Book Blackhawk S D Policy Manual

Section 900 Community

Title Volunteers

Code 916

Status Policy Review (Second Read)

Legal

- 1. 24 P.S. 510
- 2. 42 U.S.C. 12101 et seq
- 3. 53 P.S. 6926.1903
- 4. 43 P.S. 951 et seq
- 5. Pol. 103
- 6. Pol. 718
- 7. Pol. 824
- 8. 23 Pa. C.S.A. 6303
- 9. 23 Pa. C.S.A. 6344
- 10. 23 Pa. C.S.A. 6344.2
- 11. Pol. 907
- 12. 23 Pa. C.S.A. 6344.3
- 13. 23 Pa. C.S.A. 6344.4
- 14. 24 P.S. 1418
- 15. 28 PA Code 23.44
- 16. 23 Pa. C.S.A. 6311
- 17. Pol. 806
- 18. Pol. 123
- 19. Pol. 123.1
- 20. Pol. 123.2
- 21. Pol. 805
- 22. Pol. 113.4
- 23. Pol. 216
- 24. 53 P.S. 6926.1901 et seq
- 25. 53 P.S. 6926.1906
- 26. Pol. 916
- 27. 29 U.S.C. 201 et seq

- 28. 43 P.S. 333.101 et seq
- 29. 53 P.S. 6926.1905
- 30. 23 Pa. C.S.A. 6301 et seq
- 31. 53 P.S. 6926.301 et seq
- 32. 72 P.S. 7301 et seq
- 33. Pol. 606
- 34. 65 P.S. § 67.101 et seq
- 35. 24 P.S. 1-111

Last Revised June 17, 2021 (Policy Review First Read March 9, 2023)

Purpose

The District strongly supports and encourages the participation and involvement of parents/guardians and community Volunteers to enhance the educational, co-curricular and extracurricular programs of the School District, subject to certain requirements and procedures as set forth in this policy.

Authority

The Board may adopt and enforce reasonable rules and regulations governing Volunteers and their participation in the activities of the district.[1]

The Board prohibits discrimination on the basis of race, color, marital status, creed, religion, ancestry, handicap/disability, age, sex, sexual orientation or national origin in the school environment and all district programs for Volunteers.[2][3][4][5][6]

The Board directs that all Volunteers shall be informed of conduct that is prohibited and the disciplinary actions that may be applied for violation of Board policies, administrative regulations, rules and procedures. [1]

All Volunteers shall be expected to maintain professional, moral and ethical relationships with district students that are conducive to an effective, safe learning environment.[7]

Definitions

The following words and phrases, when used in this policy, shall have the meaning given to them in this section:

Adult - an individual eighteen (18) years of age or older.[8]

Certifications - refers to the child abuse history clearance statement; the state criminal history background check; and where applicable, the federal criminal history background check, required by the Child Protective Services Law.[9][10]

Direct volunteer contact - the care, supervision, guidance or control of children and routine interaction with children.[8][35]

Person responsible for the child's welfare - 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.[8]

Routine Interaction - regular and repeated contact that is integral to a person's Volunteer responsibilities.[8]

Visitor - a parent/guardian, adult resident, educator, official or other individual who is not a school employee or independent contractor, and who visits a school or attends or participates in an event or activity at a school, but whose role is less substantial than would be sufficient to meet the definition of Volunteer for purposes of this policy. Visitors are not classified as Volunteers. Please refer to Policy 907 for visitor information and guidelines.[10][11]

Volunteer - an adult, whose role is more than that of a visitor, who voluntarily offers a service to the district without receiving compensation from the district. A Volunteer is not a school employee. All Volunteers are required to have clearances as outlined below.[10]

