

## Volunteer Guidelines

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Any felony conviction, state or federal, would eliminate an individual from being a chaperone, permanently.

The following misdemeanor convictions are additionally considered in volunteer eligibility determinations:

Any misdemeanor offense included in KRS Chapter 531 or another jurisdiction's equivalent statutory authority, including:

- O 531.020. Distribution of obscene matter.
- O 531.030. Distribution of obscene matter to minors.
- O 531.040. Using minors to distribute obscene material.
- O 531.050. Advertising obscene material.
- O 531.060. Promoting sale of obscenity.
- O 531.090. Voyeurism.

Any misdemeanor offense included in KRS Chapter 510 or another jurisdiction's equivalent statutory authority, including:

- O 510.100. Sodomy in the fourth degree.
- O 510.120. Sexual abuse in the second degree.
- O 510.130. Sexual abuse in the third degree.
- O 510.140. Sexual misconduct.
- O 510.148. Indecent exposure in the first degree.
- O 510.150. Indecent exposure in the second degree.

Any misdemeanor offense under KRS Chapter 218A, or another jurisdiction's equivalent statutory authority prohibiting misdemeanor drug offenses, committed within the five (5) years immediately preceding the application. [NOTE: felony drug convictions are not subject to the five-year look back period]

Any conviction for violating KRS Chapter 189A, or another jurisdiction's equivalent statutory authority prohibiting Driving Under the Influence (DUI) or Operating a Vehicle Impaired (OVI), which was committed within the five (5) years immediately preceding the application.

**Note:** If an individual has charges pending in court, regardless of the jurisdiction, those charges would need to be resolved before eligibility could be determined (*if the pending charge was of a nature that a conviction would impact the eligibility of the chaperone.*)

Furthermore, if a volunteer is charged and/or convicted of one of the above-listed offenses *after* volunteer privileges have already been granted, it is the volunteer's responsibility to notify the school principal and/or Human Resources Department immediately.

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## More About Volunteer Screening and Background Checks

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Boone County Schools are dedicated to providing excellent services through partnerships with local law enforcement agencies and other community organizations to provide a safe and secure learning environment for our students, staff and community in an effective, responsive, and professional manner.

We value the safety of the students entrusted to us, the stakeholders whom we serve and our employees and volunteers. We want to take prudent measures to attempt to safeguard each and every individual from potential harm. Therefore, Boone County Schools has a practice of screening all volunteers who are working directly with our students. The policy is not intended to dissuade community members from volunteering, but rather to ensure appropriate clearances for those having contact with our students and staff.

Volunteers cannot have direct, unsupervised contact with students until the principal receives the results of the background check. A conviction for a crime does not automatically preclude volunteer service, and individual circumstances will be considered, such as the nature and severity of the crime, the number of convictions, how long it has been since the convictions occurred, and the duties of the volunteer position.

### If Results Indicate Criminal History

If the system returns information on a prospective volunteer that indicates criminal history, the school personnel will first work to verify that the results match the prospective volunteer. If the match is likely, the school has a number of options and it will be necessary for school personnel to inquire further about the nature of the criminal history. In their decision, schools will consider a number of factors, including, but not limited to, the following:

#### Considerations:

- ☐ **Prior Disclosure**—It is important that any criminal history be indicated upfront when completing Boone County Schools Volunteer Form. Failure to disclose criminal history upfront may be considered negligent or an intentional effort to conceal information.
- ☐ **Type of offense**—The type of criminal offense matters with regard to the level of risk the person poses to the children at school. Some offenses automatically disqualify the person from volunteering with our schools (*see reverse*), while other offenses may allow for limited and supervised volunteer roles.
- ☐ **Context of Offense**—Sometimes specific information about the criminal history, such as timing, cause and effect, multiple offenses, progress since the crime, etc. may affect the decision process.

*The school principal or his/her designee has final authority and discretion regarding the eligibility determination of a prospective volunteer who has a criminal history other than those offenses set forth on the reverse. This determination may be made in consultation with the Boone County Schools Human Resources Director or other qualified personnel including the Office of Schools/Community Relations.*

### Options for Volunteers with Criminal History

#### Option A — Full Access

If the school principal, in consultation with other appropriate school staff, determines that the prospective volunteer with criminal history poses no greater threat to our students than other volunteers, full access to volunteer opportunities may be given. Normal levels of supervision will be provided.

#### Option B — Limited Access

If the risk level of a prospective volunteer with criminal history is low, but still questionable, the principal may approve a limited volunteer role for the individual. Involvement may be on a short-term or trial basis, with an appropriate and defined role, and should be limited to only those roles with significant levels of supervision.

#### Option C — Denial of Access

Some types of offenses will automatically disqualify a person from volunteering in our schools (*see list of bolded offenses on reverse*). In addition, other offenses may disqualify a person depending upon the judgment of the principal and the information school staff is able to gather from the prospective volunteer and the background check system.

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*Boone County Schools recognize the overall priority of providing a safe environment for all of our students and seeks to involve those adults who can contribute positively to our schools.*

## **Frequently Asked Questions FAQs Regarding Background Checks**

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### *1. Who is required to have a Background Check?*

In addition to all employees, background checks are required of volunteers, contract service providers, adult and community education instructors, student teachers, and PTA/PTSA/PTO/PTSO volunteers. Generally, anyone who will spend time on a Boone County Schools campus interacting with students is required to have a background check.

One group that raises questions is the presenters/performers who may give a presentation/performance at a campus or campuses. These do not usually require a background check, since they are only on campus for a short period of time (*a few hours*) and do not have direct student contact.

### *2. What exactly is being checked?*

The Background Check is a criminal history check, which when you complete the form (*online or on paper*) you authorize Boone County Schools to conduct. We use your information and run it against government databases to check for misdemeanor and/or felony violations.

### *3. How long does the process take?*

If you use the Online Background Check form, the process should take only 1 or 2 business days, pending system demands. If you use the paper form, it will take considerably longer.

### *4. How frequently must I have a background check?*

It is recommended that Background Checks be renewed at least annually.

### *5. Do I have to give my Social Security Number?*

You can be a volunteer without providing your Social Security Number. However, the Online Background Check form does require it. If you want to be a volunteer but do not want to provide your Social Security Number, then please use the paper version of the Background Check form.

### *6. What happens if I don't pass the Background Check?*

If you fail to clear the Background Check, you will not be able to volunteer for some/all duties you applied for. Different volunteer positions have different requirements.

You will be notified if you fail to clear the background check. At that point, you have several options for getting the issue resolved. Please contact your child's school for details.

### *7. What kinds of things will disqualify me from being a volunteer?*

Different volunteer positions have different requirements. Generally, the more serious the offense, and the more recent the offense, the more likely it is that you will not be able to serve as a volunteer. All felony convictions will result in a loss of volunteer privileges.

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If your question is not listed here, please contact your child's school for assistance or contact the Human Resources Department at 859-282-2374, or e-mail [Phil Sheehy](mailto:phil.sheehy@boone.kyschools.us) at [phil.sheehy@boone.kyschools.us](mailto:phil.sheehy@boone.kyschools.us)