

FREEPORT AREA SCHOOL DISTRICT



Administration Office
Post Office Box C
Freeport, Pennsylvania 16229
(724) 295-5141
www.freeport.k12.pa.us

September 13, 2017

Re: Requirements for Program Volunteers

Program volunteers (volunteers who have care, supervision, guidance and control of children or routine interaction with children), including volunteer tutors, volunteer coaches, trainers or equipment managers, and volunteer choreographers, musicians and other individuals who provide assistance to students in the marching band or school musical, must comply with the following prior to commencing volunteer service:

1. Provide a **Pennsylvania State Police Criminal Record Check** (Act 34);
2. Provide a **Pennsylvania Child Abuse History (ChildLine) Clearance** (Act 151); and
3. Provide a **Federal Bureau of Investigation Criminal Background Check** (or, if the volunteer is a 10+ year resident of Pennsylvania *and is not volunteering for an overnight activity*, submit a Program Volunteer Affidavit (attached) (Act 114).¹

In addition, all Athletics program volunteers, as well as those non-Athletics program volunteers who have direct contact with children for ten (10) or more hours per week, must provide a report of tuberculosis (TB) examination performed within the prior three (3) months, in accordance with regulations of the Pennsylvania Department of Health.

Once the required clearances are on file with the School District, the program volunteer will be required, on an annual basis, to affirm in writing that he or she has not perpetrated or been convicted of any offense that would preclude his or her employment by the School District under Act 34, Act 114 or Act 151.

Criminal history reports and child abuse clearances of program volunteers must be renewed every five (5) years.

Information about how to apply for the required clearances is available on the District's website.

¹ If a program volunteer was not a resident of the Commonwealth of Pennsylvania during the entirety of the previous ten-year period but has obtained a federal criminal history report at any time since residing in the Commonwealth of Pennsylvania, that Act 114 federal criminal history report can be accepted (if it is not more than five years old), if the volunteer also submits a Program Volunteer Affidavit affirming that he/she has not perpetrated or been convicted of any offense that would preclude their employment by the School District under applicable law.

Freeport Area School District

Program Volunteer Affidavit

(This form may be completed in lieu of the requirement that a program volunteer submit an FBI/Act 114 clearance, if the volunteer has resided in Pennsylvania for 10 or more years or, if less than ten-year residency, previously obtained a federal criminal history report since residing in Pennsylvania)

Name: _____ Phone Number: _____

Address: _____

This Program Volunteer Affidavit is for persons seeking to serve as program volunteers (as defined in District Policy No. 916) within the Freeport Area School District and who have been residents of the Commonwealth of Pennsylvania during the entirety of the previous 10-year period or, if less than ten-year residency, previously obtained a federal criminal history report since residing in Pennsylvania which is submitted herewith. In lieu of the provision of a federal criminal history report otherwise required by Policy No. 916, applicants may provide the District with the Required Documentation stated below and execute the Affidavit (before a notary public) prior to serving as a program volunteer.

REQUIRED DOCUMENTATION:

1. A report of criminal history record information from the Pennsylvania State Police or a statement from the Pennsylvania State Police that the State Police central repository contains no such information relating to you; and
2. A certification from the Department of Human Services of the Commonwealth as to whether you are named in the Statewide database as the alleged perpetrator in a pending child abuse investigation or as the perpetrator of a founded report or an indicated report.

AFFIDAVIT:

Before me, the undersigned Notary Public, personally appeared _____, who, known to me (or satisfactorily proven) and being duly sworn according to law, deposes, affirms and states the following:

1. I have been a resident of this Commonwealth during the entirety of the previous ten-year period; or
I established residency within the Commonwealth on _____ and subsequently obtained a federal criminal history report that is submitted herewith.
2. I am not disqualified from service pursuant to 23 Pa.C.S. § 6344(c) or 24 P.S. § 111 (see offenses listed on reverse hereof) and have not been convicted of an offense 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.

AND FURTHER AFFIANT SAYETH NOT.

Sworn to and subscribed before me this ____ day
of _____, 20____.

Notary Public

My Commission expires:

Grounds for denying volunteer participation in program, activity or service.

