

JACKSONVILLE STATE UNIVERSITY

Manual of Policies and Procedures

POLICY NUMBER: I:02:24

DATE: January 24, 2017

REVISION/REVIEW DATE: September 2023, June 2024

SUBJECT: Employee Mandatory Self-Reporting of Criminal Offenses

APPROVED: Dr. Don C. Killingsworth, Jr., President

PURPOSE

Jacksonville State University is committed to maintaining a safe campus and workplace. Timely identification of persons arrested for, charged with, or convicted of certain criminal offenses that pose a potential risk to other members of the campus community is essential. Therefore, the following self-reporting requirement is mandatory.

POLICY

An employee must disclose any known arrest, conviction, or the preferring of charges (formal charging of the accused with criminal allegations) for any of the criminal offenses described or 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 event, unless the University is closed. If the University is closed, the event must be reported within two (2) business days of it reopening, All reports 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.

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

Accountability

Faculty, staff, graduate assistants, student employees, and volunteers in activities and programs with minor participants who have a break in service of less than 12 months must disclose any criminal convictions that occurred during the break within five business days of returning to University duties.

Employees who fail to disclose criminal convictions, fail to provide accurate details regarding criminal convictions, fail to disclose any pleas of guilt, and/or fail to cooperate in the background check process may be subject to corrective action up to and including termination.

Disclosing a conviction does not automatically impact an employee's appointment or affiliation with the University. Employment action will depend on a variety of factors, including but not limited to, the employee's work duties, the nature and severity of the offense, and surrounding circumstances that may adversely affect the University and/or employee, including the employee's truthfulness and completeness in disclosing the information in a timely manner.

Confidentiality

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

EVALUATION

This policy will be evaluated at least every five (5) years by the Department of Human Resources.