



Document Number: A-26
 Document Name: Reporting Arrest Policy
 Effective Date: May 21, 2016
 Document Status: Approved

1.0 Purpose

The purpose of this policy is to protect the safety, health, and security of students, employees, and other visitors to Wasatch Charter School and to protect the property of the school. This policy is intended to ensure all students are instructed and served by staff and volunteers who have not performed acts or violated laws that may endanger students. The purpose of this policy is to comply with the requirements of Utah Administrative Code HB124 and Utah Code section 53A-15-1507.

2.0 Definition

3.0 Policy Content

Required Reporting of Arrest

The following individuals shall self-report conviction, arrest, or offense information within 48 hours or as soon as possible:

- (i) a non-licensed employee;

Last Modified By: Enter Text

Last Modified On: Select Date

Page: 1

Document Owner: Enter Text

Original Date: Select Date



- (ii) a contract employee;
- (iii) a volunteer who is given significant unsupervised access to a student in connection with the volunteer’s assignment; and
- (iv) a member of the governing board.

Employees of the school must submit required reports to the director within seven (7) days of the event necessitating the report. New employees of the school must report this information prior to commencing work for WCS.

- any matters involving an alleged felony, or relevant misdemeanor offenses;
- any matters involving minors;
- any matters involving alleged sex offenses;
- any matters involving alleged drug-related offenses;
- any matters involving alleged alcohol-related offenses;
- any matters for which the subject is currently under court ordered probation; and
- convictions, including pleas in abeyance and diversion agreements;
- any matters involving arrest of alleged offenses against the person under Title 76, chapter 5 (i.e., assault, battery, etc.)

In addition to the offenses listed above, any employee or volunteer shall report to the Director, any convictions, any pleas in abeyance, and any diversion agreements within 48 hours, or as soon as possible, upon receipt of notice of the conviction, plea in abeyance, or diversion agreement. The Director shall report the arrest, conviction or offense to the Governing Board, as allowed by law, on all employees and volunteers. The Director shall report the arrest, conviction or offense of any *Licensed Educators* to the Educator Licensing Department of the Utah State Office of Education (USOE, State Board or UPPAC) within 48 hours or receiving notice through forms found on the USOE website ([UPPAC page of the Educator Licensing Department](#)). The employee shall report for work following an arrest and notice to the director unless directed not to report for work by administration.

Last Modified By:	Enter Text	Last Modified On:	Select Date	Page:	2
Document Owner:	Enter Text	Original Date:	Select Date		



Procedure for Review of Reports

The director will establish procedures to review and investigate all reports received pursuant to this policy and determine whether any employment action is necessary to protect the safety of the students.

The procedures will adequately maintain the confidentiality of the information submitted. Information regarding reports, the results of any investigation, the director’s determination, and any action taken will be maintained in a separate, confidential employment file. These records will only be kept as long as the director determines it is necessary to protect the safety of students.

Required Action

Any employee who self-reports a matter involving alleged sex offenses or alleged offenses which may endanger students, shall be immediately suspended, without pay, from all student supervision responsibilities during the period of investigation.

Any employee who self-reports a matter involving alcohol or drugs shall be immediately suspended during the investigation.

When reviewing arrest information and making employment decisions, the director shall consider both the safety of students and the confidentiality and due process rights of the employee or volunteer.

Conducting the Background Check

Last Modified By:	Enter Text	Last Modified On:	Select Date	Page:	3
Document Owner:	Enter Text	Original Date:	Select Date		



Background checks will be run electronically, on the spot, for every volunteer who enters the school. In addition, a more extensive background check will be run for each employee of the school. Employees, applicants or volunteers who decline to submit to a background check as allowed by law, who have criminal histories that put students or members of the School community at risk, as evidenced in the results of a background check, and/or fail to report a citing, arrest, charge, or conviction as outlined in this policy cannot be employed by Wasatch Charter School, are subject to termination of employment, revocation of volunteering privileges and/or will not be offered employment.

A criminal conviction does not necessarily preclude employment or volunteering activities with the school. The school has the sole and absolute discretion to determine whether the outcome of a criminal background check will result in administrative action, including the decision to terminate employment, the decision to not hire, or the decision not to authorize volunteering activities by an individual. Likewise, the dismissal of a criminal offense or arrest does not necessarily preclude Wasatch Charter School from taking administrative action against an employee or volunteer. Wasatch Charter School will immediately suspend an employee or volunteer from student supervision responsibilities pending the outcome of any investigation upon receipt of information concerning alleged offenses which may endanger students or interfere with the orderly operation of the school. Suspensions are generally without pay.

4.0 Relevant Procedures, Guidelines & Restrictions

Last Modified By:	Enter Text	Last Modified On:	Select Date	Page:	4
Document Owner:	Enter Text	Original Date:	Select Date		



5.0 Policy Owner

6.0 Exhibits / Appendices / Forms

7.0 Supporting Information

8.0 Document History

Last Modified By: Enter Text

Last Modified On: Select Date

Page: 5

Document Owner: Enter Text

Original Date: Select Date