1. An offense under one or more of the following provisions of Title 18 of the Pennsylvania Consolidated Statutes:
 - a. Chapter 25 (relating to criminal homicide).
 - b. Section 2702 (relating to aggravated assault).
 - c. Section 2709 (relating to stalking).
 - d. Section 2901 (relating to kidnapping).
 - e. Section 2902 (relating to unlawful restraint).
 - f. Section 2910 (relating to luring a child into a motor vehicle or structure).
 - g. Section 3121 (relating to rape).
 - h. Section 3122.1 (relating to statutory sexual assault).
 - i. Section 3123 (relating to involuntary deviate sexual intercourse).
 - j. Section 3124.1 (relating to sexual assault).
 - k. Section 3124.2 (relating to institutional sexual assault).
 - l. Section 3125 (relating to aggravated indecent assault).
 - m. Section 3126 (relating to indecent assault).
 - n. Section 3127 (relating to indecent exposure).
 - o. Section 3129 (relating to sexual intercourse with animal).
 - p. Section 4302 (relating to incest).
 - q. Section 4303 (relating to concealing death of child).
 - r. Section 4304 (relating to endangering welfare of children).
 - s. Section 4305 (relating to dealing in infant children).
 - t. A felony offense under Section 5902(b) (relating to prostitution and related offenses).
 - u. Section 5903(c) or (d) (relating to obscene and other sexual materials).
 - v. Section 6301 (relating to corruption of minors).
 - w. Section 6312 (relating to sexual abuse of children).
 - x. Section 6318 (relating to unlawful contact with minor).
 - y. Section 6319 (relating to solicitation of minors to traffic drugs).
 - z. Section 6320 (relating to sexual exploitation of children).
2. An offense designated as a felony under the act known as The Controlled Substance, Drug, Device and Cosmetic Act (the Act of April 14, 1972 (P.L. 233 No. 64)).
3. An offense similar in nature to those crimes listed in paragraphs 1 and 2 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 the Commonwealth of Pennsylvania.

Freeport Area School District

Program Volunteer Affirmation

(to be completed and signed by all Program Volunteers annually)

I hereby affirm that I have not perpetrated or been convicted of any offense that would preclude my employment as a volunteer by the Freeport Area School District under Act 34, Act 114 or Act 151.

Signature

Printed Name

Date

FREEPORT AREA SCHOOL DISTRICT

SECTION: COMMUNITY

TITLE: SCHOOL VOLUNTEERS

ADOPTED: February 11, 2015

REVISED: July 21, 2015
August 9, 2017
September 13, 2017
August 12, 2021

916. SCHOOL VOLUNTEERS

1. Purpose

The Board values the unique contributions made by parent and community volunteers to the educational programs of the School District. Accordingly, the Board encourages the use of parent and community volunteers, subject to certain requirements and procedures as set forth below.

2. Definitions

Direct contact with children -- The possibility of care, supervision, guidance or control of children by a volunteer and routine interaction with children.

Routine interaction -- Regular and repeated contact that is integral to a person's volunteer responsibilities.

A **volunteer** is any individual who performs a service for the School District without compensation, remuneration or other 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, other than an activity for children who are in the care of a child-care service, is not considered to be a volunteer for purposes of this policy.

A **guest volunteer** is an adult who voluntarily provides a service to the district, who: (1) works directly under the supervision and direction of a school administrator, a teacher or other member of the school staff; and (2) does not have direct contact with children. Examples include, but are not limited to, speakers at school assemblies, ushers at school concerts, collecting tickets at events, working concession stands, participating in "Career Day", etc.

A **program volunteer** is a volunteer who: 1) works under the general direction and supervision of a teacher or administrator employed by the District; and 2) provides direct services to students or may, from time to time, have or may be reasonably expected to have direct contact with children. Examples include: volunteer tutors; volunteers who assist on the coaching staff of an athletic team; volunteer athletic trainers or equipment managers (excluding School District students serving in those capacities); and choreographers,

