REGINA PUBLIC SCHOOLS

Administrative Procedure 403

REPORTING CRIMINAL CHARGES

1. Any person who:
   1.1 Is in the employ of the Division; or
   1.2 Provides services to students on a recurring scheduled basis; or
   1.3 Is present in a school on a recurring scheduled basis prior to 6:00 p.m. on a school day,

   and has been charged with an offence under *The Criminal Code (Canada), The Food and Drugs Act (Canada)* or *The Controlled Drugs and Substances Act (Canada)* shall report the charge(s) in accordance with the procedures below.

2. All Division employees and all persons who have been required to provide a Police Information Check in compliance with Administrative Procedure 402 – Police Information Check, shall be required to sign statements indicating that they have received a copy of this procedure and that they understand its provisions.

3. No later than two working days after having been charged with an offence, any person referenced in the statement above shall inform verbally, and subsequently in writing, the Director of all charges laid.

4. A submission outlining relevant circumstances may be attached by the person to the written information.

5. Upon receipt of the information, the Director shall investigate the circumstances.

6. Failure to disclose charges, provide a written statement, or submission of an inaccurate, false, or misleading statement, constitutes grounds

   6.1 in case of an employee:

   for disciplinary action, up to and including termination of employment, in accordance with the provisions of the employee's contract of employment.

   6.2 in the case of a person who is not an employee:
   for the immediate discontinuance of the use of that person's services and/or the imposition of restrictions on the time of day that the person may be present at the school.

7. Subject to the provisions of *The Education Act,1995* and the provisions of the relevant collective agreement or contract of employment, the Division may, in its discretion, transfer, reassign or terminate the employment of an employee who is in compliance with the provisions of this procedure.

8. In the case of a person who is not an employee and who is in compliance with the provisions of this procedure, the Division may, in its discretion, require the immediate discontinuance of the use of that person's services and/or place restrictions on the time of day that the person may be present at the school.

9. Any action taken by the Division with respect to an employee, shall be conveyed to the employee in writing; a copy of which shall be placed on the employee's personnel file.

10. Any appeal of the decision of the Division shall be made in accordance with the provisions of the employee's collective agreement, or where no collective agreement applies, within 15 days of notification of the Division's decision.

11. In order to maintain confidentiality, inquiry documentation shall be maintained in a secure location separate from the employee's personnel file.

12. If at the conclusion of all proceedings a Police Information Check confirms no conviction(s) resulting from the incident giving rise to the original charge(s), any documentation which has been placed on the employee's personnel file related to the charge(s) for which discipline has not been effected shall, at the request of the employee, be removed and destroyed.

13. Notwithstanding any of the above procedures, an employee may, at any time, seek legal advice or counsel from his/her employee group or from an independent source at the said employee's expense. Should the employee so wish, the employee may be accompanied by, or represented by, a representative of the appropriate employee group at any and all meetings that the employee attends regarding the process.

This will serve to confirm that I, _____, have read this procedure and understand its provisions.

Date:_____ Signature:_____

Reference: Section 85, 87, , 109, *The Education Act, 1995*
The Criminal Code of Canada
The Criminal Records Act
The Food and Drugs Act
The Controlled Drugs and Substances Act