- 1. **Guest Volunteers** any Adult who voluntarily provides a service to the district, without compensation, 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 volunteer contact with students. Examples include, but are not limited to, volunteering to assist in classroom celebrations, school assemblies, or school concerts; reading to students; collecting tickets at sporting events; or working concession stands. All Guest Volunteers are required to have Act 34 and Act 151 clearances.
- 2. **Independent Volunteers** any Adult who voluntary provides a service to the district, without compensation, who: (1) works directly under the supervision and direction of a school administrator, a teacher or other member of the school staff; and (2) may be reasonably expected to have direct volunteer contact with students. Examples include, but are not limited to, daytime or overnight field trip chaperones; volunteer tutors; or PTO officers. All Independent Volunteers are required to have Act 34, Act 151, and Act 114 clearances.
- 3. **Athletic Volunteers** any Adult who voluntarily provides a service to the district, without compensation, who: (1) works directly under the supervision and direction of the athletic director, or a coach or student activity sponsor employed by the District; and (2) directly supervises or instructs students engaged in the activity, and may be reasonably expected to have direct volunteer contact with students. All Athletic Volunteers are required to have Act 34, Act 151, and Act 114 clearances.
- 4. **Sponsor Volunteers** any Adult who voluntarily provides a service to the district, without compensation, who: (1) works directly under the supervision and direction of a student activity sponsor employed by the District; and (2) directly supervises or instructs students engaged in the activity, and may be reasonably expected to have direct volunteer contact with students. All Sponsor Volunteers are required to have Act 34, Act 151, and Act 114 clearances.

Delegation of Responsibility

The Superintendent or designee shall be responsible for the selection and management of Volunteers and for ensuring compliance with Board policies, administrative regulations, rules and procedures.

At the discretion of the Superintendent or designee, a Volunteer's service may be discontinued at any time.

The Superintendent or designee shall develop administrative regulations to implement this policy and manage the selection, use and supervision of Volunteers.

The building principal or designee shall assume general authority and responsibility over all Volunteers serving at a school location. The Athletic Director will assume general authority and responsibility over all Athletic Volunteers.

Guidelines

A list of the "Volunteer Requirements" is posted on the Blackhawk School District Website (https://www.bsd.k12.pa.us/VolunteerRequirements.aspx).

Each Volunteer shall complete and submit a Volunteer application. A copy of the "School Volunteer Application and Confidentiality Agreement" is attached and incorporated into this policy as Attachment "A." Any Volunteer who fails to complete and submit a Volunteer application shall not be permitted to be a Volunteer.

Each prospective Volunteer shall complete and submit a clearance submittal form. A copy of the "Volunteer Clearances Submittal Form" is attached and incorporated into this policy as Attachment "B." Any Volunteer who fails to complete and submit a clearance submittal form shall not be permitted to be a Volunteer.

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 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.

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

Volunteers who transport students in personal vehicles are not covered by insurance provided by the District. Insurance coverage in this situation is through the Volunteer's own insurance carrier.

Approval

Approval shall be required prior to beginning service as a Volunteer.

The names of all Volunteers shall be submitted for approval by the Superintendent or designee.

The names of all Guest Volunteers shall be submitted for approval by the building principal or designee.

The names of all Athletic Volunteers/Volunteer Sponsors shall be submitted for approval by the direction of a coach or student activity sponsor employed by the District or designee. All Athletic Volunteers/Volunteer Sponsors shall be approved by the Board of School Directors.

Upon approval, Volunteers shall be placed on the list of approved Volunteers.

A Volunteer will not be approved if the clearances evidence an offense which would preclude such an individual from being employed in a Pennsylvania public school under Act 34, Act 151, or Act 114; in the event there is a conviction of the crimes enumerated in 24 P.S. § 1-111; in the event that an individual is a

registered sex offender on Megan's List; in the event that there is a conviction under the controlled Terrorist Threats, False Imprisonment, Arson, Contempt for Violation of Protection Order or Agreement, and related offenses, including but not limited to, possession or dissemination or child pornography; any conviction for crimes involving domestic abuse or animal abuse; or any other offense involving moral turpitude and any other similar offenses.[9][35]

Final determination of a Volunteer's status is the responsibility of the Superintendent or his/her designee(s).

