

**SCHUYLKILL VALLEY
SCHOOL DISTRICT**

Book	Policy Manual
Section	900 Community
Title	Volunteers
Number	916
Status	Active
Legal	23 Pa. C.S.A. 6301 et seq 24 P.S. 510 Pol. 806
Adopted	September 28, 2015

Purpose

The district strongly supports the involvement of parents/guardians and community volunteers to enhance the educational, co-curricular and extracurricular programs of the school district. Accordingly, the Board encourages the use of and the schools are encouraged to provide a variety of opportunities for parent/guardian and community volunteers subject to certain legal requirements and administrative procedures set forth in this policy.

The basic requirement of volunteer service shall be interest in the educational program, enjoyment in helping children, and a sincere belief that by volunteering, a contribution will be made to the learning process.

Authority

The Board may adopt and enforce reasonable rules and regulations governing school volunteers and their participation in the activities of the district.

Definitions

Adult – an individual eighteen (18) years of age or older.

If a student over the age of eighteen (18) years applies to serve or is serving as a Volunteer with the district, this policy shall apply to him or her as well.

Child Abuse – Conduct that falls under the purview and reporting requirements of 23 Pa.C.S. Ch. 63 (relating to child protective services) and is directed toward or against a child or student regardless of the age of the child or student.

Direct Contact with Children - the care, supervision, guidance or control of one or more children and Routine Interaction with one or more children.

Disqualifying Offense – Any of the offenses listed below or any offense similar in nature under the laws or former laws of the United States or one of its territories or possessions, another state, the District of Columbia, the Commonwealth of Puerto Rico or a foreign national, or under a former law of Pennsylvania:

- a. Criminal homicide;
- b. Aggravated assault;
- c. Stalking;
- d. Kidnapping;
- e. Unlawful Restraint;
- f. Rape;
- g. Statutory sexual assault;
- h. Sexual assault;
- i. Involuntary deviate sexual intercourse;
- j. Aggravated indecent assault;
- k. Indecent assault;
- l. Indecent exposure;
- m. Incest;
- n. Concealing the death of a child;
- o. Endangering the welfare of a child;
- p. Dealing in infant children;
- q. Prostitution and related offenses;
- r. Crimes related to obscene and other sexual materials and performances;
- s. Corruption of minors;
- t. Sexual abuse of children;
- u. Violation of The Controlled Substance, Drug, Device and Cosmetic Act during the previous 5-year period;
- v. The solicitation, conspiracy to commit, or attempt to commit any of the offenses listed in subsections (a) – (t); or
- w. Any other offense listed under 23 Pa. C.S.A. Sec. 6344(c)(2) or any successor statute.

Routine Interaction - regular and repeated contact that is integral to a Volunteer's volunteer responsibilities.

Visitor, as distinguished from a Volunteer, is an individual whose actions do not rise to the level of a Volunteer by virtue of their business with the district. A Visitor shall include, but not be limited to, (i) a parent, close relative or guardian who visits a classroom, auditorium, other school common area, or a private meeting area to make a delivery to, or meet with, a student who is the individual's child or other close relative or for whom the individual is the guardian; (ii) an individual who attends a sports event or other extracurricular activity as a spectator only; or (iii) an individual who is a career day or other similar speaker or participant visiting to share information with students.

Volunteer – any Adult who is responsible for a child's welfare, or who cares, supervises, guides or controls a child or children and has Routine Interaction with such child or children without compensation, remuneration or other consideration in connection with a school program, activity, or service.

Volunteers may perform only such duties as may be performed by a person not licensed as a classroom teacher. The judgment of the certified personnel, to whom the Volunteer is assigned, will be used to define the duties to be performed.

If an individual or the company employing the individual is receiving any consideration for the services provided, they are not a Volunteer and are not governed by this policy.

Examples of a Volunteer shall include: (i) any individual who serves as a Volunteer Sport Coach or Activity Advisor or otherwise assists and has contact with children in connection with production or conduct of a play, concert or other curricular, co-curricular or extracurricular activity; (ii) an individual who serves as a daily, weekly or other periodically scheduled classroom

assistant; (iii) an individual who serves as a chaperone during school sponsored activities; and (iv) an individual who in connection with a school sponsored activity has contact with a child with respect to whom the individual is not the parent, close relative or guardian of the child.

Volunteer Sport Coach or Activity Advisor – any unpaid individual who regularly assists a paid coach or advisor in a sport or other extra-curricular activity. Volunteer Sport Coaches or Activity Advisors may work directly with students on activities and techniques.

Guidelines

Appointment Procedure

Upon approval of the Principal and Superintendent, the name(s) of the Volunteer(s) will be presented to the Board for formal appointment.

Appointment, if granted, shall be for one (1) school year only.

Permission to utilize a Volunteer may be revoked at any time by the Principal or Superintendent.

Certification Requirement

Certifications are required for Volunteers who care, supervise, guide or control children and have routine interaction with them.

Currently enrolled students are not required to obtain certifications in order to volunteer at a school sponsored event on school grounds if they are not responsible for a child's welfare and are not providing child-care services.

