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# Middletown Area School District

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The seal of the Middletown Area School District is a circular emblem. It features a central shield with a sunburst at the top, a book in the middle, and a torch at the bottom. The shield is surrounded by a yellow ring, and the entire emblem is encircled by a blue border containing the text "MIDDLETOWN AREA SCHOOL DISTRICT" in white capital letters.

## **Volunteer Application Manual**

Parents and community members are encouraged to participate in the education of the children within the Middletown Area School District by sharing their time and talents in the classroom. This manual contains basic guidelines and information that you will need to know in order to apply to volunteer within the District. We appreciate your willingness to be a part of our school community.

## Definitions

**Volunteer** – An individual person eighteen (18) years of age or older serving in an unpaid position who is responsible for the welfare of one or more children or has direct contact with children. Volunteer includes: (i) any individual who serves as a Volunteer athletic coach or otherwise assists and has contact with children in connection with production or conduct of a play, concert, or other curricular, cocurricular, or extracurricular activity; (ii) an individual who serves as a daily, weekly, or other periodic scheduled classroom assistant; (iii) an individual who serves as a school sponsored event chaperone; and (iv) an individual who in connection with a school sponsored activity has contact, unsupervised by a school employee, with a child with respect to whom the individual is not the parent, close relative, or guardian of the child. A Volunteer is someone who is more than a Visitor, and normally involves an individual working directly with one or more students, having responsibility for one or more students, and having repeated interaction with one or more students.

**Visitor** – An individual whose actions do not rise to the level of a volunteer. As examples, and without limiting the category of individuals who may be considered visitors, a Visitor includes: (i) a parent, close relative, or guardian who visits a classroom, auditorium, other school common area, or private meeting area to make a delivery to, meet with, or share a celebration time with, a student who is the individual's child or other close relative or for whom the individual is the guardian; (ii) an individual who attends a sports event or other extracurricular activity; or (iii) an individual who is a career day or other similar speaker or participant visiting to share information with students under supervision of a school employee.

## Volunteer Application Procedure

All volunteers must complete and submit the following documentation:

- Volunteer Application (page 3)
- Pennsylvania State Police Criminal History Report (see page 4 for instructions)
- Federal Criminal History Report (see page 4 for instructions)
- Pennsylvania Department of Human Services Child Abuse Report (see page 4 for instructions)
- PDE-6004 Arrest/Conviction Report and Certification Form (pages 5-7)
- Employee/Volunteer Self-Reporting Commitment Form (page 8)
- Volunteer Acknowledgement of Board Policy #916 (School Volunteers) and Board Policy #806 (Child Abuse) (page 9). Both policies are included at the end of this document for your convenience.

Please submit all required documents to the office of any District school building for further processing. Documents may also be returned to the Human Resources Office at 55 West Water Street, Middletown, PA 17057.

Upon submission of all required documentation, a volunteer will be submitted to the Board for review and approval. No individual shall begin a volunteer position until notified of Board approval. Questions regarding the application process for volunteering within the District should be directed to the Human Resources Office at 717-948-3300, ext. 1035.

**MIDDLETOWN AREA SCHOOL DISTRICT**  
**Volunteer Application**

**Volunteer Contact Information**

Volunteer Name: \_\_\_\_\_

Home Address: \_\_\_\_\_

Home Phone #: \_\_\_\_\_ Cell Phone #: \_\_\_\_\_

Email Address: \_\_\_\_\_

Schools/Events requested to volunteer: \_\_\_\_\_

Are you a parent/guardian of a child currently attending MASD? ☐ Yes ☐ No

If Yes: Child's Name/School/Grade: \_\_\_\_\_  
Child's Name/School/Grade: \_\_\_\_\_  
Child's Name/School/Grade: \_\_\_\_\_

**Emergency Contact Information**

	Name	Phone
Contact Name & Phone #:	_____	_____
	Name	Phone

Alternate Name & Phone #: \_\_\_\_\_

Allergies/Medical Conditions: \_\_\_\_\_

Any Additional Comments/Information:

I \_\_\_\_\_, wish to volunteer within the Middletown Area School District (MASD). I certify I have  
received copies of and read Board Policy #916 (School Volunteers) and Board Policy #806 (Child Abuse) and agree to abide by  
their terms and requirements. Furthermore, I agree to adhere to all MASD practices and procedures pertaining to volunteering.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

# How to Obtain the Required Background Checks

All Volunteers are required to submit the following background checks prior to their volunteer service with the District:

## 1. Pennsylvania State Police Criminal History Report

- There is no fee for this background check for volunteers.
- Apply online at <https://epatch.pa.gov/home>
- Select "New Record Check (Volunteers Only)."
- Complete requested information noting Middletown Area School District as the Volunteer Organization name.
- After processing the clearance and receiving a "No Record" status, select "Certification Form" link and print the form.
- If your status indicates "Under Review," record your reference number and date of application. Access the website periodically to check the status of your record. Select "Check the status of a Record Check." Complete the requested information exactly as you had with your original application. If your status has been updated to "No Record," select the "Certification Form" link and print the form.
- Submit a copy of the Certification Form with your Volunteer Application paperwork to [scarlton@raiderweb.org](mailto:scarlton@raiderweb.org) or to:  
Shanée Carlton  
55 W Water Street  
Middletown, PA 17057

## 2. Federal Criminal History Report

- There is a \$23.25 fee to obtain this background check. Volunteers may request to be reimbursed by the District for the cost of obtaining this check after completing 10 hours of volunteer service within the District.
- Apply online at <https://uenroll.identogo.com/>.
- Enter 1KG6ZJ as the Service Code.
- Select the Schedule and Manage Appointment link.
- Complete the online registration information.
- After you have completed the online registration, you must be fingerprinted at your selected print location. Please be sure to take a copy of your identification document that you selected during the registration process (i.e. driver's license) and your payment method.
- Shortly after your fingerprints have been taken and a result can be provided, you will receive an email. You will be advised to click on the link within the email and enter the security question and answer. If you lock yourself out of the security question and answer, the result will be transmitted by US Mail. Current Mailing timelines take 7-10 business days to reach the intended destination.
- **When you access the results, it is important that you are able to download it, save it and print it for future needs. There will be no second access to this electronic result.**
- Submit a copy of your clearance form with your Volunteer Application paperwork to [scarlton@raiderweb.org](mailto:scarlton@raiderweb.org) or to:  
Shanée Carlton  
55 W Water Street  
Middletown, PA 17057

## 3. Pennsylvania Department of Human Services Child Abuse Report

- There is no fee for this background check for volunteers.
- Apply online at <https://www.compass.state.pa.us/cwis/public/home>.
- Create an account with a valid email address or log into an existing account.
- Once you are logged into the system, select "Create Clearance Application."
- For the Application Purpose, select "Volunteer Having Contact with Children." Select "Other" for the Volunteer Category and enter "Middletown Area School District" as the Agency Name.
- Complete the additional clearance information requested.
- You will receive an email notification when your results are available. At that time, log into your account and print a copy of your clearance.
- Submit a copy of your clearance form with your Volunteer Application paperwork to [scarlton@raiderweb.org](mailto:scarlton@raiderweb.org) or to:  
Shanée Carlton  
55 W Water Street  
Middletown, PA 17057

**ARREST/CONVICTION REPORT AND CERTIFICATION FORM**  
(under Act 24 of 2011 and Act 82 of 2012)

**Section 1. Personal Information**

Full Legal Name: \_\_\_\_\_

Date of Birth: \_\_\_\_/\_\_\_\_/\_\_\_\_

Other names by which you have been identified: \_\_\_\_\_

**Section 2. Arrest or Conviction**

☐

By checking this box, I state that I have NOT been arrested for or convicted of any Reportable Offense.