Certifications/Clearances

Prior to approval, all Guest Volunteers, shall submit the following information:

- 1. Act 34 PA Child Abuse History Certification which must be less than sixty (60) months old.[10]
- 2. Act 151 PA State Police Criminal History Record Information which must be less than sixty (60) months old.[10]
- 3. Disclosure Statement for Volunteers otherwise known as the "Unpaid Volunteer Affidavit," which is a statement swearing or affirming the applicant has not been disqualified from service by reason of conviction of designated criminal offenses or being listed as the perpetrator in a founded report of child abuse. A copy of the Unpaid Volunteer Affidavit is attached to this policy as Attachment "C."[9][10][12]

Prior to approval, all Independent Volunteers, Athletic Volunteers, and Sponsor Volunteers, shall submit the following information:

- 1. Act 34 PA Child Abuse History Certification which must be less than sixty (60) months old.[10]
- 2. Act 151 PA State Police Criminal History Record Information which must be less than sixty (60) months old.[10]
- 3. Act 114 FBI Criminal Background Check which must be less than sixty (60) months old.[10]
- 4. Disclosure Statement for Volunteers otherwise known as the "Unpaid Volunteer Affidavit," which is a statement swearing or affirming the applicant has not been disqualified from service by reason of conviction of designated criminal offenses or being listed as the perpetrator in a founded report of child abuse. A copy of the Unpaid Volunteer Affidavit is attached to this policy as Attachment "C."[9][10][12]

If any Volunteers have not been a resident of Pennsylvania during the entirety of the previous ten (10) year period, the Volunteer must also submit the following information:[10]

1. Act 114 - Federal Criminal History Report - issued at any time since the Volunteer established residency.

The Superintendent or designee shall review the information and determine if information is disclosed that precludes service as a Volunteer.

Information submitted by Volunteers in accordance with this policy shall be maintained centrally in a manner similar to that used for school employees. Clearances are not subject to public disclosure under the Right-to-Know Law.[34]

Volunteers shall obtain and submit new certifications every sixty (60) months, and all Volunteers shall confirm resubmission of clearances and/or certifications annually. [13]

A student, eighteen (18) years of age or older, who is volunteering for an event or activity sponsored by the school in which the student is enrolled and occurring on the school's grounds, shall not be required to submit certifications except when the event or activity is for children in the care of a child-care service or the student will otherwise be responsible for the welfare of a child.[10]

Tuberculosis Test

Prior to participating in student activities, Volunteers shall undergo a test for tuberculosis, when required by and in accordance with the regulations and guidance of the Pennsylvania Department of Health.[14][15]

Arrest or Conviction Reporting Requirements

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.[12]

The Superintendent or designee shall immediately require a 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.[12]

Failure to accurately report such occurrences may subject the Volunteer to disciplinary action up to and including denial of volunteer service and criminal prosecution.[12]

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.[16][17]

Supervision

Each Volunteer shall be under the supervision of a designated school administrator, teacher or other member of the school staff.

Training

Volunteers shall attend orientation and training sessions, as 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. [17][18][19][20][21]

Confidentiality

No Volunteer shall be permitted access to confidential student information unless the supervisor has determined that such access is necessary for the Volunteer to fulfill their responsibilities. Volunteers with access to confidential student information shall maintain the confidentiality of that information in

accordance with district policies and procedures and applicable law. If a Volunteer has questions about confidentiality of student information, the Volunteer should consult with the building principal. [22][23]

Complaint Procedure

Any complaints concerning Guest Volunteers, Individual Volunteers, or Sponsor Volunteers, shall be submitted in writing to the building principal. Final determination of a Volunteer's status is the responsibility of the Superintendent or his/her designee(s).

Any complaints concerning Athletic Volunteers shall be made as outlined in the "Athletic Personnel Complaint Procedures" guidelines on page 17 of the Blackhawk High School Athletic Handbook. A copy of the Athletic Personnel Complaint Procedures is attached and incorporated into this policy as Attachment "D."



Blackhawk School District

500 Blackhawk Road

Beaver Falls, PA 15010

724.846.6600

Web site: www.bsd.k12.pa.us

2022-23 School Volunteer Application and Confidentiality Agreement

For the safety and privacy of our students, volunteers are required to complete this form.