Certifications Required for Volunteers

Beginning July 1, 2016, all Volunteers are required to submit the following certifications and related documents and information to the district Administrative Office and receive formal appointment by the Board prior to volunteering:

1. Pennsylvania State Police Criminal History Record Check.
2. Pennsylvania Department of Human Services Child Abuse History Certification.
3. Federal Bureau of Investigation Criminal History Record Check (Fingerprint) (unless a Volunteer Affidavit is submitted and approved).

Volunteer Acknowledgement of Policy 916/Volunteer and Policy No. 806/Child Abuse – dated as of application date. This is a written statement that the individual has read, understands and agrees to comply with these policies.

No Volunteer shall begin service until: (1) the Volunteer has complied with the above mandatory certification requirements; (2) the district has evaluated the certifications; (3) the start of services has been formally approved by the Board; and (4) the Volunteer has executed the Volunteer Acknowledgement listed above.

Waiver of Federal Criminal History Record Check (Fingerprint)

A Volunteer may choose not to submit the Federal Criminal History Record (Fingerprint) if the volunteer submits to the district Administration Office a sworn Volunteer Affidavit (attached hereto as "Exhibit B") affirming that the Volunteer:

1. Either:

- a. Has been a resident of the Commonwealth of Pennsylvania for the entirety of the previous ten (10 years), or
- b. Has received a Federal Bureau of Investigation Criminal History Record since the Volunteer has established residency in Pennsylvania and the Volunteer has provided such certification to the district Administrative Office;

2. Has never been convicted of a Disqualifying Offense in Pennsylvania or any other state or jurisdiction, including foreign jurisdictions; and

3. Has not been named as the perpetrator of a founded report of child abuse committed within the five-year period immediately preceding verification.

Resident Volunteers who have not lived in Pennsylvania for the last ten (10) years but who are seeking to use this exemption from obtaining current FBI Criminal History Records must also provide the district Administration Office with the FBI Criminal History Record that was obtained since the establishment of their residency.

Nonresident volunteers can avoid obtaining background certifications solely for Pennsylvania if they submit the certifications that their domicile state requires for its volunteers. Pennsylvania certifications are required for nonresident volunteers who serve for a period of more than thirty (30) days in a calendar year.

Cost of Certifications

The costs of obtaining the required certifications shall be the responsibility of the Volunteer.

Beginning July 25, 2015, Volunteers can obtain free Pennsylvania State Police Criminal History Records and Pennsylvania Department of Human Services Child Abuse Certifications every fifty-seven (57) months if the certifications are necessary for their Volunteer position. Volunteer certifications cannot be used to obtain or maintain employment. The fees associated with obtaining an FBI Criminal History Record, if applicable, still have to be paid by the Volunteer. In the event that a Volunteer assumes a paid position with the district, the Volunteer will need to submit a complete set of clearances to the district prior to approval and appointment to the new position.

Age/Renewal of Certifications

When first submitted, the certifications cannot be more than sixty (60) months old.

After the first submission, certifications must be updated within sixty (60) months from the date of the most recent certification.

If existing certifications are less than sixty (60) months old on August 25, 2015, recertification must take place within sixty (60) months from the oldest date contained on any of the certifications.

If existing certifications are older than sixty (60) months old on August 25, 2015, recertification is required by July 1, 2016.

If a Volunteer has not previously been required to submit certifications or does not have such certifications, the Volunteer must obtain the required certifications no later than July 1, 2016.

Renewal dates are measured using the date of the oldest certification.

Submission/Maintenance of Certifications

Volunteers should submit the following documents at the district Administrative Offices:

1. Pennsylvania State Police Criminal History Records Check – Act 34;
2. Pennsylvania Department of Human Services Child Abuse History Certification – Act 151;
3. Federal Bureau of Investigation Criminal History Record Check (Fingerprint) – Act 114 (if not seeking a Volunteer waiver);
4. Volunteer Affidavit (if seeking waiver of #3); and
5. Acknowledgment of Volunteer Obligations Form available online as 916-AR.

Provided that they are still current, certifications previously obtained for employment or volunteer opportunities can be used to satisfy the certification requirements for volunteering with the district, regardless of whether they were previously provided to an organization affiliated with the district. Volunteers seeking to use this exemption for obtaining must complete a Certification Transfer Affidavit (attached hereto as "Exhibit C") affirming that the Volunteer:

1. Has never been convicted of a Disqualifying Offense in Pennsylvania or any other state jurisdiction, including foreign jurisdictions; and
2. Has not been named as the perpetrator of a founded report of child abuse committed within the five-year period immediately preceding verification.

The district will retain copies of the submitted documentation at the district Administrative Offices. Volunteers, at their own discretion, can delete personal identification numbers from the certification

Volunteers, at their own discretion, can delete personal identification numbers from the certification record on file, such as their social security numbers, once accepted by the district.

Child Abuse Training

Volunteers may be required to be trained on Child Abuse recognition and reporting. The level of training shall be commensurate with the type of Volunteer position.

