

LEBANON SPECIAL SCHOOL DISTRICT

“COMMITTED TO A COMMUNITY OF EXCELLENCE”

Volunteer Procedures and Guidelines⁺

The Lebanon Special School District created a three-tiered guideline to protect our students and continue to maintain the high levels of volunteerism that our district enjoys. The new guidelines will not affect all volunteers. The three tiers are identified below.

Tier 1* - Someone who volunteers occasionally and in a highly public setting with little or no contact with students and who are under constant supervision by Lebanon Special School District personnel will not be required to complete a volunteer application or criminal background check. A volunteer fitting this example might be someone working at a school field day or fundraising event or someone working in the concession stand or making an occasional classroom visit. If you plan to volunteer at the Tier 1 level, you do not need to complete any paperwork.

Tier 2* – Regular volunteers with student contact under constant supervision of Lebanon Special School District personnel must complete a volunteer application and confidentiality agreement acknowledging FERPA (student confidentiality) requirements. A volunteer fitting this example might include a room parent, daily/weekly class readers, front door reception, front office volunteers and single day field trip chaperones at the middle school level, where it is assured that students will always be supervised by Lebanon Special School District personnel. However, at the principal’s discretion they can request their tier 2 volunteers be fingerprinted for duties that they are fulfilling at the school or the school’s events.

Tier 3* - Volunteers who have unsupervised contact with students on or off campus will be required to:

1. Complete a volunteer application and confidentiality agreement, which should be returned to the school, and
2. Have a criminal background fingerprint check completed.

A volunteer fitting this example would be someone providing one-on-one tutoring, an overnight field trip chaperone or a single day field trip chaperone where there is no direct supervision by a Lebanon School District employee, non-faculty/volunteer coach. All elementary field trips are considered Tier 3.

For the most up to date information on volunteering, talk to the office personnel at your student’s school. The fingerprint check is a one time check, unless the period extends longer than 5 years, or there is just cause.

⁺ Board Policy 4.501(10)

*All Tiers require a Raptor check.

Volunteer Application/Vetting process

1. Occasional volunteer activity in a highly public setting under constant supervision by an LSSD employee with little or no contact with students does not require a volunteer application or a criminal background check. School administrators must ensure that these volunteers are never left with students outside the presence of a school employee. Such activities may include:
School fairs, field days, book fairs, occasional classroom visits or speakers, PTA/PTO meetings and fundraising events, and athletic concessions.
2. Regular volunteer activity and volunteer activity with student contact taking place under constant supervision by an LSSD employee requires completion of a volunteer application and a confidentiality agreement acknowledging FERPA requirements. School administrators must ensure that these volunteers are never left with students outside the presence of a school employee. Such activities may include:
Room Parents
Class readers
Front door reception
Front office volunteers
Accompanying day field trips when the volunteer is not with students outside the presence of a school employee
3. Volunteer activity that involves unsupervised contact with students on or off campus requires (1) completion of a volunteer application and (2) a criminal background & fingerprint check through the LSSD Human Resources Department or submission to the Human Resources Department a report detailing the results of a prior fingerprinting (within the last 6 months). The Human Resources Department will also conduct background checks as prescribed under state law through other reporting agencies. The cost of fingerprinting for volunteers must be borne by the volunteers, PTO, or booster club. Volunteers are responsible for scheduling and paying for background checks. Such activities may include:
Volunteer/non-faculty coach
One-on-one tutoring
Overnight field trip chaperones
Group leaders/chaperones for day field trips outside a school employee's presence
4. Unpaid coaches and volunteers who are to hold positions on the supplemented employment list shall be subject to the supplemented application process, including but not limited to criminal background check and fingerprinting process. This would include ANY coach that is not an LSSD employee.
5. Volunteers whose prior history, including but not limited to criminal history, demonstrates a risk to safety or well being of students will be denied participation in volunteer activities involving students. Conditions for denial may include, but not be limited to, the following:
Appearance on any sex offender registry
Conviction of/pleading no contest/pretrial diversion of any felony
Conviction of/pleading no contest/pretrial diversion of any misdemeanor that indicates a volunteer may pose a threat to the integrity or safety of the school environment, conviction of/pleading no contest/pretrial diversion of DUI, Reckless Driving, or other related offenses for volunteer drivers
A pattern of criminal charges that cause concern that the volunteer may pose a threat to the integrity or safety of the school environment
An administrator's determination that the volunteer's behavior renders that volunteer's participation in the activity to be inappropriate.
6. Volunteers subject to the application process or the criminal background/fingerprinting process described above shall immediately notify a school administrator upon any arrest and immediately cease volunteering, pending a determination. Upon notification, if the volunteer wishes to continue participation as a volunteer, the volunteer's participation shall be reviewed under the standards described in paragraph 5, above.

Questions and Answers

Why do our volunteers need background checks?

