

TRINITY AREA
SCHOOL DISTRICT

Section No: 916-AR-1
Title: Approval of Volunteers
Adopted: September 25, 2015
Revised: March 19, 2019

The objective of this Administrative Regulation is to promote a safe and secure school environment by establishing requirements and procedures to be followed to confirm that school volunteers are in compliance with the provisions of Act 153 of 2014 which amended the Child Protective Services Law to require unpaid volunteers in the District's schools, who will have direct contact with children, to obtain background clearances prior to commencing services as a volunteer. This will ensure that volunteers are approved who will serve the best interests of the District's students.

A volunteer shall include any individual who performs a service for the school district without compensation, remuneration or consideration and who otherwise meets the requirements of this policy. A volunteer must be at least 18 years of age. A volunteer need not be a parent of a student enrolled in the school district. A school district student who serves as equipment manager or assistant athletic trainer or who provides other volunteer assistance in support of a curricular, co-curricular or extra-curricular activity is not considered to be a volunteer for purposes of the regulation.

Guidelines for Volunteers

1. Under no circumstances shall a volunteer be considered an employee or independent contractor of the school district. A volunteer shall not receive wages, salary or other valuable consideration for the performance of his/her services. Holding the position of a volunteer is not a right, but a privilege conferred upon the volunteer by the school district. The district reserves the right to terminate the services or status of any volunteer at its exclusive discretion.
2. The role of the volunteer is to assist, but not replace or assume the professional or paraprofessional responsibilities or authority of the school district staff. Volunteers shall not provide regular instruction or educational training to students enrolled in the school district.
3. Except in case of emergency, volunteers shall not administer first aid or other medical assistance to students.
4. Under no circumstances shall volunteers be permitted to administer or enforce discipline upon students enrolled in the school district.
5. Volunteers shall follow all applicable administrative procedures established pursuant to this regulation and shall follow all other rules, regulations and administrative guidelines concerning the conduct of the professional and paraprofessional staff of the school district, including all of the requirements of the Family Education Rights and Privacy Act (FERPA); provided, however, that such rules, regulations and administrative procedures

and guidelines shall not be deemed to expand the responsibility, authority or scope of the activity applicable to volunteers under this regulation.

6. Unless specifically authorized by the school district on a case by case basis, volunteers are not permitted to operate any vehicles owned or under the control of the district. Volunteers shall not be permitted to transport students by motor vehicle in support of any school program or activity.
7. All volunteers will be required to sign a **Confidentiality Policy** and shall keep strictly confidential all information that they may learn about students enrolled in the district during their service as a volunteer. No volunteer shall be permitted to access, review, disclose, or use confidential student information or participate in conversations in which confidential student information is discussed.
8. If a volunteer is arrested for or convicted of an offense that would constitute ground for denying participation in a program, activity or service, or named as a perpetrator in a founded or indicated in a report, the volunteer must provide the school district with a written notice not later than 72 hours after the arrest, conviction or notification that the person has been listed as a perpetrator in the statewide database. Anyone failing to disclose information required under this regulation commits a misdemeanor of the third degree and will be reported to law enforcement.
9. If the Superintendent or his/her designate has a reasonable belief that a prospective or current volunteer was arrested or convicted for an offense that would constitute grounds for denying service as a volunteer under this Administrative Regulation, or was named as a perpetrator in a founded or indicated report, or the volunteer has provided notice of such arrest or conviction, the Superintendent or his/her designate shall immediately require the volunteer to submit current information as required under this Administrative Regulation. **Verification of conviction for any such offense, or verification having been named as a perpetrator in a founded report, regardless of when such conviction or when such naming occurred, or when the event leading to such conviction or naming occurred, shall result in permanent denial of permission to serve as a volunteer, and revocation of any current permission that may exist.**

REQUIREMENTS:

Clearances

The following clearances are required to be submitted by all prospective volunteers:

1. Pennsylvania State Police Criminal Record Check (Act 34)
2. Pennsylvania Child Abuse History Clearance (Act 151)
3. FBI Federal Criminal History Record (Act 114)

These clearances must be current within (1) one year on the date of submission. The clearances will then be valid for (5) years. The perspective volunteer will be responsible for the cost of obtaining the clearances.

