

**Lower Merion School District**

**ADMINISTRATIVE REGULATIONS**

No.: 908  
Section: COMMUNITY  
Title: VOLUNTEERS  
Adopted: 12/11/15

**R908 VOLUNTEERS**

As set forth in Policy 908, the District values the participation of volunteers in both curricular and extra-curricular programs in order to support and enhance the learning experiences of all students. The purpose of this regulation is to implement a process to ensure that our volunteers meet the standards of safety established by the Commonwealth of Pennsylvania as well as to set forth the District’s general guidelines for volunteer participation in school-sponsored programs and activities. The School and Community Relations Department shall publicize the contents of this administrative regulation through:

- a. District publications such as the District Calendar and the District Digest;
- b. the District’s cable television access;
- c. the District website;
- d. District social media; and
- e. Other forms of District communication calculated to reach members of the school community.

**Definitions**

A “Volunteer” is an adult (individual who is 18 years or older) applying for or holding an unpaid position in the service of the District. Depending on the type of service provided, volunteers are designated as either “Tier I” or “Tier II” as described below. This definition does not include volunteers for outside groups, such as Home and School Associations and Booster Clubs, unless the person is directly acting in the service of the District in relation to a District program, activity, or service.

“Direct volunteer contact with children” or “Direct volunteer contact” means the care, supervision, guidance or control of children and routine interaction with children.

“Routine interaction with children” means regular or repeated contact that is integral to a person’s employment or volunteer responsibilities.

“Person responsible for a/the child’s welfare” means a person who provides permanent or temporary care, supervision, mental health diagnosis or treatment, training, or control of a child in lieu of parental care, supervision, and control. This includes any person who has direct or regular contact with a child through any school-sponsored program, activity or service.

“Immediate vicinity” means an area in which an individual is physically present with a child and can see, hear, direct and assess the activities of the child.

**Lower Merion School District**

**ADMINISTRATIVE REGULATIONS**

No.: 908  
Section: COMMUNITY  
Title: VOLUNTEERS  
Adopted: 12/11/15

“Program, activity or service” means any of the following in which children participate: youth camps or programs, recreational camps or programs, sports or athletic programs, community or social outreach programs, enrichment or educational programs, and troops, clubs, or similar organizations.

“Tier I Volunteers” are those volunteers who will either be responsible for a child’s welfare or will have direct volunteer contact with children.

“Tier II Volunteers” are those volunteers who will not be responsible for a child’s welfare and also not have direct volunteer contact with children.

A “Visitor” means any individual who is in the school building or on school property to attend and/or observe a specific event or activity without providing a service to the students, staff, or school/District operations and who would not be responsible for the care, supervision, guidance or control of students. See Policy 907 for more information regarding visitors.

“Appropriate school district administrator” means the Superintendent or his or her designee.

**Requirement to Obtain Certifications & Confidentiality**

Pursuant to Pennsylvania law, certain volunteers are required to obtain FBI, State Police, and Department of Human Services (DHS) certifications (“certifications”), and will be required to renew those certifications every sixty (60) months.

The District respects the privacy of volunteer applicants, and will hold all certification results in strict confidence to the extent permitted by law. There will be only limited personnel access approved by the Superintendent or his or her designee to certification files on a “need-to-know” basis.

**Tier I Volunteers**

**A. Timeline for Obtaining Certifications:**

Tier I Volunteers appointed before August 25, 2015 who do not have certifications already must obtain them no later than July 1, 2016.

Current Tier I Volunteers with a current certification issued before August 25, 2015 must obtain the required certifications within sixty (60) months of their most recent certification, or if a current certification is older than sixty (60) months on August 25, 2015, no later than August 25, 2016.

Tier I Volunteers appointed on or after August 25, 2015 must obtain certifications by July 1, 2016.

Lower Merion School District

ADMINISTRATIVE REGULATIONS

No.: 908  
Section: COMMUNITY  
Title: VOLUNTEERS  
Adopted: 12/11/15

**B. Renewal Certifications:**

All Tier I Volunteers have an ongoing obligation to renew their certifications every sixty (60) months from the date of their oldest certification.

**C. Exception to Obtaining FBI Federal Criminal History Record**

If a Tier I Volunteer has been a resident of Pennsylvania for the entirety of the previous ten-year period and swears or affirms by properly executing a Lower Merion School District Volunteer Affirmation that he or she is not disqualified from service and has not been convicted of a prohibited offense listed in existing law or a similar offense in a another jurisdiction, only the State Police and DHS certifications will be required. The Lower Merion School District Volunteer Affirmation is attached as **Appendix A**. If a Tier I Volunteer is a resident of Pennsylvania but has not resided in Pennsylvania for the entirety of the previous ten-year period, that individual must obtain an FBI criminal history background check only once, and not at successive intervals until that individual has satisfied the ten-year continuous residency requirement in Pennsylvania.

