



Book	Policy Manual
Section	8000 Operations
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8120 - **VOLUNTEERS**

The School Board recognizes that certain programs and activities can be enhanced through the use of volunteers who have particular knowledge or skills that will be helpful to members of the staff responsible for implementation of those programs and activities.

In an effort to keep our schools safe, all volunteers must complete the Corporation Parent Volunteer application and provide information to complete a limited criminal background check prior to participating in any events or volunteer work within the Plymouth Community School Corporation on an annual school year basis

For student safety, volunteers wishing to attend a field trip must ride with the students on the bus to its destination. Volunteers are not permitted to drive separately and join a group of students at the destination.

Volunteer criminal background checks are required for:

- A. Attending or assisting with class parties;
- B. Assisting school staff in the classroom or school building;
- C. Assisting staff with extracurricular activities;
- D. Any activities sponsored by the school not previously mentioned above but deemed that this would be a requirement.

The limited criminal background check will be completed by each school's office staff using the State of Indiana Police Criminal Records Database and the Sex Offender Database. The following offenses appearing on any background check will disqualify a volunteer candidate.

- A. Felony conviction within the last ten (10) years;
- B. Drug conviction (felony or misdemeanor) within the last ten (10) years;
- C. Battery conviction within the last ten (10) years;
- D. Child abuse or neglect conviction within the last ten (10) years;
- E. Two (2) or more DUI's or alcohol-related convictions within the last five (5) years;
- F. Any felony charges pending;
- G. Any charge or conviction not mentioned above, but determined to be a risk to the students.

Volunteer-limited criminal background checks are evaluated and will be valid for the current school year. At the start of any given school year, volunteers will need to complete or repeat the limited background check process.

If a volunteer is not permitted to volunteer in our schools due to pending criminal charges, once those charges are resolved the volunteer may request that their volunteer status be re-evaluated.

The Superintendent shall not be obligated to make use of volunteers whose abilities are not compatible with the School Corporation's needs.

Each volunteer who is in direct contact with students will be required to submit to an Expanded Criminal History Record Check which shall include:

- A. an expanded criminal history check (as defined by I.C. 20-26-2-1.5) of the criminal history record system maintained by the Federal Bureau of Investigation based on fingerprint identification or another method of positive identification;
- B. an expanded child protection index check as defined by I.C. 20-26-2-1.3;
- C. a search of the national sex offender registry maintained by the United States Department of Justice;
- D. beginning July 1, 2017, a search of the State child abuse registry.

The Board shall prohibit volunteer service by a person who has been convicted of an offense requiring license revocation per I.C. 20-28-5-8(c) unless the conviction has been reversed, vacated, or set aside on appeal.

Before allowing an individual to serve as a volunteer coach, the Corporation shall conduct an expanded criminal history check (as defined in I.C. 20-26-2-1.5 on the volunteer coach.

The procedures shall ensure that information and records obtained from criminal history inquiries under this policy are confidential and shall not be released except as necessary to implement this policy or to defend a decision made pursuant to this policy.

Additionally, before the Corporation hires or allows an individual to coach an Indiana High School Athletic Association-recognized sport, the Corporation must take the following steps:

- A. ask the individual:
 - 1. whether the individual is or has been accredited by the association; and
 - 2. if the individual is or has been accredited by the association, whether the individual's accreditation has ever been suspended or revoked;
- B. request references from the individual ;
- C. contact the references that the individual provides to the Corporation; and
- D. contact the association to determine whether the individual's accreditation has ever been suspended or revoked.

The Corporation shall make a report to the Department of Child Services if a volunteer coach has engaged in suspected child abuse or neglect.

The Corporation shall report to the association when a volunteer coach accredited by the association has been convicted of an offense described in I.C. 20-28-5-8(c) or of a known comparable offense in another state. These offenses include:

- A. A sex crime under I.C. 35-42-4 (including criminal deviate conduct, I.C. 35-42-4-2, before its repeal).
- B. Kidnapping (I.C. 35-42-3-2).
- C. Criminal Confinement (I.C. 35-42-3-3).
- D. An offense under I.C. 35-48-4 involving the manufacture or sale of a synthetic drug (as defined in I.C. 35-31.5-2-321), a synthetic drug lookalike substance (as defined in I.C. 35-31.5-2-321.5 (before its repeal on July 1, 2019)) under I.C. 35-48-4-10.5 (before its repeal on July 1, 2019), a controlled substance analog (as defined in I.C. 35-48-1-9.3), or a substance

represented to be a controlled substance (as described in I.C. 35-48-4-4.6).

