

<p>TUCSON UNIFIED SCHOOL DISTRICT</p> <p>GOVERNING BOARD EXHIBIT</p>	<p>EXHIBIT TITLE:</p> <p>Notification Concerning Suspected Crimes, Threats or Incidents that Must Be Reported</p>
	<p>EXHIBIT CODE: GBEB-E1</p>

Notification

Notice is herein provided, in accordance with A.R.S. 15-550, that any employee of a public school district in this state who is *arrested for or charged with* one (1) or more of the offenses listed below as nonappealable offenses precluding that person from receiving a fingerprint clearance card shall immediately report the arrest or charge to the person’s supervisor or the person shall be immediately dismissed from employment. A person dismissed from employment for failure to report being arrested for or charged with a nonappealable offense has no right to appeal under the provisions of A.R.S. 15-539(F).

As noted in Policy GBEB and [A.R.S. 15-153\(A\)](#), staff members are to report any suspected crime, incident or threat against a person or property that is a serious offense as defined in A.R.S. 13-706(F) or that involves a deadly weapon or dangerous instrument or serious physical injury and any conduct that poses a threat of death or serious physical injury ([A.R.S. 15-153\(A\)](#)):

1. **Serious offense** means any of the following offenses if committed in Arizona or any offense committed outside of Arizona that if committed in Arizona would constitute one of the following offenses ([A.R.S. 13-706\(F\)](#)) :

- a. First degree murder.
- b. Second degree murder.
- c. Manslaughter.
- d. Aggravated assault resulting in serious physical injury or involving the discharge, use or threatening exhibition of a deadly weapon or dangerous instrument.
- e. Sexual assault.
- f. Any dangerous crime against children.
- g. Arson of an occupied structure.
- h. Armed robbery.
- i. Burglary in the first degree.

- j. Kidnapping.
- k. Sexual conduct with a minor under fifteen years of age.
- l. Child sex trafficking.

2. **Deadly Weapon** means anything designed for lethal use, including a firearm. ([A.R.S. 13-105 \(15\) Definitions](#)).

3. **Dangerous Instrument** means: anything that under the circumstances in which it is used, attempted to be used or threatened to be used is readily capable of causing death or serious physical injury. ([A.R.S. 13-105\(12\) Definitions](#)).

4. **Serious Physical Injury** includes physical injury that creates a reasonable risk of death, or that causes serious and permanent disfigurement, serious impairment of health or loss or protracted impairment of the function of any bodily organ or limb. ([A.R.S. 13-105\(39\) Definitions](#)).

5. **Conduct that poses a threat of death or serious physical injury** means: a verbal or physical menace of imminent physical injury to a person. ([A.R.S. 13-1901\(4\)](#))

6. **Nonappealable offense** means any offense listed under A.R.S. 41-1758.03(B) precluding a person from receiving a fingerprint clearance card. Per ARS 15-550 any employee or volunteer who is *arrested for or charged with a nonappealable offense* listed in A.R.S. 41-1758.03(B) shall immediately report the arrest or charge to the person's supervisor or the person shall be immediately dismissed notwithstanding the provisions of Policy GDFB *Current Employees Charged with a Crime*.

Adopted: March 31, 2020 [SLT review]

CROSS REF.:

Policy GBEB – Employee Conduct
Regulation GBEB-R – Employee Conduct