☐

By checking this box, I report that I have been arrested for or convicted of an offense or offenses enumerated under 24 P.S. §§1-111(e) or (f.1) ("Reportable Offense(s)"). See Page 3 of this Form for a list of Reportable Offenses.

**Details of Arrests or Convictions**

For each arrest for or conviction of any Reportable Offense, specify in the space below (or on additional attachments if necessary) the offense for which you have been arrested or convicted, the date and location of arrest and/or conviction, docket number, and the applicable court.

\_\_\_\_\_  
\_\_\_\_\_

**Section 3. Child Abuse**

☐

By checking this box, I state that I have NOT been named as a perpetrator of a founded report of child abuse within the past five (5) years as defined by the Child Protective Services Law.

☐

By checking this box, I report that I have been named as a perpetrator of a founded report of child abuse within the past five (5) years as defined by the Child Protective Services Law.

**Section 4. Certification**

*By signing this form, I certify under penalty of law that the statements made in this form are true, correct and complete. I understand that false statements herein, including, without limitation, any failure to accurately report any arrest or conviction for a Reportable Offense, shall subject me to criminal prosecution under 18 Pa.C.S. §4904, relating to unsworn falsification to authorities.*

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## INSTRUCTIONS

Pursuant to 24 P.S. §1-111(c.4) and (j), the Pennsylvania Department of Education developed this standardized form (PDE-6004) to be used by current and prospective employees of public and private schools, intermediate units, and area vocational-technical schools.

As required by subsection (c.4) and (j)(2) of 24 P.S. §1-111, this form shall be completed and submitted by all current and prospective employees of said institutions to provide written reporting of any arrest or conviction for an offense enumerated under 24 P.S. §§1-111(e) and (f.1) and to provide notification of having been named as a perpetrator of a founded report of child abuse within the past five (5) years as defined by the Child Protective Services Law.

As required by subsection (j)(4) of 24 P.S. §1-111, this form also shall be utilized by current and prospective employees to provide written notice within seventy-two (72) hours after a subsequent arrest or conviction for an offense enumerated under 24 P.S. §§1-111(e) or (f.1).

In accordance with 24 P.S. §1-111, employees completing this form are required to submit the form to the administrator or other person responsible for employment decisions in a school entity. Please contact a supervisor or the school entity administration office with any questions regarding the PDE 6004, including to whom the form should be sent.

**PROVIDE ALL INFORMATION REQUIRED BY THIS FORM LEGIBLY IN INK.**

## LIST OF REPORTABLE OFFENSES

- **A reportable offense enumerated under 24 P.S. §1-111(e) consists of any of the following:**

- (1) An offense under one or more of the following provisions of Title 18 of the Pennsylvania Consolidated Statutes:
 

<ul style="list-style-type: none"> <li>▪ Chapter 25 (relating to criminal homicide)</li> <li>▪ Section 2702 (relating to aggravated assault)</li> <li>▪ Section 2709.1 (relating to stalking)</li> <li>▪ Section 2901 (relating to kidnapping)</li> <li>▪ Section 2902 (relating to unlawful restraint)</li> <li>▪ Section 2910 (relating to luring a child into a motor vehicle or structure)</li> <li>▪ Section 3121 (relating to rape)</li> <li>▪ Section 3122.1 (relating to statutory sexual assault)</li> <li>▪ Section 3123 (relating to involuntary deviate sexual intercourse)</li> <li>▪ Section 3124.1 (relating to sexual assault)</li> <li>▪ Section 3124.2 (relating to institutional sexual assault)</li> <li>▪ Section 3125 (relating to aggravated indecent assault)</li> <li>▪ Section 3126 (relating to indecent assault)</li> <li>▪ Section 3127 (relating to indecent exposure)</li> <li>▪ Section 3129 (relating to sexual intercourse with animal)</li> <li>▪ Section 4302 (relating to incest)</li> <li>▪ Section 4303 (relating to concealing death of child)</li> </ul>	<ul style="list-style-type: none"> <li>▪ Section 4304 (relating to endangering welfare of children)</li> <li>▪ Section 4305 (relating to dealing in infant children)</li> <li>▪ A felony offense under section 5902(b) (relating to prostitution and related offenses)</li> <li>▪ Section 5903(c) or (d) (relating to obscene and other sexual materials and performances)</li> <li>▪ Section 6301(a)(1) (relating to corruption of minors)</li> <li>▪ Section 6312 (relating to sexual abuse of children)</li> <li>▪ Section 6318 (relating to unlawful contact with minor)</li> <li>▪ Section 6319 (relating to solicitation of minors to traffic drugs)</li> <li>▪ Section 6320 (relating to sexual exploitation of children)</li> </ul>
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- (2) An offense designated as a felony under the act of April 14, 1972 (P.L. 233, No. 64), known as “The Controlled Substance, Drug, Device and Cosmetic Act.”
- (3) An offense SIMILAR IN NATURE to those crimes listed above in clauses (1) and (2) under the laws or former laws of:
  - the United States; or
  - one of its territories or possessions; or
  - another state; or
  - the District of Columbia; or
  - the Commonwealth of Puerto Rico; or
  - a foreign nation; or
  - under a former law of this Commonwealth.

