

JACKSONVILLE STATE UNIVERSITY

Manual of Policies and Procedures

POLICY NUMBER: I:02:24

DATE: January 24, 2017

REVISION/REVIEW DATE:

SUBJECT: Employee Mandatory Self-Reporting of Criminal Offenses

APPROVED: John M. Beehler, President

PURPOSE

Jacksonville State University is committed to maintaining a safe campus and workplace. The timely identification of persons arrested for, charged with or convicted of certain criminal offenses that have as an element conduct that evidences a potential risk to other members of the JSU community is essential in that effort; therefore, the following self-reporting requirement is mandatory.

POLICY

An employee must disclose any arrest, conviction, or the preferring of charges for any of the criminal offenses designated below (state, federal or municipal)—excluding minor traffic violations that do not result in an arrest, injury or risk of injury to others—that occur after the employee accepts employment, whether full or part time. Disclosure shall be made within five (5) calendar days of the subject event, unless the University is closed then in such event within two (2) business days of it reopening, whichever is longer, and shall be made to the Department of Human Resources, Room #326, Angle Hall, (256) 782-5007, on a form to be promulgated by that office. This disclosure obligation applies whether the arrest, conferring of charges or conviction relates to an offense that occurred inside or outside the State of Alabama and regardless of whether the University is in session at the time. If the arrest or conviction involves an offense whereby the employee has been legally granted confidentiality (by law or court order) with regard to the case (simply being eligible for consideration or applying for such status alone is not sufficient), the employee should seek the advice of counsel regarding this disclosure obligation in light of the relevant law of the state in which the arrest or conviction occurred. Failure to comply with this disclosure obligation without a valid legal basis for doing so shall itself be deemed employee misconduct.

Reportable offenses shall include any felony offense, or any misdemeanor offense or statutory infraction involving danger to another, moral turpitude, or controlled substance offense proscribed either under Alabama law or a similar statute in another state, the United States, a United States territory, or foreign nation, including, but not limited to:

- Homicide of Any Type
- Criminal Solicitation or Conspiracy to Commit a Listed Offense
- Assault, Menacing, Reckless Endangerment or Making Terroristic Threats
- Kidnapping, Unlawful Restraint or Unlawful Imprisonment
- Any offense in which the main component deals with a sexual offense, including any offense involving child pornography.
- Any offense dealing with the illegal possession, use, sale, distribution or trafficking of controlled substances or prescription medications.
- Burglary
- Robbery
- Arson or Malicious Destruction of Property
- Theft or Receiving Stolen Property
- Forgery or Unlawful Use of Credit Card
- Endangering the Welfare of a Child or Custody Interference
- Hate Crime (denominated as such or where charged as a component of an offense)
- Illegal Use, Carrying or Possession of a Weapon
- Stalking, Domestic Violence (including being placed under a Protection From Abuse Order) or Violation of a Protection From Abuse Order
- Leaving the Scene of an Accident (Felony)
- Operating a Vehicle or Watercraft Under the Influence of Alcohol or Drugs
- Resisting Arrest or Attempting to Elude a Law Enforcement Officer

The University is mindful of the rights of its employees; therefore, an employee making the required disclosure may voluntarily disclose the facts and circumstances relevant to the event or incident made the basis of the criminal action but shall not be required to do so and shall be so advised.

Mandatory reports shall be confidential to the extent required by law but may be shared with or disclosed to persons having a legitimate need to know.

The University has the right to conduct such inquiry and take such action as may be deemed reasonable and necessary following the receipt of a report.

RESPONSIBILITY

The Vice President for Finance and Administration is responsible for this policy.

EVALUATION

This policy will be evaluated annually by the Department of Human Resources.