916. SCHOOL VOLUNTEERS

<p>3. Guidelines</p>	<p>musicians and other individuals who provide instruction to students in the marching band or school musical.</p> <p>Final determination of a volunteer's status is the responsibility of the principal or principal's designee.</p> <p>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 or her services. Holding the position of a volunteer is not a right, but a privilege conferred upon the volunteer by the Board, acting through the building principal of each school within the School District. The School District reserves the right to terminate the services or status of any volunteer at its exclusive discretion.</p> <p><u>Clearance and Training Requirements</u></p> <p>A program volunteer shall be required to complete, submit for approval, pay for and file in the office of the school building on whose behalf the volunteer renders such services an Act 34 criminal history report from the Pennsylvania State Police, an Act 114 federal criminal history report and an Act 151 child abuse clearance statement. Once the required clearances are on file with the School District, the program volunteer will be required, on an annual basis, to sign an affirmation that they have not perpetrated or been convicted of any offense that would preclude their employment by the School District under Act 34, Act 114 or Act 151 ("Volunteer Affirmation"). Program volunteers will be required to renew their state and federal criminal history reports and child abuse clearance statement every five years.</p> <p>With the exception of any program volunteer who will participate in student activities that extend beyond a single day and/or occur overnight (in which case the volunteer must in all cases provide a federal criminal history report), a program volunteer shall not be required to obtain and provide a federal criminal history report if:</p> <p>(a) the individual has been a resident of the Commonwealth of Pennsylvania during the entirety of the previous ten-year period or</p> <p>(b) if the individual was not a resident of the Commonwealth of Pennsylvania during the entirety of the previous ten-year period but has obtained a federal criminal history report at any time since establishing residency in the Commonwealth of Pennsylvania and provides a copy of that report to the School District, and submits a Program Volunteer Affidavit affirming that they have not perpetrated or been convicted of any offense that would preclude their employment by the School District under Act 34, Act 114, or Act 151 or Section 6344(C) of the Child Protective Services Law.</p> <p>Program volunteers shall report to the Superintendent or designee, in writing, within seventy-two (72) hours, an arrest or conviction required to be reported by law or notification that the volunteer has been named as a perpetrator in a founded or indicated report pursuant to the Child Protective Services Law.</p>
-----------------------------	--

916. SCHOOL VOLUNTEERS

The Superintendent or designee shall require a program volunteer to submit new certifications if the Superintendent or designee has a reasonable belief that the volunteer was arrested for or has been convicted of an offense required to be reported by law, was named as a perpetrator in a founded or indicated report, or has provided written notice of such occurrence.

Failure to accurately report such occurrences may subject the program volunteer to termination of their volunteer status and criminal prosecution.

A guest volunteer is not required to obtain clearances.

Program volunteers having direct contact with children for ten (10) or more hours per week shall undergo a tuberculosis examination in accordance with regulations of the Pennsylvania Department of Health and to furnish such report to the School District prior to performing services for the School District.

Program volunteers shall attend orientation and training sessions, if required or appropriate to the nature of their volunteer service. When training is provided for school employees relating to the legal obligations of employers and educational institutions, consideration shall be given to which volunteers should also receive that training.

Child Abuse Reporting

All volunteers who have reasonable cause to suspect that a child is the victim of child abuse shall make a report of suspected child abuse in accordance with applicable law, Board policy and administrative regulations.

Role of Volunteers

The role of volunteers 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.

Under no circumstances shall volunteers be permitted to administer or enforce discipline upon students enrolled in the School District.

Volunteers shall follow all applicable administrative procedures established pursuant to this policy 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 activity applicable to volunteers under this policy.

Except in the case of an emergency, volunteers shall not administer first aid or other medical assistance to students.

916. SCHOOL VOLUNTEERS

<p>4. Delegation of Responsibility</p>	<p>Except as specifically authorized by the Board on a case by case basis, volunteers shall not be permitted to operate any motor vehicles owned by or under the control of School District, and volunteers shall not be permitted to transport students by motor vehicle in support of any school program.</p> <p><u>Confidentiality</u></p> <p>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. 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. If volunteers have questions about the confidentiality of student information, they are encouraged to consult with the building principal and/or review Section 216 (Student Records) of the School District's Policy and Regulation Manual.</p> <p>Each volunteer shall keep strictly confidential all information he or she may learn, during the course of performing services, about the students enrolled in the School District.</p> <p>Each school within the School District shall adopt its own administrative procedures for the recruitment, selection and assignment of volunteers; provided, however, that the following minimal requirements shall apply to all such procedures:</p> <ol style="list-style-type: none">a. Each building principal or designee shall be responsible for training the volunteers to perform the specific duties associated with their assignments.b. Each building principal or designee shall assume general authority and responsibility over the volunteers performing services of any kind at or on behalf of the school, including, without limitation, the responsibility for overseeing the filing of criminal history reports and child abuse clearance statements.c. No such procedures adopted by the schools within the School District shall be inconsistent with the terms and conditions of this policy.d. All such procedures adopted by the schools within the School District shall be subject to the approval of the Superintendent.e. Program volunteers assisting with the coaching or supervision of athletic teams, the marching band or the school musical must be approved in advance by the Board of School Directors.f. Each volunteer shall affirm in writing that he or she has been provided with a copy of, has read, understands and agrees to comply with this policy.
---	--