

## Vestavia Hills City Schools

### Volunteer Background Check Procedure

September 10, 2018

The Vestavia Hills Board of Education recognizes that community and parent volunteers make valuable contributions to the district's schools and encourages volunteer participation in district programs. Further, parent and community involvement are essential components of high student achievement. The Vestavia Hills Board of Education endorses a volunteer program and expects its professional staff to encourage and strengthen community and parent involvement in our schools.

The district may decline the services of any volunteer for any legal reason. All information collected on volunteers will be considered confidential to the extent allowed by law and will only be used to protect the student or minimize disruption to the educational environment. Although volunteers will be provided support services, they are not substitutes for the professional building staff. Volunteers will work under the direction and supervision of school staff.

In order to ensure the character and fitness of such employees and volunteers, the Board hereby implements the following Background Check Procedure:

1. **Application of Procedure:** The provision of paragraphs 2 through 8 of this procedure shall apply to all Vestavia Hills City Schools programs where volunteers on extended trips overnight have contact with minors (children and teens under the age of 19).

2. **Scope of Background Check:**

The Board shall offer to all building principals the ability to use a contractor selected by the Superintendent to perform Background Checks (the "Contractor"). The cost of providing the Background Checks shall be paid by the individual seeking the volunteer service, namely the parent/guardian serving as chaperone. Any parent/guardian serving as chaperone may use other third parties to perform its Background Checks. However, Background Checks must conform to the minimum standards set forth in this procedure. Background Checks must be conducted prior to the beginning of the trip for which the student and parent/guardian chaperone will be traveling and the building principal will set the timeframe for individual trip receipt.

3. **Minimum Standards:** The minimum standards for Background Checks are as follows:

1. Social Security Number Verification and address trace;
2. State of Alabama Criminal history check through Alacourt;
3. Nationwide Sex Offender search;
4. The ability to check criminal history in other states if necessary. (For example, if the initial check shows that the volunteer has prior addresses in other states and/or the individual is not generally known in the community, the building principal, with

support from the Assistant Superintendent of Operation and Services, should use its discretion to determine whether a criminal history from certain other states or all states is necessary).

**4. Negative Findings by the Board's Contractor:**

- a. If the building principal uses the city's contractor, the contractor shall notify the Assistant Superintendent of Operations and Services of any negative findings relating to a parent/guardian chaperone. If a third party is used, the building principal shall notify the Assistant Superintendent of any negative findings.
- b. Absent extenuating circumstances, any negative findings falling into the following categories shall disqualify an Applicant for participation with the Vestavia Hills City Schools for overnight volunteering:
  1. Felony arrest;
  2. Sex offender violations;
  3. Any other arrest for an offense (whether felony or misdemeanor) involving violence.
- c. If the building principal receives a finding falling into one of the categories listed in paragraph 4(b) above, the parent/guardian chaperone shall be disqualified for service, (the "Disqualification") and the following procedures shall be used for notification of the Disqualification:
  - i. The building principal shall first notify the parent/guardian chaperone.
  - ii. The parent/guardian chaperone shall have 24 hours to either dispute the accuracy of the negative finding or withdraw his or her service for the overnight volunteer opportunity.
  - iii. If the parent/guardian chaperone does not respond to the building principal within 24 hours, then the building principal shall notify Assistant Superintendent of Operations and Services of the disqualification, but shall not disclose any details of the negative finding. Once the building principal and Assistant Superintendent are aware of the circumstances surrounding the negative finding, they shall keep all information related to the Disqualification strictly confidential and shall further disclose such information only with authorization from the parent/guardian chaperone.
  - iv. If the parent/guardian chaperone disputes the accuracy of the negative finding within the 24 hour period, the Assistant Superintendent shall notify contractor of the dispute and the dispute shall be handled according to the contractor's dispute resolution policy. (If the building principal has allowed a third party to perform the Background Check, then the building principal shall request that this contractor resolve the dispute in accordance with its own contractor dispute resolution policy).
  - v. After completion of the dispute resolution process, the contractor (or the contractor for the third party) shall report the results of the dispute resolution process to the parent/guardian chaperone. If the

parent/guardian chaperone desires to proceed forward with the application for overnight volunteer service, he or she shall notify the Assistant Superintendent of Operation and Services and the application shall proceed in accordance with the provisions of this procedure.

- d. If there is a negative finding that does not fall into one of the categories listed in paragraph 4 (b) above, the building principal shall communicate the finding to the Assistant Superintendent. The Assistant Superintendent of Operations and Services shall then determine whether the parent/guardian chaperone is fit for service, considering the health, safety and welfare of its participants.

#### 5. **Appeals:**

- a. If the building principal believes there are extenuating circumstances involved in the negative finding, he or she may request an appeal of the Disqualification, with permission from the parent/guardian chaperone (“Appeal”).
- b. If the parent/guardian chaperone desires for the building principal to proceed with an Appeal of the Disqualification, the parent/guardian chaperone shall authorize them, in writing, to disclose information to the Assistant Superintendent of Operations and Services and/or the Superintendent, as necessary for purposes of the appeal. Authorization by electronic mail shall be sufficient.
- c. As part of the appeal process, the building principal, or a representative of the building thereof, shall be required to attest, in writing, to the character and fitness of the parent/guardian chaperone.
- d. The Superintendent shall appoint a special committee of three Board of Education Office employees to hear the appeal. The Superintendent may appoint himself/herself to the special committee. The appeal shall take place at a meeting attended by the special committee, the parent/guardian chaperone, and any representatives of the building designated in writing by the parent/guardian chaperone, through electronic mail to the Superintendent. The Superintendent may allow others to appear at the meeting if requested by the parent/guardian chaperone, subject to the Superintendent’s discretion.
- e. The special committee shall assess whether there are extenuating circumstances that warrant an exception to the Disqualification. Extenuating circumstances shall include, but not be limited to the following:
  1. The time period elapsed since the actions giving rise to the negative finding;
  2. The age of the applicant at the time of the actions giving rise to the negative finding;
  3. The special committee’s perceived severity of the negative finding; and
  4. Any other mitigating circumstances presented by the parent/guardian chaperone
- f. Following the appeal meeting, the special committee shall make a recommendation to the Superintendent as to whether the Disqualification should be reversed. The

recommendation shall be in writing and shall state the reasons for the special committee's recommendation. The Superintendent will then make the final determination as to whether to accept the special committee's recommendation or reject it. If the special committee recommends reversing the Disqualification, and the Superintendent approves the recommendation, the Disqualification shall be reversed and the building principal shall have the option of accepting the parent/guardian chaperone for attendance on the trip.

6. **Confidentiality:** The Vestavia Hills City Schools shall keep all Background Check information confidential and such information shall be disclosed to the Assistant Superintendent only on a need to know basis in order to make appropriate decisions relating to volunteers of various overnight programs. Employees of the Vestavia Hills City Schools are directed by these procedures to keep Background Check information strictly confidential.