

Lower Merion School District

ADMINISTRATIVE REGULATIONS

Nos.: R320, R420, R520
Sections: ADMINISTRATIVE EMPLOYEES
PROFESSIONAL EMPLOYEES
CLASSIFIED EMPLOYEES
Title: REPORTING OF ARRESTS AND CONVICTIONS
Date Last Revised: Reviewed 1/16/15; 11/21/11

R320, R420, R520 REPORTING OF ARRESTS AND CONVICTIONS

Employees must provide written notice using the attached form (PDE-6004) within seventy-two (72) hours of the employee's **arrest** and charge or indictment for any of the following crimes (the parenthetical indicates the section of the Pa. Crimes Code or other pertinent statute):

1. criminal homicide (Chapter 25)
2. aggravated assault (Section 2702)
3. stalking (Section 2709.1)
4. kidnapping (Section 2901)
5. unlawful restraint (Section 2902)
6. luring a child into a motor vehicle or structure (Section 2910)
7. rape (Section 3121)
8. statutory sexual assault (Section 3122.1)
9. involuntary deviate sexual intercourse (Section 3123)
10. sexual assault (Section 3124.1)
11. institutional sexual assault (Section 3124.2)
12. aggravated indecent assault (Section 3125)
13. indecent assault (Section 3126)
14. indecent exposure (Section 3127)
15. sexual intercourse with animal (section 3129)
16. incest (Section 4302)
17. concealing death of a child (Section 4303)
18. endangering welfare of children (Section 4304)
19. dealing in infant children (Section 4305)
20. prostitution and related offenses (any felony under Section 5 902(b))
21. prohibited obscene and other sexual materials and performances (Section 5903(c) or (d))
22. corruption of minors (Section 6301(A)(1))
23. sexual abuse of children (Section 6312)
24. unlawful contact with minor (Section 6318)
25. solicitation of minors to traffic drugs (Section 6319)
26. sexual exploitation of children (Section 6320)
27. All offenses designated as a felony under the act of April 14, 1972 (P.L. 233, No. 63) known as "the Controlled Substance, Drug, Device and Cosmetic Act"
28. An offense similar in nature to those crimes listed above in clauses (1) and (2) under the laws or former laws of:
 - a. the United States; or
 - b. one of its territories or possessions; or
 - c. another state; or

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- d. the District of Columbia; or
- e. the Commonwealth of Puerto Rico; or
- f. a foreign nation; or
- g. Under a former law of this Commonwealth.

An employee who fails to disclose an arrest or conviction shall be subject to discipline up to and including termination or denial of employment, and may be subject to criminal prosecution under 18 P.C.S. § 4904.

If the Superintendent has a reasonable belief that an employee was arrested or has a conviction for an offense set forth above, the Superintendent shall direct the Director of Human Resources to require the employee to submit a criminal history record in accordance with 24 P.C.S. § 1-111(J)(3).

The Superintendent or designee will take appropriate action to determine the effect of the charged offense on the employee's ability to perform the functions of his or her position in the District consistent with the Pennsylvania school code and any applicable collective bargaining agreement.

The Superintendent or designees shall notify all employees annually of the requirements of this Regulation.

The District shall make every attempt to keep the information as confidential as may be appropriate. For members of collective bargaining units, the District shall inform the appropriate union representative prior to the dissemination of any information.