Name: (Last)	(First)	(M.I.)
Date:	_Address:	
Home Phone: _	City/State:	
Zip Code:	Cell Phone:	
	ades & school of children in a Blackhawk school:	
	School Site(s) preferred:	
Duties/Position	:	
Have you ever l		
1. Discharged, r	not-renewed or banned from any volunteer organization? Yes No	
2. Convicted of	any misdemeanor or any felony? □ Yes □ No	
3. Convicted of	fany offense that involves drugs or alcohol? \square Yes \square No	

4. Presently charged with a crime that is currently pending or not yet adjudicated? \square Yes \square No

f the answer to any of the above is "yes", please explain:	
	_

I, the undersigned, certify that the foregoing is true and correct. I understand that I am offering to volunteer at the Blackhawk schools and that Blackhawk may, at its discretion, decline my offer of volunteer services. In the event my volunteer services require a criminal background check under Blackhawk procedures, I am responsible for the cost of the check and that I may not be reimbursed for this expense.

Further, if I am accepted as a volunteer, I agree to the following:

- 1. I am volunteering without promise, expectation, or receipt of compensation for my services;
- 2. I will not in any way access, use, divulge, copy, release, sell, loan, review, alter, or destroy any confidential information except as properly and clearly authorized within the scope of my work and that I will abide by all applicable Blackhawk school policies and procedures and with all applicable laws. I will report to the school Principal or to the Principal's supervisor any individual's or entity's activities that I suspect may compromise the confidentiality of student information.
- 3. I am under the supervision of the school Principal or the Principal's designee.
- 4. I will immediately notify the school Principal where I volunteer upon being charged with any crime.
- 5. Any fraudulent application, violation of confidentiality or any violation of the above provisions may result in termination of my status as a Blackhawk volunteer.

Volunteer's Signature	Date	
Approval: Principal's Signature	_ Date	
Signature of school representative verifying ID (Driver's Lic. Or State ID)		
*SCHOOL PERSONNEL: MUST MAKE A COPY OF ID AND ATTACH TO APPLICATION		

MLD 09/11/17



2022-23 VOLUNTEER CLEARANCES SUBMITTAL FORM

VOLUNTEER NAME:	Las	t		First
If related to a student(s) at our schools, p	lease provide stu	dent names, gra	ade and school:
** if you are a general vo	lunteer & not related	/associated with a	n particular studei	nt, mark "N/A".
Student Name	Student Grade	Student School PPS—BIS—HMS—	-BHS	Relation to Student
Clearances Attached:				
☐ Volunteer Cleara	nce Application & Co	nfidentiality form		
PA Child Abuse H	• •	•		
PA Criminal Reco	rd check			
Federal Bureau of Investigation Criminal Background Check (only if not lived in PA for 10 years)				
Unpaid Volunteer Affidavit (if have lived in PA for 10 consecutive years)				

UNPAID VOLUNTEER AFFIDAVIT

l,	, do hereby declare and state the following
based upon personal knowledge:	

- 1. That I have been a resident of Pennsylvania for the entire previous ten (10) years and have not been convicted, of any of the following offenses:
 - (a.) An offense under one or more of the following provisions of Title 18 of the Pennsylvania Consolidated Statutes:

Chapter 25 (relating to criminal homicide).

Section 2702 (relating to aggravated assault).

Former section 2709(b) (relating to stalking).

Section 2709.1 (relating to stalking).

Section 2901 (relating to kidnapping).

Section 2901 (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).

A felony offense under section 5902(b) (relating to prostitution and related offenses).

Section 5903(c) or (d) (relating to obscene and other sexual materials and performances).

Section 6301 (relating to corruption of minors).

Section 6312 (relating to sexual abuse of children).

The attempt, solicitation, or conspiracy to commit any of the above offenses.

