

Book Blackhawk S D Policy Manual
Section 900 Community
Title Volunteers
Code 916
Status Active

Legal

1. 24 P.S. 5-510

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2. 24 P.S. 1-111

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3. Pol. 907

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4. 23 Pa. C.S.A. 6344

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5. 23 Pa. C.S.A. 6344.2

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6. 23 Pa. C.S.A. 6344.3

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7. 23 Pa. C.S.A. 6344.4

8. 23 Pa. C.S.A. 6301 et seq

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9. 24 P.S. 1418

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1. 24 P.S. 510

2.10. 42 U.S.C. 12101 et seq

3.11. 53 P.S. 6926.1903

4.12. 43 P.S. 951 et seq

5.13. Pol. 103

14. Pol. 718

6.15. Pol. 806

16. Pol. 824

Pol. 123

Pol. 216

~~Pol. 806~~

~~7. 23 Pa.C.S.A. 6303~~

~~8. 23 Pa.C.S.A. 6344~~

~~9. 23 Pa.C.S.A. 6344.2~~

~~10. Pol. 907~~

~~11. 23 Pa.C.S.A. 6344.3~~

~~12. 23 Pa.C.S.A. 6344.4~~

~~13. 24 P.S. 1418~~

~~14. 28 PA Code 23.44~~

~~15. 23 Pa.C.S.A. 6311~~

16. Pol. 806

17. Pol. 123

18. Pol. 123.1

19. Pol. 123.2

20. Pol. 805

21. Pol. 113.4

22. Pol. 216

23. 53 P.S. 6926.1901 et seq

24. 53 P.S. 6926.1906

25. Pol. 916

26. 29 U.S.C. 201 et seq.

~~27. 43 P.S. 333.101 et seq.~~

~~28. 53 P.S. 6926.1905~~

~~29. 23 Pa.C.S.A. 6301, et seq.~~

~~30. 53 P.S. 6926.301 et seq.~~

~~31. 72 P.S. 7301 et seq.~~

~~32. Pol. 606~~

Last Revised March __, 2023

Purpose

The Board supports and encourages the participation of parents/guardians and community residents to enhance the educational, cocurricular and extracurricular programs of the district, subject to certain requirements and procedures 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][103][114][125][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. [157]

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]

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. [34]

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~~**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. [10]~~

- ~~1. **Guest Volunteer**—an 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. 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; working concession stands; participating in “Career Day,” etc.~~

Assistive Volunteers – Any individual over the age of eighteen (18) who meets ALL of the following criteria:

1. Voluntarily provides services to the School District, without compensation.
2. Always works directly under the supervision and direction of any School District employee.
3. Does not have routine interaction with students.

Examples of Assistive Volunteers – Homeroom parents/guardians; volunteers who assist in the planning or conducting of classroom or school celebrations; volunteers who visit a classroom to speak or read to students; and concert/performance ushers.

Requirements for Assistive Volunteers:

1. Must show photo ID to school security staff each time they enter a school building.
2. Shall not have unsupervised contact with students.
3. Are not required to obtain clearances.

Independent Volunteers – Any individual over the age of eighteen (18) who meets ALL of the following:

1. Voluntarily provides services to the School District, without compensation.
2. Works under the general direction and supervision of any School District employee.
3. Provides direct services to students or may, from time to time, have or may be reasonable expected to have unsupervised contact with students.

Examples of Independent Volunteers – Daytime or overnight field trip chaperones; volunteer tutors; PTO officers; individuals who volunteer to provide counseling or health-related services to students.

Requirements for Independent Volunteers

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1. Must show photo ID to school security staff each time they enter a school building.

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2. Must have Clearances described below.

Volunteer Coaches/Sponsors – Any individual over the age of eighteen (18) who works in an occasional or regular basis with our athletic teams to support the efforts of our professional coaches and other School District personnel. The Volunteer Coach will serve in that capacity for one year at a time without compensation or employee benefits. The use of volunteer coaches shall not conflict with or replace the number of coaching allotments in the athletic budget.

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Examples of Volunteer Coaches/Sponsors – Individuals who volunteer to serve on the coaching staff of an athletic team; volunteer athletic trainers; equipment managers; choreographers, musicians, and other individuals who provide instruction to students in the marching band, school musicals or school plays.

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Requirements for Volunteer Coaches/Sponsors:

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A Volunteer Coach shall be subject to the within Policy as well as the Blackhawk School District Athletic Handbook, which Handbook is incorporated by reference as if set forth fully herein. A copy of the Athletic Handbook is available at the Blackhawk School District Administrative Offices upon request.

A Volunteer Coach shall coach under the following terms and conditions laid out in a signed contract for the specific seasons assigned;

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1. Approved by the Head Coach and the Athletic Director and must also be approved by the School Board at its next monthly meeting.
2. Acquire the clearances identified in this Policy.
3. Work with student athletes only under the immediate supervision and direction of a member of the regular coaching staff.
4. Abide by all policies and rules of the Blackhawk School District, the Western Pennsylvania Interscholastic Athletic Association, the Pennsylvania Interscholastic Athletic Association, and all applicable statutes and laws of the State of Pennsylvania.
5. Conduct themselves at all times by the highest standards of citizenship and sportsmanship.
6. Always support the coaching philosophy of the program in which they are working.
7. Never make statements that could in any way be construed as critical of the coach, athletic department, or building administration or any decision made by the same.
8. Will receive no monetary compensation for any services rendered to the school or for any time spent working with the student athletes for the School District.

