed educators include individuals as described above, and individuals who are student teaching.

[Utah Admin. Rules R277-516-2\(8\) \(September 21, 2017\)](#)

[Utah Admin. Rules R277-516-3\(3\) \(September 21, 2017\)](#)

[Utah Code § 53G-11-406\(2\) \(2018\)](#)