**D. Provisional Basis:**

Upon Superintendent (or designee) approval, a Tier I Volunteer may serve on a provisional basis not to exceed a total of 30 days in a calendar year, if the volunteer is in compliance with the certification standards under the law of the jurisdiction in which he or she is domiciled. The non-resident volunteer must provide the employer, administrator, supervisor or other person responsible for selection of volunteers with documentation of certifications.

**E. Reporting Child Abuse:**

Tier I Volunteers must report all incidents of suspected child abuse in accordance with Policy No. 806 and Regulation No. 806.

**F. Reporting of Arrests and Convictions:**

Tier I Volunteers must report new arrests or convictions for any offense that would create a ban on employment or volunteer work with children to an administrator in writing within 72 hours. If a person responsible for employment decisions or an administrator has a reasonable belief that any volunteer was arrested or convicted for an offense that would constitute grounds for denying employment, or was named as a perpetrator in a founded or indicated report of child abuse, or the volunteer has provided notice as required under the Act, the employer or administrator must immediately require that individual to submit current FBI, State Police, and DHS certifications. If any volunteer does not disclose arrests or convictions as required, he or she will be terminated immediately from all services to the District.

**Lower Merion School District**

**ADMINISTRATIVE REGULATIONS**

No.: 908  
Section: COMMUNITY  
Title: VOLUNTEERS  
Adopted: 12/11/15

**G. Training:**

Tier I Volunteers are required to become familiar with District policies and attend training sessions required by the District for Tier I Volunteers. In particular, Tier I Volunteers are expected to comply with the following:

1. District policies and administrative regulations regarding child abuse identification and reporting.
2. District policies and administrative regulations regarding the prohibition of discrimination within the District.
3. District policies and administrative regulations regarding unlawful harassment.
4. District policies and administrative regulations regarding student accidents.
5. District policies and administrative regulations regarding student hazing.
6. District policies and administrative regulations regarding student discipline.
7. District policies and administrative regulations regarding controlled substances and alcohol.
8. District policies and administrative regulations regarding the accommodation of special needs students in 22 Pennsylvania Code Chapter 14 and 15.

**H. Approval and Renewal:**

The Department of Human Resources shall be responsible for approval of all volunteers. No person may be approved as a Tier I if their certifications indicate that the person has been convicted of any offense which would disqualify a current or prospective employee from employment. This Department shall maintain a database of all approved Tier I Volunteers and track their renewal dates in order to facilitate reminders to approved volunteers when their certifications are subject to expiration.

**Tier II Volunteers**

Tier II Volunteers do not need certifications.

**Lower Merion School District**

**ADMINISTRATIVE REGULATIONS**

No.: 908  
Section: COMMUNITY  
Title: VOLUNTEERS  
Adopted: 12/11/15

**All Volunteers: Guidelines**

In support of the District’s responsibilities to operate an effective instructional program, and ensure the safety and welfare of all students, volunteer activities will be provided only as requested by the District and will be under the direction of a District employee at all times.

All volunteers will be expected to follow the guidelines stated below:

1. Respect the authority of the teacher or District-employed supervisor (“supervisor”) as the decision-maker and as the person responsible for the instructional program, all classroom or school-related activities, and the well-being of all children in the classroom or school. Teachers and supervisors bear the ultimate responsibility for the welfare of students during school activities. When working with students or chaperoning field/class trips or school activities, volunteers must report all incidents of inappropriate behavior or situations in which students might be in danger to the teacher or supervisor in charge of the activity.
2. Respect the privacy and anonymity of each child by maintaining the confidentiality of information regarding students. Information regarding student classroom performance and/or behavior, and information contained in student records must be shared only with other District employees with an “educational need to know” the information. Information from student records is regulated by the Family Educational Rights Privacy Act.
3. Maintain a professional relationship with students. Volunteers are viewed as representatives of the Board and Administration. When issues of a personal or confidential nature are raised by students, volunteers are placed in a difficult situation. Nonetheless, volunteers must refrain from imposing their own opinions on students regarding matters of a personal nature.
4. Courteously inform your supervising teacher or supervisor if unable to attend a volunteer activity and document attendance as requested by supervising teacher or supervisor.

**Rules for Building Visitors**

See Policy No. 907 (Visitors to School District Buildings and Classrooms During the School Day).