- E. Homicide (I.C. 35-42-1).
- F. Voluntary manslaughter (I.C. 35-42-1-3).
- G. Reckless homicide (I.C. 35-42-1-5).
- H. Battery as any of the following: (i) A Class A felony (for a crime committed before July 1, 2014) or a Level 2 felony (for a crime committed after June 30, 2014). (ii) A Class B felony (for a crime committed before July 1, 2014) or a Level 3 felony (for a crime committed after June 30, 2014). (iii) A Class C felony (for a crime committed before July 1, 2014) or a Level 5 felony (for a crime committed after June 30, 2014).
- I. Aggravated battery (I.C. 35-42-2-1.5).
- J. Robbery (I.C. 35-42-5-1).
- K. Carjacking (I.C. 35-42-5-2) (before its repeal).
- L. Arson as a Class A felony or Class B felony (for a crime committed before July 1, 2014) or as a Level 2, Level 3, or Level 4 felony (for a crime committed after June 30, 2014) (I.C. 35-43-1-1(a)).
- M. Burglary as a Class A felony or Class B felony (for a crime committed before July 1, 2014) or as a Level 1, Level 2, Level 3, or Level 4 felony (for a crime committed after June 30, 2014) (I.C. 35-43-2-1).
- N. Human trafficking (I.C. 35-42-3.5).
- O. Dealing in a controlled substance resulting in death (I.C. 35-42-1-1.5).
- P. Attempt under I.C. 35-41-5-1 to commit an offense listed in this subsection.
- Q. Conspiracy under I.C. 35-41-5-2 to commit an offense listed in this subsection.
- R. Public indecency (I.C. 35-45-4-1) committed: (A) after June 30, 2003; or (B) before July 1, 2003, if the person committed the offense by, in a public place: (i) engaging in sexual intercourse or other sexual conduct (as defined in I.C. 35-31.5-2-221.5); (ii) appearing in a state of nudity with the intent to arouse the sexual desires of the person or another person, or being at least eighteen (18) years of age, with the intent to be seen by a child less than sixteen (16) years of age; or (iii) fondling the person's genitals or the genitals of another person.

The Corporation shall report suspected misconduct by a volunteer coach that may constitute a crime to local law enforcement.

The Corporation may obtain an expanded criminal history check or an expanded child protection index check at any time if the Corporation has reason to believe that the volunteer:

- A. is the subject of a substantiated report of child abuse or neglect or
- B. has been charged with or convicted of one (1) of the following crimes:
 - 1. Murder (I.C. 35-42-1-1).
 - 2. Causing suicide (I.C. 35-42-1-2).
 - 3. Assisting suicide (I.C. 35-42-1-2.5).
 - 4. Voluntary manslaughter (I.C. 35-42-1-3).
 - 5. Reckless homicide (I.C. 35-42-1-5).
 - 6. Battery (I.C. 35-42-2-1) unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
 - 7. Aggravated battery (I.C. 35-42-2-1.5).
 - 8. Kidnapping (I.C. 35-42-3-2).
 - 9. Criminal confinement (I.C. 35-42-3-3).

10. A sex offense under I.C. 35-42-4 (including criminal deviate conduct, I.C. 35-42-4-2, before its repeal).
11. Carjacking (I.C. 35-42-5-2) (before its repeal).
12. Arson (I.C. 35-43-1-1), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
13. Incest (I.C. 35-46-1-3).
14. Neglect of a dependent as a Class B felony (for a crime committed before July 1, 2014) or a Level 1 felony or Level 3 felony (for a crime committed after June 30, 2014) (I.C. 35-46-1-4(b)(2) and (3)), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
15. Child selling (I.C. 35-46-1-4(d)).
16. Contributing to the delinquency of a minor (I.C. 35-46-1-8), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
17. An offense involving a weapon under I.C. 35-47 or I.C. 35-47.5, unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
18. An offense relating to controlled substances under I.C. 35-48-4, unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
19. An offense relating to material or a performance that is harmful to minors or obscene under I.C. 35-49-3, unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
20. An offense relating to operating a motor vehicle while intoxicated under I.C. 9-30-5, unless five (5) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
21. Domestic battery (I.C. 35-42-2-1.3), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is latest.
22. Public indecency (I.C. 35-45-4-1) committed: (A) after June 30, 2003; or (B) before July 1, 2003, if the person committed the offense by, in a public place: (i) engaging in sexual intercourse or other sexual conduct (as defined in IC 35-31.5-2-221.5); (ii) appearing in a state of nudity with the intent to arouse the sexual desires of the person or another person, or being at least eighteen (18) years of age with the intent to be seen by a child less than sixteen (16) years of age; or (iii) fondling the person's genitals or the genitals of another person.
23. An offense that is substantially equivalent to any of the offenses listed in this subsection in which the judgment of conviction was entered under the law of any other jurisdiction.

Each volunteer shall be informed that the volunteer:

- A. shall agree to abide by all Board policies and Corporation guidelines while on duty as a volunteer;
- B. will be covered under the Corporation's liability policy but the Corporation shall not provide any type of health insurance to cover illness or accident incurred while serving as a volunteer, nor is the volunteer eligible for workers' compensation;
- C. will be asked to sign a form releasing the Corporation of any obligation should the volunteer become ill or receive an injury as a result of his/her volunteer services.
- D. will be required to report any arrests, the filing of criminal charges against the volunteer, or convictions for a crime while serving as a volunteer;
- E. will be required to report any substantiated report of child abuse or neglect of which the volunteer is the subject.

Each volunteer will also be properly informed of the Corporation's appreciation for the volunteer's time and efforts in assisting the operation of the schools.

Without conferring the rights of an employee on a volunteer coach, the Corporation shall comply with I.C. 22-5-3-1 (Indiana's blacklisting law) regarding a volunteer coach, including the provisions for civil immunity regarding disclosures made about a volunteer coach.

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T.C. 12/5/17

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Legal

- I.C. 5-2-22
- I.C. 10-13-3
- I.C. 20-26-2-1.3
- I.C. 20-26-2-1.5
- I.C. 20-26-5-10, -11 and -11.5
- I.C. 20-26-14-2.5
- I.C. 20-26-14-8
- I.C. 20-26-14-9
- I.C. 20-28-5-8(c)
- I.C. 22-5-3-1