One of our main priorities is to keep children safe. We surveyed other Tennessee districts and discovered that all of them required background checks of their volunteers. Since there are three tiers of volunteers, there are many opportunities for volunteers to work in our schools even if they do not want to go through the fingerprinting background check process. The background check is only for volunteers who will be working with children in an unsupervised setting.

What type of background check is the district conducting?

TBI/FBI nationwide criminal background check through the National Crime Information Center, NCIC.

Could the district use a fingerprint background check that was done by another government agency or my employer?

Possibly, if the fingerprint check was through the FBI's database within the past six months. You should contact the government agency or employer to obtain a copy of the fingerprint background check (NCIC rap sheet; results page) and bring the copy to the Human Resources Department at the Central Office, 397 North Castle Heights Ave, Lebanon TN. They will determine if your fingerprint background check is appropriate.

Who determines if someone is "cleared" to volunteer and how will the schools know?

The LSSD Human Resources Department will receive the reports from the background checks and forward them to the Director of Schools or his designee if a report reveals any criminal history. The Human Resources Department will be compiling a list of Tier 3 volunteers that will be shared with the schools. Individual schools will keep a separate list of Tier 2 volunteers at the school site.

Do I have to get a fingerprint check every year?

We have structured the Tier 3 check as a one-time check that will clear the volunteer from that point forward, with the caveat that each volunteer is responsible for reporting any subsequent events. The fingerprint check is a one-time check, every 5 years, even if your child transitions to a new school, unless there is just cause.

Is fingerprinting truly necessary or would a background check be a sufficient place to start?

A fingerprinting background check will reveal any criminal history that is in the National Crime Information Center (NCIC) database that is maintained by the FBI. This is the same check that is required of employees and contractors, and this is the information that has been established through appropriate legal due process and can be reasonably relied on for accuracy. Also, this is the information that is relevant to us for volunteer work where the volunteer might be one-on-one with children. We have not found a more reliable criminal background check.

Who is maintaining the records?

The LSSD Human Resources Department.

What privacy safeguards are in place? Who will be privy to the information?

LSSD will maintain these reports. Social security numbers will be safeguarded and will not be included on information that is shared with the schools. However, the information obtained from these searches includes public records from across the nation. Because of this, LSSD cannot guarantee that the information is confidential. If an individual is concerned that a criminal background check will reveal something that they do not want disclosed, they should not volunteer for the Tier 3 work described in the procedure. LSSD will not disclose this to any member of the public unless required by law to do so, but Tennessee law does require disclosure of most government records to members of the public upon written request. You can further safeguard your personal identifying information by registering with L1-Enrollment Systems yourself and paying online.

Can one who is denied appeal a decision?

There will be no appeal procedure since there is no legal right to volunteer; the schools can always refuse volunteer work absent discrimination on the basis of race, color, religion, national origin, age, sex or disability. However, the prospective volunteer can certainly talk with the Principal or Superintendent if the prospective volunteer has any questions.

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School Volunteer Application and Confidentiality Agreement

Name: (Last)	(First)	(Middle)	Date:
Address:		City:	State: Zip Code:
Full name, grade & school of children in LSSD:			Home Phone: Cell Phone:
School Site(s):		Duties/Position:	

Have you ever been?

1. Discharged, non-renewed or banned from any volunteer organization? 2. Charged or convicted of any misdemeanor crime? (Traffic tickets excluded) 3. Charged or convicted of any felony crime? 4. Convicted of any offense involving drugs or alcohol? 5. Presently charged, under indictment or on probation for any crime?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
If the answer to any of the above is "yes", please explain:	

I, the

undersigned, certify that the foregoing is true and correct. I understand that I am offering to volunteer with Lebanon Special School District (LSSD) and that LSSD may, at its discretion, decline my offer of volunteer services. I do grant LSSD permission to perform a background/fingerprint check in the event my volunteer services require a criminal background/fingerprint check under LSSD procedures. I understand that I am responsible for the cost of the check and that I may not be reimbursed for this expense. Further, if I am accepted as a volunteer, I agree to the following:

1. I am volunteering without promise, expectation, or receipt of compensation for my services;
2. I will not in any way access, use, divulge, copy, release, sell, loan, review, alter, or destroy any confidential information except as properly and clearly authorized within the scope of my work and that I will abide by all applicable LSSD and school policies and procedures and with all applicable laws. I will report to the school Principal or to the Principal's supervisor any individual's or entity's activities that I suspect may compromise the confidentiality of student information;
3. I am under the supervision of the school Principal or the Principal's designee;
4. I will immediately notify the school Principal where I volunteer upon being charged with any crime;
5. Any fraudulent application, violation of confidentiality or any violation of the above provisions may result in termination of my status as an LSSD volunteer;
6. I understand that I shall not begin volunteering until I am approved and have received a copy of this completed form.