- **A reportable offense enumerated under 24 P.S. §1-111(f.1) consists of any of the following:**

- (1) An offense graded as a felony offense of the first, second or third degree, other than one of the offenses enumerated under 24 P.S. §1-111(e), if less than (10) ten years has elapsed from the date of expiration of the sentence for the offense.
- (2) An offense graded as a misdemeanor of the first degree, other than one of the offenses enumerated under 24 P.S. §1-111(e), if less than (5) five years has elapsed from the date of expiration of the sentence for the offense.
- (3) An offense under 75 Pa.C.S. § 3802(a), (b), (c) or (d) (relating to driving under influence of alcohol or controlled substance) graded as a misdemeanor of the first degree under 75 Pa.C.S. § 3803 (relating to grading), if the person has been previously convicted of such an offense and less than (3) three years has elapsed from the date of expiration of the sentence for the most recent offense.

## EMPLOYEE/VOLUNTEER SELF--REPORTING COMMITMENT FORM

### As Required by Board Policy #916 (School Volunteers)

This form supplements PDE--6004 Arrest/Conviction Report and Certification Form.

**I swear/affirm to all of the following information:**

Name \_\_\_\_\_

Social Security # \_\_\_\_\_

Address \_\_\_\_\_

**Please check all that apply:**

\_\_\_\_\_ I have provided the District with a Pennsylvania State Police Criminal History Report, a Federal Criminal History Report, and a Pennsylvania Department of Human Services Child Abuse Report, in all cases dated within the past 1 year.

\_\_\_\_\_ I have not provided these items, but have submitted requests for the required reports, and have provided the District with copies of the request documents.

\_\_\_\_\_ I have never been named as a perpetrator in a founded or indicated report of child abuse.

Except as noted below, I have not been arrested or convicted for any of the following offenses under the Pennsylvania Crimes Code (Title 18 of the Pennsylvania Consolidated Statutes) or other statute as indicated below or a similar crime under the law of any other state, the United States, a United States territory or possession, the District of Columbia, the Commonwealth of Puerto Rico, or a foreign nation.

Chapter 25 (relating to criminal homicide)  
Section 2702 (relating to aggravated assault)  
Section 2706 (relating to terroristic threats)  
Section 2709 (relating to harassment)  
Section 2709.1 or former Section 2709(b) (relating to stalking)  
Section 2901 (relating to kidnapping)  
Section 2902 (relating to unlawful restraint)  
Section 2910 (relating to luring a child into a motor vehicle or structure)  
Section 3121 (relating to rape)  
Section 3122.1 (relating to statutory sexual assault)  
Section 3123 (relating to involuntary deviate sexual intercourse)  
Section 3124.1 (relating to sexual assault)  
Section 3124.2 (relating to institutional sexual assault)  
Section 3125 (relating to aggravated indecent assault)  
Section 3126 (relating to indecent assault)  
Section 3127 (relating to indecent exposure)  
Section 3129 (relating to sexual intercourse with animal)

