



Administrative Regulation 4160 Mandatory Self-Reporting by Staff: Charge, Arrest or Conviction of a Crime

Responsible Office: Office of the General Counsel

PURPOSE

This administrative regulation establishes the procedures for reporting of a charge, arrest or conviction of certain crimes by staff of the Washoe County School District ("District" or "WCSD").

REGULATION

1. Self-Reporting Responsibilities

- a. All employees are required to report to his/her immediate supervisor any charge, arrest or conviction of a crime by completing the Mandatory Self-Reporting by Staff Form (HR-F617).
- b. Self-reporting of a charge, arrest, or conviction of such a crime must be made within 24 hours of the charge, arrest, or conviction.
 - i. All charges, arrests, or convictions as of July 1, 2011 must be reported.
- c. Crimes which must be reported include:
 - i. Any crime involving a minor, to include an allegation of child abuse or neglect;
 - ii. Any felony;
 - iii. Any gross misdemeanor or misdemeanor except for minor traffic citations, but to include Driving Under the Influence (DUI).
 1. Drivers of District White Fleet Vehicles must report minor traffic citations to his/her supervisor.
- d. Failure to self-report may result in disciplinary proceedings, up to and including termination from employment.

2. Supervisor Responsibilities

- a. The supervisor shall forward the Mandatory Self-Reporting by Staff Form to the Office of the General Counsel's Labor Relations Department.

3. Labor Relations Department Responsibilities

- a. The Labor Relations Department shall:

- i. Review the circumstances of the charge, arrest, or conviction, in cooperation with the School Police Department;
 - ii. Assist the supervisor in conducting any further investigation, as needed; and
 - iii. Assist the employee's supervisor who will determine, based on the applicable collective bargaining agreement and/or progressive discipline plan, if any employee disciplinary action should be taken.
 - b. The supervisor shall be notified by Labor Relations of the status of the report, support potential investigation by the supervisor, and discuss potential disciplinary action for the supervisor's determination.
- 4. Licensed Employees
 - a. Upon the arrest and self-reporting of a licensed employee, the Superintendent shall submit in a timely manner all information required by the Nevada Department of Education in accordance with Nevada state law.
 - i. Resulting convictions may be grounds for the suspension or revocation of the person's license, as determined by the Nevada Department of Education and State Board of Education.
- 5. Immunity from liability
 - a. In accordance with state law, immunity from civil or criminal liability extends to every person who in good faith:
 - i. Participates in the making of a report;
 - ii. Causes or conducts an investigation of a person who is licensed by the Nevada Department of Education and who is arrested; or
 - iii. Submits information to the Nevada Department of Education concerning a person who is licensed and who is arrested.

DEFINITIONS

1. Arrest is the taking of a person into custody, in a case and in the manner authorized by law. An arrest may be made by a peace officer or by a private person.
2. A felony is generally described as a serious crime, characterized as an offense punishable by imprisonment in excess of one year.
3. A gross misdemeanor is generally described as more serious than a misdemeanor but still classified as a minor crime punishable by a fine and/or

county jail time of up to one year. Such crimes may include, but are not limited to, simple assault and driving under the influence.

4. A misdemeanor is generally described as a crime punishable by a fine and/or county jail time of up to one year. Such crimes include, but are not limited to, petty theft, disturbing the peace, simple assault and battery, driving under the influence without injury to others, drunkenness in public, and various traffic violations.

IMPLEMENTATION GUIDELINES

1. This administrative regulation reflects the goals of the District's Strategic Plan and aligns/complies with the governing documents of the District, to include:
 - a. Board Policy 4160, Mandatory Reporting By Staff – Charge, Arrest or Conviction of a Crime.
2. This regulation complies with Nevada Revised Statutes (NRS) and Nevada Administrative Code (NAC), to include:
 - a. Chapter 391, Personnel, and specifically:
 - i. NRS 391.053-059, Procedure for Notification and Tracking of Criminal Cases Involving Licensees.

REVIEW AND REPORTING

1. This administrative regulation shall be reviewed as part of the bi-annual review and reporting process, following each regular session of the Nevada Legislature. The Board of Trustees shall receive notification of any required changes to the guiding policy as well as an audit of the accompanying governing documents.
2. Additional administrative regulations and/or other associated documents may be developed as necessary to implement and support this administrative regulation.

REVISION HISTORY

Date	Revision	Modification
9/21/2012	1.0	Adopted
12/18/2017	1.0	Revised to change Responsibility from Human Resources to General Counsel; added purpose statement