Duty to Notify and Report Child Abuse

If, after the date of the certifications, the Volunteer is arrested or convicted of a Disqualifying Offense, or named as a perpetrator of a founded or indicated report of child abuse, the Volunteer must provide written notice to the office of the district Superintendent within seventy-two (72) hours of the arrest, conviction, or notification that the person has been listed as a perpetrator in the statewide database. Failure to accurately report such arrests, convictions or notifications within seventy-two (72) hours may subject the individual to criminal prosecution.

Any Volunteer of the district who has an integral role in a regularly scheduled activity or service and when such role requires the Volunteer to accept responsibility for a child is considered a mandated reporter of suspected Child Abuse. If a Volunteer has reasonable cause to suspect that a child is a victim of Child Abuse, he or she shall immediately make an oral report or a written report using electronic technologies to the Pennsylvania Department of Human

Services. If the Volunteer made an oral report, he or she must, within forty-eight (48) hours, also make a written report to the Pennsylvania Department of Human Services or county agency assigned to the case. The Volunteer shall also report the Child Abuse immediately to the Principal or Superintendent.

A Volunteer who willfully fails to report a case of suspected Child Abuse or to make a referral to the appropriate authorities commits a criminal offense.

Failure to report a case of suspected Child Abuse is a felony of the third degree if:

- (a) the Child Abuse constitutes a felony of the first degree or higher and the Volunteer has direct knowledge of the nature of the abuse; or
- (b) the Child Abuse constitutes a felony of the second degree or higher and the Volunteer knows or has reasonable cause to believe that the child is actively being subjected to Child Abuse.

Failure to report a case of suspected Child Abuse is a misdemeanor of the first degree if the Child Abuse constitutes a felony of the third degree or lesser offense and the Volunteer knows or has reasonable cause to believe that the child is actively being subjected to Child Abuse.

Any other failure to report a case of suspected Child Abuse constitutes a misdemeanor of the second degree.

Duty to Investigate

Any administrator, supervisor or person responsible for the selection of volunteers who intentionally fails to require an applicant for a Volunteer position to submit all of the certifications required for such applicant prior to approving that Volunteer commits a misdemeanor of the third degree.

Early Renewal Right

If any administrator, supervisor or person responsible for the selection of Volunteers has a reasonable belief that a Volunteer has been arrested or convicted of a Disqualifying Offense or was named as a perpetrator in a founded or indicated report of child abuse or the Volunteer has given notice of an arrest or conviction of a Disqualifying Offense or naming as a perpetrator in a founded or indicated report of child abuse, the district, at its expense, shall immediately require the Volunteer to submit updated FBI and Pennsylvania State Police Criminal History Records and a Pennsylvania Department of Human Services Child Abuse Certification.

General Guidelines

1. No Volunteer shall be permitted to access, review, disclose or use confidential student information (written or verbal); or participate in conversations in which confidential student information is discussed. Examples of such information include, but are not limited to, the following: grades or other measures of academic performance; class standing; standardized or other test scores; attendance records; disciplinary history; intelligence test scores; personality and interest test scores; individualized education plans; health data; family background information; teacher or counselor ratings and observations; and any other verified or unverified information contained in a student's file maintained by the teachers, administrators or schools within the school district.
2. Each Volunteer shall keep strictly confidential all information s/he may learn about

students in the school district during the course of performing services. Volunteers may be required to sign a confidentiality agreement prior to providing services. No Volunteer shall release any personal information concerning any student who is not his/her own child or ward to any person other than a teacher or an administrator in the school which the student attends, except pursuant to a judicial order. Confidentiality forms must be signed and returned to supervisor and given to a building administrator.

3. The role of a Volunteer is to assist, but not replace or assume the responsibilities or authority of, the district staff.
4. All Volunteers providing service during the time that school is in session will be required to sign in at the appropriate building with a statement of their volunteer purpose and wear and display an identification tag/badge at all times and return the tag/badge to the office at the end of the volunteer period.
5. Under no circumstances shall a Volunteer be considered an employee or an independent contractor of the district. A Volunteer shall receive no wages or other valuable consideration for the performance of his/her volunteer services.
6. Volunteers shall not transport students. The district does not carry automobile liability insurance for the use of vehicles by Volunteers.
7. The building administrator or designee shall assume general authority and responsibility over all Volunteers serving at that site. The Athletic Director will assume general authority and responsibility over all athletic Volunteers. Any building administrator or Athletic Director who uses Volunteers in any capacity shall be responsible for training said Volunteers to perform the specific duties associated with their assignments.
8. The administration shall develop procedures for recruitment, training, assignment and evaluation of this program. All Volunteers must participate in a training program sponsored or approved by the district.
9. Volunteers will not be permitted to directly administer student discipline.
10. Volunteer activities will be provided only as requested by the teacher or supervisor.
11. All Board appointed Volunteers who provide direct services to students must obtain a tuberculosis (TB) test as required by the Department of Health at their own expense unless financial hardship can be established.
12. Volunteers shall meet any standards which may be established by federal, state or local government, or by the Board or administration, from time to time. The Volunteer must agree to be bound by all applicable privacy laws and regulations. In addition, the Volunteer shall adhere to all rules and regulations and administrative guidelines governing the conduct of the district's professional employees.

Last Modified by Sue Christman on October 6, 2015