Volunteer Signature

Date

Signature of school personnel verifying ID (Driver's License or State ID & Attach Copy), and Raptor Check:		
Signature: _____	Date: _____	Raptor Check Clear: <input type="checkbox"/> Yes <input type="checkbox"/> No
Principal Signature: _____	Date: _____	Background Check Required: <input type="checkbox"/> Yes <input type="checkbox"/> No
School will retain application and place person on District-wide Volunteer list for approval		
*Central Office approval is only required if background check is required.		



IdentoGO
By OESMA

State Schools/Colleges Use Only

Tennessee Applicant Processing Services Form

School Worker-Other

To schedule your ten-minute fingerprint appointment, simply visit
<https://tn.ibtfingerprint.com> and enter the following Service Code

28TYHT

When prompted, please enter the following ORI: **TN930330Z**

Service Code and ORI are unique to your hiring/licensing agency
Do not use these codes for another purpose

As a primary form of picture identification, one of the following valid and unexpired documents is required to be presented to the enrollment agent when being fingerprinted:

- **Driver's License issued by a State or outlying possession of the U.S.**
- **State ID Card (or outlying possession of the U.S.) with a seal or logo from State or State Agency**
- **Commercial Driver's License issued by a State or outlying possession of the U.S.**
- **U.S. Passport**

However, in the absence of one of these documents, applicants may provide one or more Secondary Documents including:

- State Government Issued Certificate of Birth
- US Active Duty/Retiree/Reservist Military ID Card (000-10-2)
- Passport
- Social Security Card
- Certificate of Citizenship (N560)
- Certificate of Naturalization (N550)
- INS I-551 Resident Alien Card Issued since 1997
- INS 1-688 Temporary Resident Identification Card
- INS I-688B, I-766 Employment Authorization Card

Secondary Documentation must be supported by at least two of the following:

- Current Utility Bill (Address)
- Voter Registration Card
- Current Vehicle Registration Card/Title
- Current Paycheck Stub with Name/Address
- Cancelled Check or Current Bank Statement
- Social Security Card



Don't have access to the Internet? You can still schedule an appointment by calling 855.226.2937

AGENCY PRIVACY REQUIREMENTS FOR NONCRIMINAL JUSTICE APPLICANTS

Authorized governmental and non-governmental agencies/officials that conduct a national fingerprint-based criminal history record check on an applicant for a noncriminal justice purpose (such as employment or a license, immigration or naturalization matter, security clearance, or adoption) are obligated to ensure the applicant is provided certain notice and other information and that the results of the check are handled in a manner that protects the applicant's privacy. These obligations are pursuant to the Privacy Act of 1974, Title 5, United States Code (U.S.C.) Section 552a, and Title 28, Code of Federal Regulations (CFR), Section 50.12, among other authorities.

- Officials must provide to the applicant written notification¹ that his/her fingerprints will be used to check the criminal history records of the FBI.
- Officials must ensure that an applicant receives, and acknowledges receipt of, an adequate Privacy Act Statement when the applicant submits his/her fingerprints and associated personal information.²
- Officials using the FBI criminal history record (if one exists) to make a determination of the applicant's suitability for the employment, license, or other benefit must provide the applicant the opportunity to complete or challenge the accuracy of the information in the record.
- Officials must advise the applicant that procedures for obtaining a change, correction, or update of an FBI criminal history record are set forth at 28 CFR 16.34.
- Officials should not deny the employment, license, or other benefit based on information in the criminal history record until the applicant has been afforded a reasonable time to correct or complete the record or has declined to do so.
- Officials must use the criminal history record solely for the purpose requested and cannot disseminate the record outside the receiving department, related agency, or other authorized entity.³

The FBI has no objection to officials providing a copy of the applicant's FBI criminal history record to the applicant for review and possible challenge when the record was obtained based on positive fingerprint identification. If agency policy permits, this courtesy will save the applicant the time and additional FBI fee to obtain his/her record directly from the FBI by following the procedures found at 28 CFR 16.30 through 16.34. It will also allow the officials to make a more timely determination of the applicant's suitability.

Each agency should establish and document the process/procedures it utilizes for how/when it gives the applicant notice, what constitutes "a reasonable time" for the applicant to correct or complete the record, and any applicant appeal process that is afforded the applicant. Such documentation will assist State and/or FBI auditors during periodic compliance reviews on use of criminal history records for noncriminal justice purposes.

¹ Written notification includes electronic notification, but excludes oral notification.

² See <https://www.fbi.gov/services/cjis/compact-council/privacy-act-statement>

³ See 5 U.S.C. 552a(b); 28 U.S.C. 534(b); 42 U.S.C. 14616, Article IV(c); 28 CFR 20.21(c), 20.33(d), 50.12(b) and 906.2(d).