

Administrative Procedure 407

REPORTING CRIMINAL CHARGES

Background

The Division strives to employ, and be associated with, persons of exemplary character and whose actions are consistent with its core values.

Procedures

1. No later than two working days, and/or before reporting to work or volunteer after having been charged with a criminal offense, any person referenced in this procedural statement is to inform orally, and subsequently in writing, the Manager of Human Resources of all charges laid. Upon receipt of this information, the Manager shall immediately inform the Director of Education.
2. A submission outlining relevant circumstances may be attached by the person to the written information.
3. Upon receipt of the information, the Manager of Human Resources or designate is to investigate the circumstances.
4. Failure to disclose charges, provide a written statement, or submission of inaccurate, false, or misleading statements, constitutes grounds for disciplinary action, up to and including termination of employment, in accordance with the provisions of the employee's contract of employment, and dismissal from volunteering or refusal of permission to act as a volunteer for school sponsored activities.
5. Subject to the provisions of *The Education Act, 1995* and the provisions of the relevant collective agreement, [conditions of employment](#) or contract of employment, employees may be transferred, reassigned, or be terminated even if the employee is in compliance with the provisions of the procedures of this policy.
6. Any action taken with respect to an employee is to be conveyed to the employee in writing, a copy of which is to be placed in the employee's personnel file.
7. Any appeal of the decision to be made in accordance with the provisions of the employee's collective agreement, [conditions of employment](#) or where no collective agreement applies, within fifteen days of notification of the decision.

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

Reference: Education Act Sections 85, 87
 Section 45 School Division Administration Regulations
 Controlled Drug and Substance Act Criminal Code of Canada
 Criminal Records Act Food & Drugs Act
 Narcotics Control Act Criminal Records Regulations

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