**DISCLOSURE STATEMENT APPLICATION FOR VOLUNTEERS**  
**Required by the Child Protective Service Law**  
**23 Pa. C.S. Section 6344.2 (relating to volunteers having contact with children)**

I swear/affirm that I am seeking a volunteer position and **AM NOT** required to obtain a certification through the Federal Bureau of Investigation (FBI), as:

- the position I am applying for is unpaid; **and**
- I have been a resident of Pennsylvania during the entirety of the previous ten-year period.

I understand that if I have not been a resident of Pennsylvania during the entirety of the previous ten-year period, but have received certification from the FBI since establishing residency, I must provide a copy of the certification to my employer and am not required to obtain any additional FBI certifications.

I swear/affirm that, if providing certifications that have been obtained within the preceding 60 months, I have not been disqualified from service as outlined below or have not been convicted of an offense similar in nature to a crime listed below 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 nation, or under a former law of this Commonwealth.

I swear/affirm that I have not been named as a perpetrator of a founded report of child abuse within the past five (5) years as defined by the Child Protective Services Law.

I swear/affirm that I have not been convicted of any of the following crimes under Title 18 of the Pennsylvania consolidated statutes or of offenses similar in nature to those 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 nation, or under a former law of this Commonwealth.

|                     |   |
|---------------------|---|
| Chapter 25          | (relating to criminal homicide)   |
| Section 2702        | (relating to aggravated assault)  |
| Section 2709.1      | (relating to stalking)  |
| Section 2901        | (relating to kidnapping)  |
| Section 2902        | (relating to unlawful restraint)  |
| Section 3121        | (relating to rape)  |
| Section 3122.1      | (relating to statutory sexual assault)  |
| Section 3123        | (relating to involuntary deviate sexual intercourse)  |
| Section 3124.1      | (relating to sexual assault)  |
| Section 3125        | (relating to aggravated indecent assault)   |
| Section 3126        | (relating to indecent assault)  |
| Section 3127        | (relating to indecent exposure)   |
| Section 4302        | (relating to incest)  |
| Section 4303        | (relating to concealing death of child)   |
| Section 4304        | (relating to endangering welfare of children)   |
| Section 4305        | (relating to dealing in infant children)  |
| Section 5902(b)     | (relating to prostitution and related offenses)   |
| Section 5903(c) (d) | (relating to obscene and other sexual material and performances)  |
| Section 6301        | (relating to corruption of minors)  |
| Section 6312        | (relating to sexual abuse of children), or an equivalent crime under Federal law or the law of another state. |

I swear/affirm that I have not been convicted of a felony offense under Act 64-1972 (relating to the controlled substance, drug device and cosmetic act) committed within the past five years.

I understand that I shall not be approved for service if I am named as a perpetrator of a founded report of child abuse within the past five (5) years or have been convicted of any of the crimes listed above or of offenses similar in nature to those 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 nation, or under a former law of this Commonwealth.

I understand that if I am arrested for or convicted of an offense that would constitute grounds for denying participation in a program, activity or service under the Child Protective Services Law as listed above, or am named as perpetrator in a founded or indicated report, I must provide the administrator or designee with written notice not later than 72 hours after the arrest, conviction or notification that I have been listed as a perpetrator in the Statewide database.

I understand that if the person responsible for employment decisions or the administrator of a program, activity or service has a reasonable belief that I was arrested or convicted for an offense that would constitute grounds for denying participation in a program, activity or service under the Child Protective Services Law, or was named as perpetrator in a founded or indicated report, or I have provided notice as required under this section, the person responsible for employment decisions or administrator of a program, activity or service shall immediately require me to submit current certifications obtained through the Department of Human Services, the Pennsylvania State Police, and the Federal Bureau of Investigation, as appropriate. The cost of certifications shall be borne by the employing entity or program, activity or service.

I understand that if I willfully fail to disclose information required above, I commit a misdemeanor of the third degree and shall be subject to discipline up to and including denial of a volunteer position.

I understand that certifications obtained for the volunteering purposes can only be used for that purpose and cannot be used for employment purposes.

I understand that the person responsible for employment decisions or the administrator of a program, activity or service is required to maintain a copy of my certifications.

I hereby swear/affirm that the information as set forth above is true and correct. I understand that false swearing is a misdemeanor pursuant to Section 4903 of the Crimes Code.

Name: \_\_\_\_\_ Signature: \_\_\_\_\_

Witness: \_\_\_\_\_ Signature: \_\_\_\_\_

Date: \_\_\_\_\_