Tuberculosis Test

Any prospective volunteers who will be applying to volunteer, in accordance with implementation guidance issued by the Pennsylvania Department of Health, who will be in direct contact with students **for 10 or more hours per week**, are required to undergo a tuberculosis test and submit evidence of a result to such test which would be satisfactory to permit an individual to volunteer in the district, as such satisfactory evidence is defined under 28 Pa. Code Section 23.44. Evidence of such satisfactory results must be provided as of the first date that an individual applies to be a volunteer as required herein, prior to and as a condition of being granted Board approval to serve as a volunteer in the district.

The tuberculosis test must be administered **no less recently than within (3) months** prior to the date that the physician's form related to the test is submitted to the district.

No prospective volunteer shall be required to submit to a tuberculosis test if he/she provides the district with a statement setting forth adequate reasons for being excused from taking the test. In such a case, an alternative method of testing shall be administered.

Only (1) one satisfactory tuberculosis test or alternative test shall be required for every individual who volunteers at any time in the district and additional tests shall not be required as part of each application process or at any other time, UNLESS (1) a volunteer is exposed to an active case of tuberculosis **or** (2) a volunteer is directed otherwise by the Secretary of Pennsylvania Department of Health to have an additional test. If either condition (1) or (2) occurs, the volunteer shall be required to have a chest X-ray and an evaluation by a physician for the presence of infectious tuberculosis.

Consistent with Policy No. 916, the district reserves the right to perform additional screenings of any or all volunteers, through the building principals or designees, prior to recommending any volunteers to the Board for approval. In addition, specific screening procedures may apply for volunteer positions associated with athletic or other extracurricular activities.

Delivery of Clearances

All clearances must be delivered in person to the Human Resources Office in Trinity Hall, which is located inside the High School. A photo proof of identification (ie. Driver's License or other photo ID), will be required to be submitted with the required clearances.

Processing of Volunteer Requests

Once the district (through the Human Resources Office), receives the required documentation that an individual is requesting to be an approved volunteer, the procedure for processing the request will be as follows:

1. The clearances and TB test (if applicable) are checked and processed by the HR office.
2. Once the clearances and tests are verified, the name of the volunteer will be submitted to the Assistant Superintendent or his/her designate for approval.

3. Once approved by the Assistant Superintendent or his/her designate, the volunteer's information will be submitted to the building Principal in which the volunteer would like to work.
4. The building principal will follow through with training for the volunteer. This training is mandatory and no individual will be permitted to volunteer without having taken the training. The training will include roles and responsibilities of a volunteer. The training will also review FERPA and all volunteers must sign a confidentiality agreement. This training will take place on an **annual basis**.
5. The building principal will then notify the Director of Human Resources that the volunteer has been trained and the volunteer's status is active.
6. The Director of Human Resources will add the volunteer's name to the official volunteer list and post the name(s) on the district website.

Disqualifying Offenses

1. Having ever been convicted of an offense similar in nature to the following crimes, 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:
 - Criminal homicide
 - Aggravated assault
 - Stalking
 - Kidnapping
 - Unlawful restraint
 - Rape
 - Statutory sexual assault
 - Sexual assault
 - Involuntary deviate sexual intercourse
 - Aggravated indecent assault
 - Indecent assault
 - Indecent exposure
 - Incest
 - Concealing the death of a child
 - Endangering the welfare of a child
 - Dealing in infant children
 - Prostitution and related offenses
 - Crimes related to obscene and other sexual materials and performances
 - Corruption of minors
 - Sexual abuse of children
 - Unlawful contact with minor
 - Solicitation of minors to traffic drugs
 - Sexual exploitation of children; the attempt, solicitation, or conspiracy to commit any of the above
2. Having ever been named as the perpetrator of a founded report of child abuse; OR

3. WITHIN THE 5-YEAR PERIOD IMMEDIATELY PRECEDING, having been convicted of a felony offense under The Controlled Substance, Drug, Device and Cosmetic Act.

The ban on volunteer service under these Disqualifying Offenses (1, 2, 3) above, shall apply for the remainder of the individual's life.