- (b.) An offense designated as a felony under the act of April 14, 1972 (P.L. 233, No. 64), known as "The Controlled Substance, Drug, Device and Cosmetic Act."
- (c.) An offense similar in nature to those crimes listed in Clauses (a) and (b) above 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.
- 2. That I have never been named as the perpetrator of a founded report or named as the individual responsible for injury or abuse in a founded report. The term "Founded Report" means a child abuse report involving a perpetrator, if any of the following applies:

- (a.) There has been a judicial adjudication based on a finding that a child who is a subject of the report has been abused and the adjudication involves the same factual circumstances involved in the allegation of child abuse. The judicial adjudication may include any of the following:
 - i. The entry of a plea of guilty or nolo contendre;
 - ii. A finding of guilt to a criminal charge;
 - iii. A finding of dependency if the court has entered a finding that a child who is the subject of the report has been abused; or
 - iv. A finding of delinquency if the court has entered a finding that the child who is the subject of the report has been abused by the child who was found to be delinquent;
- (b.) There has been an acceptance into an accelerated rehabilitative disposition program and the reason for the acceptance involves the same factual circumstances involved in the allegation of child abuse;
- (c.) There has been a consent decree entered in a juvenile proceeding, the decree involves the same factual circumstances involved in the allegation of child abuse and the terms and conditions of the consent decree include an acknowledgment, admission or finding that a child who is the subject of the report has been abused by the child who is alleged to be delinquent; or
- (d.) A final protection from abuse order has been granted, when the child who is a subject of the report is one of the individuals protected under the protection from abuse order and:
 - i. Only one individual is charged with the abuse in the protection from abuse action;
 - ii. Only that individual defends against the charge;
 - iii. The adjudication involves the same factual circumstances involved in the allegation of child abuse; and
 - iv. The protection from abuse adjudication finds that the child abuse occurred.

I verify that the statements made in this Affidavit are true and correct. I understand that fa	ılse
statements in this Affidavit will subject me to immediate termination of my services to the Blackha	ıwk
School District and to the penalties of 18 Pa.C.S.A. §4904, relating to unsworn falsification to authorit	es.

Date	Signature

Athletic Personnel Complaint Procedures

- *Complaints concerning district athletic programs and personnel are welcomed when motivated by a sincere desire to improve the quality of the athletic program and to perform tasks more effectively.
- 1. Complaints regarding an *Individual Coach* must be made directly to the *Head Coach* by the complaint. Every effort should be made to resolve the problem at this stage.
- **2**. Complaints not resolved with the head coach must be submitted in writing to the Athletic Director.
 - ** The written complaint must contain the following:
 - ✓ The name of the coach or the specific sport, level of competition, and/or
 the general athletic concern involved.
 - ✓ A brief but specific summary of the nature of the complaint and the facts surrounding the nature of the complaint.
 - ✓ The complaint must be signed by the complainant.
 - **Note: Because playing time and level or position placement are the sole responsibility of the coach, complaints regarding these items will not be heard beyond the Athletic Director**
- 3. For complaints not tied to a specific situation, the first contact for concerns about any phase of the athletic program is the Athletic Director. This may be done either verbally or in writing.
- 4. Complaints not resolved by with the athletic director will be referred to the school's administrator in charge of athletics for resolution. The administrator in charge or athletic director shall receive a copy of the written complaint and a written report of the efforts made to resolve the problem. The complainant shall receive a written response.
- 5. Complaints not resolved by the school's administrator in charge of athletics and/or the principal may be referred in writing to the Superintendent for study and resolution.
- **6.** Complaints not resolved by Superintendent may be referred to the Athletic Committee. This meeting will be arranged through the superintendent or his/her designee. The Committee's ruling will be final.

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- 33. Pol. 606
- 34. 65 P.S. § 67.101 et seq
- 33.35. 24 P.S. 1-111

Last Revised June 17, 2021 (Policy Review First Read March 9, 2023)

Purpose

The <u>Board District strongly</u> supports and encourages the participation <u>and involvement</u> of parents/guardians and community <u>Volunteersresidents</u> to enhance the educational, co_curricular and extracurricular programs of the <u>School dDistrict-</u>, <u>subject to certain requirements and procedures as set forth in this policy.</u>

Authority

The Board may adopt and enforce reasonable rules and regulations governing $\frac{\nabla V}{\nabla}$ olunteers and their participation in the activities of the district.[1]

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The Board directs that all \underbrace{V} olunteers shall be informed of conduct that is prohibited and the disciplinary actions that may be applied for violation of Board policies, administrative regulations, rules and procedures.

