

<p><b>TUCSON UNIFIED</b> SCHOOL DISTRICT</p> <p><b>GOVERNING BOARD POLICY</b></p>	<p><b>POLICY TITLE:</b></p> <p>Current Employees Charged with a Crime – Requirement to Report</p>
	<p><b>POLICY CODE: GDFB</b></p>

**Criminal Charges**

Any current employee charged with a crime (other than a minor traffic offense) shall report the charge to their supervisor, or any administrator superior to their supervisor within 24 hours of the employee becoming aware of such charge. Failure to report being charged with such a crime may result in appropriate disciplinary action, including termination of employment in accordance with applicable state law and employee agreements.

The supervisor, in consultation with Human Resources and the Legal Department, shall review the nature of the charges, the facts and circumstances that can be determined through the investigation process, and make a determination on what, if any, action should be taken regarding the employee’s employment status pending resolution of the charge. Such action may include assignment of other duties, or paid assignment to home pending the outcome of the District’s documented investigation of the matter.

Charges that would render an employee ineligible for rehire under Policy GBQ and Policy Exhibit GBQ-E shall be reviewed for consideration of termination of employment following the District’s investigation of the matter. Any employment action taken by the District shall be taken based on the District’s documented investigation into the circumstances, and following all procedures required under applicable employee agreements and/or state law. The lack of a criminal conviction does not preclude employment action being taken based on the District’s investigation, including termination of employment in accordance with applicable state law and employee agreements.

**Outcome of Criminal Case**

Any current employee shall notify their supervisor or any administrator superior to their supervisor within 24 hours of the outcome of a criminal case.

**Criminal Conviction**

Failure to report a conviction may result in appropriate disciplinary action, including termination of employment. The supervisor, in

consultation with Human Resources, shall review the nature of the crime and make a determination on what, if any, action should be taken, regarding the employee's employment status based upon the facts and circumstances determined through the district's documented investigation process.

**Eligibility  
for Rehire**

Convictions for any crime that would render an employee ineligible for rehire under [Policy GBQ](#) and Policy [Exhibit GBQ-E](#) shall result in termination of employment.

Any determination to return an employee to employment or to terminate an employee following criminal charges or a conviction shall be reviewed and approved by the Superintendent. A record shall be maintained of the Superintendent's approval.

The employee records of any employee terminated as a result of a criminal conviction shall be reviewed for Eligibility for Rehire following the process provided in [Policy GBQ](#).

Adopted: December 10, 2019

**LEGAL REF.:**

**A.R.S. §§**

15-512 - [Noncertificated personnel; fingerprinting personnel; background investigations](#)

15-534 – [Certificated personnel; fingerprinting; review and disciplinary action](#)

41-1750 – [Central state repository; department of public safety;](#)

**CROSS REF.:**

[GCFC – Certification and Credentialing Requirements](#)

[IJOC – School Volunteers](#)

[GBQ – Eligibility for Rehire](#)