

POLICY

SOMERSET COUNTY
BOARD OF EDUCATION

Date Submitted: January 21, 2003 Date Reviewed: September 19, 2006 March 17, 2009	Number: 700-34
Subject: Violation of Criminal Laws	Date Approved: Feb. 18, 2003 October 17, 2006 June 16, 2009 Date Revised: September 19, 2006 March 17, 2009 Date Effective: Feb. 18, 2003, October 17, 2006 June 16, 2009

1. PROCEDURE

The purpose of this policy is to establish procedures for those employees who violate criminal laws of the state of Maryland and any other Federal Law.

2. POLICY

A. General Statement

Persons employed by the Somerset County Board of Education must not, by their actions, deeds or teachings, in any way violate, encourage, or condone the violation of criminal laws of the state of Maryland, or any other Federal Law.

B. Violation of Laws

In the event that it is established to the satisfaction of the Board of Education that there has been any act in violation of criminal laws of the state of Maryland or Federal Laws by any school system employee, and that the violation alleged is one involving a felony, a controlled dangerous substance, a crime of moral turpitude, a child abuse offense, or any other offense which would, in the sole discretion of the Board, appear to affect the fitness of that employee to perform the customary role for which he or she is employed, the same will be grounds for dismissal.

Any employee who is arrested or charged for an offense including state or Federal law has the responsibility to report the incident to the Director of Human Resources within three days of said event.

C. Hearing Process

Such employee will be entitled, upon request, to a hearing before the Somerset County Board of Education in regard to such dismissal. At such a hearing, the standard of proof required to establish such action shall be the same as the standard of proof before any other administrative agency under the laws of the state of Maryland, or federal laws, and in the event such a decision is appealed, the review of such decision shall be subject to the same review standards as are applicable to the reviews of decisions of Maryland administrative agencies. At such a hearing, the conviction of an employee or the granting of probation before judgment to an employee, which is accepted or acquiesced in by the employee, shall be deemed to be prima facie evidence that the employee has violated the criminal laws of the state of Maryland, or any other state of the United States of America, and the grounds for dismissal exist, and shall shift the burden of proof and expenses incurred in such proof to the employee to establish to the contrary.