All <u>vV</u>olunteers shall be expected to maintain professional, moral and ethical relationships with district students that are conducive to an effective, safe learning environment.[7]

Definitions

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Person responsible for the child's welfare - 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.[8]

Routine Interaction - regular and repeated contact that is integral to a person's $\forall \underline{V}$ olunteer responsibilities.[8]

Visitor - a parent/guardian, adult resident, educator, official or other individual who is not a school employee or independent contractor, and who visits a school or attends or participates in an event or activity at a school, but whose role is less substantial than would be sufficient to meet the definition of <u>V</u>olunteer for purposes of this policy. <u>Visitors are not classified as Volunteers. Please refer to Policy 907 for visitor information and guidelines.[10][11]</u>

Volunteer - an adult, whose role is more than that of a visitor, who voluntarily offers a service to the district without receiving compensation from the district. A <u>vV</u>olunteer is not a school employee. <u>All Volunteers are required to have clearances as outlined below.</u>[10]

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- 2. Independent Volunteers any Adult who voluntary provides a service to the district, without compensation, who: (1) works directly under the supervision and direction of a school administrator, a teacher or other member of the school staff; and (2) may be reasonably expected to have direct volunteer contact with students. Examples include, but are not limited to, daytime or overnight field trip chaperones; volunteer tutors; or PTO officers. All Independent Volunteers are required to have Act 34, Act 151, and Act 114 clearances.
- 3. Athletic Volunteers any Adult who voluntarily provides a service to the district, without compensation, who: (1) works directly under the supervision and direction of the athletic director, or a coach or student activity sponsor employed by the District; and (2) directly supervises or instructs students engaged in the activity, and may be reasonably expected to have direct volunteer contact with students. All Athletic Volunteers are required to have Act 34, Act 151, and Act 114 clearances.
- 1.4. Sponsor Volunteers any Adult who voluntarily provides a service to the district, without compensation, who: (1) works directly under the supervision and direction of a student activity sponsor employed by the District; and (2) directly supervises or instructs students engaged in the activity, and may be reasonably expected to have direct volunteer contact with students. All Sponsor Volunteers are required to have Act 34, Act 151, and Act 114 clearances.

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At the discretion of the Superintendent or designee, a $\forall V$ olunteer's service may be discontinued at any time.

The Superintendent or designee shall develop administrative regulations to implement this policy and manage the selection, use and supervision of $\frac{1}{2}$ olunteers.

The building principal or designee shall assume general authority and responsibility over all Volunteers serving at a school location. The Athletic Director will assume general authority and responsibility over all Athletic Volunteers.

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The names of all Athletic Volunteers/Volunteer Sponsors shall be submitted for approval by the direction of a coach or student activity sponsor employed by the District or designee. All Athletic Volunteers/Volunteer Sponsors shall be approved by the Board of School Directors.

Upon approval, Volunteers shall be placed on the list of approved Volunteers.

A Volunteer will not be approved if the clearances evidence an offense which would preclude such an individual from being employed in a Pennsylvania public school under Act 34, Act 151, or Act 114; in the event there is a conviction of the crimes enumerated in 24 P.S. § 1-111; in the event that an individual is a registered sex offender on Megan's List; in the event that there is a conviction under the controlled Terrorist Threats, False Imprisonment, Arson, Contempt for Violation of Protection Order or Agreement, and related offenses, including but not limited to, possession or dissemination or child pornography; any conviction for crimes involving domestic abuse or animal abuse; or any other offense involving moral turpitude and any other similar offenses.[9][35]

-Final determination of a Volunteer's status is the responsibility of the Superintendent or his/her designee(s).

Certifications/Clearances

Prior to approval, <u>all all position volunteers Guest Volunteers</u>, shall submit the following information:

- 1. Act 34 PA Child Abuse History Certification which must be less than sixty (60) months old.[10]
- 2. Act 151 PA State Police Criminal History Record Information which must be less than sixty (60) months old.[10]
- 3. Disclosure Statement for Volunteers otherwise known as the "Unpaid Volunteer Affidavit," which is a statement swearing or affirming the applicant has not been disqualified from service by reason of conviction of designated criminal offenses or being listed as the perpetrator in a founded report of child abuse. A copy of the Unpaid Volunteer Affidavit is attached to this policy as Attachment "C." [9][10][12]

