

Regulation

ANNE ARUNDEL COUNTY PUBLIC SCHOOLS

Related Entries: Policy GANN

Responsible Office: OFFICE OF INVESTIGATIONS

SELF-REPORTING CHARGE/ARREST/CONVICTION

A. PURPOSE

To establish procedures to support Policy GANN, Self-Reporting Charge/Arrest/Conviction.

B. BACKGROUND

Anne Arundel County Public Schools (AACPS) employees shall self-report all charges, arrests, and convictions for any offense, including driving under the influence (DUI) or driving while impaired (DWI) and other criminal traffic offenses listed in this regulation to maintain a safe and secure environment for all students and employees.

C. DEFINITIONS

1. Arrest - the taking of a person into legal custody.
2. Charge - a formal accusation of an offense as a preliminary step to prosecution.
3. Charging document - a written accusation alleging that a defendant has committed a crime, including a citation, an indictment, an information, a statement of charges, and a warrant. (*Annotated Code of Maryland, Criminal Procedure Article, §1-101.*)
4. Conviction - the act or process of judicially finding someone guilty of a crime in a court of law.
5. Self-Reporting - to notify the Office of Investigations of charges, arrests, and convictions for any criminal offense, including, but not limited to, DUI or DWI and other criminal traffic offenses both orally and in writing.

D. PROCEDURES

1. An employee, whether full- or part-time, probationary or non-probationary, or employed in a temporary or seasonal capacity (i.e. substitute teacher, substitute custodian, emergency coach), shall report the following charges, arrests, or convictions to the Office of Investigations within 24 hours, absent extraordinary

and compelling circumstances as determined in the sole, exclusive, and reasonable discretion of the Office of Investigations:

- a. Charges, arrests, and convictions (or the equivalent in any jurisdiction) to be reported:
 - (1) **Crimes against person(s)** which puts a person(s) at risk, including: abduction; abuse or neglect of an adult; assault; assault with intent to commit a crime; battery; carjacking; child abuse; child selling; confinement of an unattended child; contributing to certain conditions of a minor delinquency in need of supervision or assistance; false imprisonment; kidnapping; maiming or mayhem; manslaughter or murder; reckless endangerment; robbery; domestic violence
 - (2) **Crimes of a sexual nature**, including: incest, indecent exposure, keeping a disorderly house or maintaining a nuisance; pornography; prostitution or pandering; rape; sex offenses of any type; sodomy; unnatural or perverted practices
 - (3) **Crimes involving weapons**, including: weapons (firearms) violations of federal or state laws
 - (4) **Crimes involving drugs**, including: hiring, soliciting, engaging, or using a minor for the purpose of manufacturing, distributing, or delivering a controlled dangerous substance; manufacturing, distributing or dispensing a controlled dangerous substance; possession of, or possession with intent to manufacture, distribute, or dispense a controlled dangerous substance; prescription forgery
 - (5) **Crimes against property**, including: burglary; breaking and entering; malicious destruction of property; larceny; housebreaking; unlawful entry
 - (6) **Crimes involving religious and ethnic matters** (hate crimes)
 - (7) **Crimes involving money/fiscal matters**, including but not limited to: forgery, robbery; theft
 - (8) **Crimes involving animal cruelty**
- b. Criminal Traffic Violations to be reported:
 - (1) Driving under the influence of alcohol (DUI)*
 - (2) Driving while impaired by alcohol (DWI)*
 - (3) Driving while impaired by alcohol and drugs*
 - (4) Driving while impaired by controlled substances*
 - (5) Driving with a suspended/revoked license
 - (6) Driving uninsured
 - (7) Driving while not licensed
 - (8) Leaving the scene of an accident (hit and run)
 - (9) Reckless driving
 - (10) Negligent driving
 - (11) Fraudulent use of a license

- (12) Failure to remain at scene of accident involving bodily injury
- (13) Failure of driver to stop after unattended vehicle damage
- (14) Manslaughter by automobile
- (15) Fleeing from or attempting to elude police officers

*Must be reported currently under Superintendent's Regulation GAC-RA:
Drug-, Alcohol-, and Tobacco-Free Work Environment.

2. Employees shall provide the following required information verbally to the Office of Investigations by telephone at 410-222-5286 during business hours or at 410-222-5998 after business hours or in writing by e-mail at employeeselfreporting@aacps.org: Name, work assignment, date of birth, nature of charges, and contact telephone number.
3. All reports made by an employee shall be held in the strictest confidence by the Office of Investigations, maintained in a separate self-report file.
4. Based on the information provided by the employee, the Office of Investigations shall conduct a further review of this matter.
5. At the Superintendent's or designee's direction, an investigation will be conducted.
6. Pending the outcome of the judicial process and/or the internal investigation, administrative actions may be taken if it is determined that a nexus (connection) exists between the type of charge, arrest, conviction and the employee's duties and responsibilities with AACPS.
7. Upon receipt by the Office of Investigations of a copy of an order issued by a court of law regarding a filing of not guilty or an expungement of his/her offense, the Office of Investigations shall remove all documentation related to the offense from the self-report file as well as the official personnel file.
8. A request with reasonable notice shall be made to the Office of Investigations by an employee who desires to review material in his or her self-report file. The contents of the self-report file may then be reviewed by the employee in the presence of a designated representative of the Office of Investigations.

*Regulation History: Developed by Superintendent 11/4/09
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Note previous regulation history: None