

A. Purpose

To establish procedures for the self-reporting of arrests, criminal charges, and convictions of certain crimes by Frederick County Public Schools (FCPS) staff.

B. Background

Staff are expected to adhere to high standards of conduct both inside and outside of the workplace. To support these expectations, staff members are required to self-report certain criminal charges, arrests, and convictions to allow FCPS to assess any potential impact on their employment. Additionally, Maryland law prohibits the Board of Education of Frederick County (Board) from knowingly hiring or retaining any individual who has been convicted of certain offenses, including sexual offenses, child abuse and related crimes, crimes of violence, weapon-related offenses, and felony offenses.

C. Definitions

1. “Arrest” is defined to mean the detention of an individual for the purpose of criminal prosecution, for the filing of delinquency petitions, or pursuant to existing charges or delinquency petitions.
2. “Charging Document” is defined to mean a written accusation alleging that a defendant has committed an offense.
3. “Conviction”, for the purposes of this regulation, is defined to mean a plea or verdict of guilty, a plea of nolo contendere (no contest), or probation before judgment (PBJ).
4. “Employee” is defined to mean certificated and non-certificated personnel whether benefited or non-benefited who are employed by FCPS.
5. “Staff” is defined to mean employees, paid and volunteer coaches, contractors, and vendors working with students, all of whom have been fingerprinted by FCPS.

D. Procedures

1. Standards

- a. Staff must report any criminal conduct that results in a charge(s), arrest(s), or conviction(s), including investigations or findings by the Department of Social Services/Child Protective Services, crimes involving minors, and offenses such as Driving Under the Influence (DUI) or Driving While Intoxicated (DWI).
- b. Staff who receive a traffic citation while driving an FCPS vehicle or while driving their personal vehicle for FCPS-related business must report the traffic

- citation(s) to their supervisor.
- c. Self-reporting is required regardless of where and when the alleged criminal activity occurred and regardless of whether it occurred within the scope of the employee's job duties.
 - d. Self-reporting a charge or an arrest will not be considered or treated as an admission of guilt.
 - e. Self-reporting of motor vehicle offenses for employees in the Transportation Department will be shared with the Director of Transportation, who maintains the right to disqualify bus drivers and bus assistants.

2. Employee Responsibilities

- a. All employees are required to report to the Department of Human Resources any reportable charge, arrest, or conviction of a crime via email to HREmployeeRelations@fcps.org with the following information included in the email:
 - i. Name;
 - ii. Employee Identification Number;
 - iii. Job Title;
 - iv. All work assignment locations;
 - v. Nature of charges;
 - vi. Contact telephone number;
 - vii. Email address; and
 - viii. Updated street address.
- b. Self-reporting of a charge, arrest, or conviction of such a crime must be made within three (3) business days of the reportable charge, arrest, or conviction. If the individual is unable to self-report, the report may be made by another authorized adult on their behalf within the same timeframe.
- c. Employees who are unable to report to work due to a charge, arrest, or conviction are still expected to report their absence to their supervisor.
- d. If an employee is incarcerated, unable to report to work for a period of longer than five (5) business days, and fails to report their absence to their supervisor, job abandonment termination procedures will initiate.
- e. Work release opportunities are not available to employees who have been convicted and are under the supervision of a correctional facility.

3. **Consequences of Failure to Self-Report.** Failure to self-report a charge, arrest, or conviction as required may result in disciplinary action, up to and including termination from employment.

4. Records Management and Retention

- a. All information and documentation collected under this policy, including self-reports, records of charges, arrests, or convictions, shall be handled in accordance with FCPS' records management procedures.
- b. Documentation related to self-reporting will be kept confidential and separately from the employee's personnel file.

E. Related Information

1. **Board Policy**
 - a. [Policy 300, Personnel](#)
 - b. [Policy 301, Employment Expectations](#)
 - c. [Policy 319, Administrative, Technical and Management \(AMT\) Group](#)
2. **Code of Maryland Regulations (COMAR)**
 - a. [COMAR 13A.07.12.01, Disqualification Criteria for Substitute Teachers](#)
 - b. [COMAR 13A.12.06.02, Causes for Disciplinary Action or Denial](#)
3. **FCPS Regulations**
 - a. [Regulation 300-07, Criminal Background Investigations \(formerly 301-02\)](#)
4. **FCPS Resources**
 - a. [FCPS Employee Handbook and Code of Conduct](#)
5. **Maryland Statutes**
 - a. [Md. Code Ann., Crim. Law § 3-307](#)
 - b. [Md. Code Ann., Crim. Law § 3-308](#)
 - c. [Md. Code Ann., Crim. Law § 3-602](#)
 - d. [Md. Code Ann., Crim. Law § 14-101](#)
 - e. [Md. Code Ann., Educ. § 6-113](#)
 - f. [Md. Code Ann., Family § 5-551](#)

F. Regulation History (Maintained by Legal Services)

| | |
|---------------------------|---------------------------|
| <i>Responsible Office</i> | Office of Human Resources |
| Adoption Dates | 04/25/25 |
| Review Dates | |
| Revision Dates | |