Prior to approval, all Independent Volunteers, Athletic Volunteers, and Sponsor Volunteers, shall submit the following information:

- 1. Act 34 PA Child Abuse History Certification which must be less than sixty (60) months old. [10]
- 2. Act 151 PA State Police Criminal History Record Information which must be less than sixty (60) months old.[10]
- 3. Act 114 FBI Criminal Background Check which must be less than sixty (60) months old.[10]
- 4. Disclosure Statement for Volunteers otherwise known as the "Unpaid Volunteer Affidavit," which is a statement swearing or affirming the applicant has not been disqualified from service by reason of conviction of designated criminal offenses or being listed as the perpetrator in a founded report of child abuse. A copy of the Unpaid Volunteer Affidavit is attached to this policy as Attachment "C."[9][10][12]

If any position vVolunteers hashave not been a resident of Pennsylvania during the entirety of the previous ten (10) year period, the position vVolunteer must also submit the following information:[10]

The Superintendent or designee shall review the information and determine if information is disclosed that precludes service as a $\frac{V}{V}$ olunteer.

Information submitted by *Volunteers in accordance with this policy shall be maintained centrally in a manner similar to that used for school employees. Clearances are not subject to public disclosure under the Right-to-Know Law.[34]

Position vVolunteers shall obtain and submit new certifications every sixty (60) months, and all Volunteers shall confirm resubmission of clearances and/or certifications annually. -[13]

A student, eighteen (18) years of age or older, who is volunteering for an event or activity sponsored by the school in which the student is enrolled and occurring on the school's grounds, shall not be required to submit certifications except when the event or activity is for children in the care of a child-care service or the student will otherwise be responsible for the welfare of a child.[10]

<u>Tuberculosis Test</u>

Prior to participating in student activities, $\frac{\sqrt{V}}{V}$ olunteers shall undergo a test for tuberculosis, when required by and in accordance with the regulations and guidance of the Pennsylvania Department of Health.[14][15]

Arrest or Conviction Reporting Requirements

<u>Position vV</u>olunteers 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 $\frac{\text{vV}}{\text{v}}$ olunteer has been named as a perpetrator in a founded or indicated report pursuant to the Child Protective Services Law.[12]

The Superintendent or designee shall immediately require a <u>position vV</u>olunteer to submit new certifications if the Superintendent or designee has a reasonable belief that the <u>vV</u>olunteer 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.[12]

Failure to accurately report such occurrences may subject the position vVolunteer to disciplinary action up to and including denial of volunteer service and criminal prosecution.[12]

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.[16][17]

Supervision

Each *Volunteer shall be under the supervision of a designated school administrator, teacher or other member of the school staff.

Training

Volunteers shall attend orientation and training sessions, as appropriate to the nature of their $\frac{\sqrt{V}}{V}$ olunteer service. When training is provided for school employees relating to the legal obligations of employers and educational institutions, consideration shall be given to which $\frac{\sqrt{V}}{V}$ olunteers should also receive that training. [17][18][19][20][21]

Confidentiality

No $\frac{\sqrt{V}}{V}$ olunteer shall be permitted access to confidential student information unless the supervisor has determined that such access is necessary for the $\frac{\sqrt{V}}{V}$ olunteer to fulfill their responsibilities. Volunteers with access to confidential student information shall maintain the confidentiality of that information in accordance with district policies and procedures and applicable law. If a $\frac{\sqrt{V}}{V}$ olunteer has questions about confidentiality of student information, the $\frac{\sqrt{V}}{V}$ olunteer should consult with the building principal. [22][23]

Complaint Procedure

Any complaints concerning Guest Volunteers, Individual Volunteers, or Sponsor Volunteers, shall be submitted in writing to the building principal. Final determination of a Volunteer's status is the responsibility of the Superintendent or his/her designee(s).

Any complaints concerning Athletic Volunteers shall be made as outlined in the "Athletic Personnel Complaint Procedures" guidelines on page 17 of the Blackhawk High School Athletic Handbook. A copy of the Athletic Personnel Complaint Procedures is attached and incorporated into this policy as Attachment "D."