9. Obtain CPR/First Aid Certification and complete American Coaching Effectiveness Program within one year of hire.

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Clearances

Prior to approval, all position volunteers shall submit the following information:

- PA Child Abuse History Certification – which must be less than sixty (60) months old. [4][5+0]
- PA State Police Criminal History Record Information – which must be less than sixty (60) months old. [4][5+0]
- Disclosure Statement for Volunteers – 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. [49][5+0][6+2]

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If a position volunteer has not been a resident of Pennsylvania during the entirety of the previous ten (10) year period, the position volunteer must also submit the following information: [5+0]

- Federal Criminal History Report – issued at any time since the volunteer established residency.

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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.

Position volunteers shall obtain and submit new certifications every sixty (60) months. [7+3]

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. [5+0]

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Volunteers who are required to have clearances must have ALL of the following: [4][5][6]

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Act 34 – PA Criminal History Report (24 Pa.C.S. § 1-111)

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Act 151 – Child Abuse Clearance Statement (23 Pa.C.S. § 6344, *et seq.*)

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Act 114 – FBI Criminal Background Check (24 Pa.C.S. § 1-111)

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The costs of obtaining the required reports and clearances shall be the responsibility of the volunteer or any sponsoring parent-teacher organization or booster group.

Clearances can take several weeks to months to process. Information about how to obtain clearances may be obtained on the District website.

Approval

Individuals subject to this Policy must submit the clearances identified above, including the Act 34, Act 151, and Act 114 Clearances to the appropriate building administrator annually for approval.

A volunteer will not be approved if the clearances evidence an offense which would preclude such individual from being employed in a Pennsylvania public school under Act 34, Act 114, or Act 151; in the event there is a conviction of the crimes enumerated in 24 Pa. C.S.A. §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 of child pornography; any conviction for crimes involving domestic abuse or animal abuse; or any other offense involving moral turpitude and any other similar offenses.[2][4]

Any volunteer who wishes to have an offense exempted may do so by submitting an appeal in writing to the District Superintendent, who is authorized to grant exceptions on a case-by-case basis.

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

Exception to FBI Background Check

Volunteers who have been a resident of the Commonwealth of Pennsylvania for the entirety of the previous ten (10) years may request an exception to the FBI certification if there is a compelling reason to forego the clearance; and the volunteer provides a notarized affirmation that they are not disqualified from service based upon a conviction of an offense under §6344. The District Superintendent is authorized to grant such exceptions on a case-by-case basis.[5]

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.~~

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The District's administrative office shall maintain a list of all volunteers approved by the Board, along with copies of all criminal history reports and clearances required by this policy. In addition, each building administrator and the Athletic Office, if appropriate, shall maintain a list of the names and services provided by all volunteers who provide services in his/her respective buildings. These records shall be maintained for the duration of the period that the volunteer provides services to the District and for a period of four (4) years thereafter (up to a total of five (5) years).

Guidelines

~~Each Prospective position volunteer shall complete and submit a volunteer application.~~

~~The names of all position 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.~~

~~Upon approval, volunteers shall be placed on the list of approved volunteers. Approval shall be required prior to beginning service as 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.

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The District's Administration Office shall maintain a list of all volunteers approved by the Board, along with copies of all criminal history reports and clearances required by this policy. In addition, each Building Principal and the Athletic Office, if appropriate, shall maintain a list of the names and services provided by all volunteers who provide services in his/her respective buildings. These records shall be maintained for the duration of the period that the volunteer provides services to the district and for a period of four (4) years thereafter (up to a total of five (5) years).

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.

No volunteer shall be permitted to access, review, disclose or use confidential student information (written or verbal); or participate in conversations, in or out of school, 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.

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. The building administrator or designee shall assume general authority and responsibility over all volunteers serving at this site. The Athletic Director will assume general authority and responsibility over all athletic volunteers.

All volunteers shall adhere to all rules, regulations, and administrative guidelines promulgated by the District. Each volunteer shall affirm, in writing, that s/he has been provided with a copy of and has read and understands this policy.

Certifications

~~Prior to approval, all position volunteers shall submit the following information:~~

- ~~1. PA Child Abuse History Certification — which must be less than sixty (60) months old. [10]~~
- ~~2.1. PA State Police Criminal History Record Information — which must be less than sixty (60) months old. [10]~~
- ~~3.1. Disclosure Statement for Volunteers — 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. [9][10][12]~~

~~If a position volunteer has not been a resident of Pennsylvania during the entirety of the previous ten (10) year period, the position volunteer must also submit the following information: [10]~~

- ~~1. 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.~~

~~Position volunteers shall obtain and submit new certifications every sixty (60) months. [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

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~~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

~~Position 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 position 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 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 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]~~

Arrest or Conviction Reporting Requirements

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Independent Volunteers and Volunteer Coaches/Sponsors 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.[5][6]

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The Superintendent or designee shall immediately require an Independent Volunteer and Volunteer Coach/Sponsor 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. [5][6]

Failure to accurately report such occurrences may subject the Independent Volunteer and Volunteer Coach/Sponsor to disciplinary action up to and including denial of volunteer service and criminal prosecution. [5][6]

Exceptions

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Any exceptions to this Policy shall only be made by the Board of School Directors.