



SECTION: BACKGROUND CHECKS

TITLE: VOLUNTEERS

ADOPTED: AUGUST 5, 2015

VOLUNTEERS	
1. Purpose	The Laurel Recreation Association (herein referred to as the “LRA” functions solely on involvement of parents/guardians and community volunteers to enhance the sports programs offered by the organization. Accordingly, though these parent/guardian and community volunteers are subject to certain requirements and procedures which are set forth in this policy.
2. Authority	The LRA may adopt and enforce reasonable rules and regulations governing volunteers and their participation in the activities of the Organization.
3. Delegation of Responsibility	The President or designee shall promulgate any further rules, forms, procedures, etc., to fully implement this policy that will provide for the safety and security of each youth athlete.
	The President is given the authority to interpret this policy.
4. <u>Definitions</u> 23 Pa. C.S.A Sec. 6303	Direct Contact with Children - the possibility of the care, supervision, guidance or control of children or routine interaction with children.
	Volunteer - adult who provides a service without compensation, remuneration or other consideration for an educational, extracurricular activity, or a program, activity or service responsible for the child’s welfare.
	If an individual or the company employing the individual is receiving any consideration for the services provided, they are not a volunteer and are not governed by this policy.
23 Pa. C.S.A Sec. 6303	Adult - individual 18 years of age or older.

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5. Guidelines	<u>Clearance Requirement</u>
23 Pa. C.S.A. Sec. 6344.2	Clearances are required for all unpaid adult volunteers who are responsible for the welfare of a child or have the possibility of caring for, supervising, guiding or controlling children or routine interaction with children, regardless of the number of hours or frequency of the contact.
	<u>Clearances Required for Volunteers</u>
23 Pa. C.S.A. Sec. 6344.2	1. PA State Criminal Record Check.
	2. PA Child Abuse History Clearance.
	3. Federal Criminal History Record Check (Fingerprint) (unless Volunteer Request for Waiver is submitted and approved).
23 Pa. C.S.A. Sec. 6344(c)	No person who is required to submit clearances will be permitted to volunteer if the criminal history or child abuse reports/clearances required by this policy evidence an offense which would preclude such individual from providing services under the Child Protective Services Law (see Disqualifying Offenses).
	Volunteering is a <u>privilege</u> , not a right. Even if a volunteer has obtained the required background clearances, the District retains the right to exercise discretion in permitting the individual to serve as a volunteer.
	<u>Waiver of Federal Criminal History Record Check (Fingerprint)</u>
23 Pa. C.S.A. Sec. 6344.2	A volunteer may NOT have to submit the Federal Criminal History Record (Fingerprint check) if the volunteer submits a sworn affidavit (in the form of the Volunteer PA Resident Affidavit – Federal Criminal History Record Check – available online on the LRA website under the Youth Protection tab) affirming that the volunteer:
	1. Has been a resident of the Commonwealth of PA for the entirety of the previous ten (10) years; and

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	<p>2. Has never been convicted of a Disqualifying Offense in PA or any other state or jurisdiction, including foreign jurisdictions.</p>
	<p><u>Cost of Clearances</u></p>
	<p>The costs of obtaining the required clearances shall be the responsibility of the Laurel Recreation Association.</p>
	<p><u>Age/Renewal of Clearances</u></p>
	<p>When first submitted, the clearances cannot be more than thirty-six (36) months old.</p>
<p>23 Pa. C.S.A. Sec. 6344.2</p>	<p>After the first submission, clearances must be updated every thirty-six (36) months from the oldest date on the clearances.</p>
	<p><u>Submission/Maintenance of Clearances</u></p>
	<p>Volunteers shall complete the necessary forms and electronic submissions as required under the Protect Youth Sports program and submit them directly to the Registrar or the Director of the sport they are volunteering for:</p>
	<p>1. Original PA State Criminal Records Check – Act 34;</p>
	<p>2. Original PA Child Abuse History Clearance – Act 151;</p>
	<p>3. Original Federal Criminal History Record Check (Fingerprint) – Act 114 (if not seeking a Volunteer Request for Waiver);</p>
	<p>4. Volunteer Request for Waiver of FBI – Federal Criminal History Record Check (if seeking waiver of #3); and</p>
	<p>5. Acknowledgment of Volunteer Obligations Form available online at the LRA Website under the Youth Protection Tab</p>

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	Volunteers, at their own discretion, can delete personal identification numbers from the clearance record on file, such as their social security number, once accepted by the Organization.
23 Pa. C.S.A. Sec. 6344.3	<u>Duty to Notify</u>
	If, after the date of the clearances, the volunteer is arrested or convicted of a Disqualifying Offense, or named as a perpetrator of a founded report of child abuse, the volunteer must provide written notice to the President of the LRA within seventy-two (72) hours of the arrest or conviction.
23 Pa. C.S.A. Sec. 6344.3	<u>Failure to Disclose</u>
	Anyone failing to disclose information required under this policy commits a misdemeanor of the third degree and will be reported to law enforcement.
	<u>Early Renewal Right</u>
	If the LRA has a reasonable belief that a volunteer has been arrested or convicted of a Disqualifying Offense or was named a perpetrator in a founded report of child abuse or the volunteer has given notice of an arrest or conviction of a Disqualifying Offense, the LRA, at its expense, shall immediately require the volunteer to submit updated clearances.
	<u>General Guidelines</u>
	1. Under no circumstances shall a volunteer be considered an employee or an independent contractor of the District. A volunteer shall receive no wages or other valuable consideration for the performance of his/her volunteer services.
	2. 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.

	<u>Disqualifying Offenses</u>
23 Pa. C.S.A. Sec. 6344(c)	<ol style="list-style-type: none"> 1. Ever convicted of an offense similar in nature to the following 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 national, or under a former law of Pennsylvania: <ol style="list-style-type: none"> a. Criminal homicide b. Aggravated assault c. Stalking d. Kidnapping e. Unlawful Restraint f. Rape g. Statutory sexual assault h. Sexual assault i. Involuntary deviate sexual intercourse j. Aggravated indecent assault k. Indecent assault l. Indecent exposure m. Incest n. Concealing the death of a child o. Endangering the welfare of a child p. Dealing in infant children q. Prostitution and related offenses r. Crimes related to obscene and other sexual materials and performances s. Corruption of minors t. Sexual abuse of children
	<ol style="list-style-type: none"> 2. Ever named as the perpetrator of a founded report of child abuse; OR
	<ol style="list-style-type: none"> 3. WITHIN THE 5-YEAR PERIOD IMMEDIATELY PRECEDING, convicted of a felony offense under The Controlled Substance, Drug, Device and Cosmetic Act.
	<p><u>References:</u></p> <p>Child Protective Services Law – 23 Pa. C.S.A. Sec. 6301 et seq. State Department of Health Regulations – 28 PA Code Sec. 23.44</p>