Section 4302 (relating to incest)  
Section 4303 (relating to concealing death of a child)  
Section 4304 (relating to endangering welfare of children)  
Section 4305 (relating to dealing in infant children)  
A felony offense under Section 5902(b) (relating to prostitution and related offenses)  
Section 5903 (c) or (d) (relating to obscene and other sexual materials and performances)  
Section 6301 (relating to corruption of minors)  
Section 6312 (relating to sexual abuse of children)  
Section 6318 (relating to unlawful contact with minor)  
Section 6319 (relating to solicitation of minors to traffic drugs)  
Section 6320 (relating to sexual exploitation of children)  
Any offense under "The Controlled Substance Drug, Device and Cosmetic Act," 35 P.S. § 780--101 *et seq.*  
Any offense under the "Pennsylvania Uniform Firearms Act," 18 P.S. § 6101 *et seq.*  
Any offense under 75 Pa.C.S. § 3802 (relating to driving under influence of alcohol or controlled substance)

Details of arrests or convictions: \_\_\_\_\_

I will immediately report to the District (and to my employer if I am employed by an employer that has a contract with the District) if at any time in the future while still employed by or providing services to the District, I am arrested or convicted for any offense as set forth above or any other offense under any criminal code or if I am named as a perpetrator in a founded or indicated report of child abuse.

**The above information is true and correct. This statement is made subject to penalties of criminal law for false statements to government officials.**

Date \_\_\_\_\_

Signature \_\_\_\_\_



**VOLUNTEER ACKNOWLEDGEMENT**  
**BOARD POLICY #916 (SCHOOL VOLUNTEERS) & BOARD POLICY #806 (CHILD ABUSE)**  
Required by Board Policy #916 (School Volunteers)

I have read, understand and agree to comply with all the provisions of:

- Board Policy #916 (School Volunteers) found on pages 10--16 and
- Board Policy #806 (Child Abuse) found on pages 17--25.

Date \_\_\_\_\_

Print Name \_\_\_\_\_

Signature \_\_\_\_\_

Book	Policy Manual
Section	900 Community
Title	School Volunteers, Visitors and Co-Op Supervisors
Number	916
Status	Active
Adopted	September 27, 2010
Last Revised	January 23, 2017
Last Reviewed	January 12, 2017

## **Purpose**

The district recognizes that the talent, skills, and experience of community members can help enrich student educational and extracurricular activities. The district will involve volunteers as appropriate for the benefit of students and the district.

## **Authority**

Subject to various legal requirements, the Board is authorized to adopt reasonable rules regarding school affairs.[\[1\]](#)

It shall be the policy of the Board that a volunteer, whether directly or indirectly involved in education or in an extracurricular activity, will not have contact with students during school or school-related activities if: [\[2\]](#)[\[3\]](#)

1. S/He has any record that would otherwise prohibit school employment under law.[\[2\]](#)[\[6\]](#)
2. S/He is prohibited by a court order from having contact with a school district employee, student or volunteer.
3. S/He is prohibited from being present on school district property as a result of a court order or written directive from the Board or Superintendent.
4. The district previously revoked his/her volunteer privileges.
5. The district determines the person's volunteer service would have a detrimental impact on its educational or extracurricular programs or adversely impacts its ability to recruit or retain other volunteers.

## **Definitions**

**Volunteer** - an adult individual eighteen (18) years of age or older serving in an unpaid position with a school or a program, activity or service as a person responsible for the welfare of one or more children or having direct volunteer contact with children.[\[4\]](#)[\[5\]](#)

**Responsible for the welfare of one or more children** - providing permanent or temporary care, supervision, training or control of a child in lieu of parental care.

**Direct volunteer contact with children** - routine interaction with one or more children and care, supervision, guidance or control of one or more children.

**Routine interaction with one or more children** - regular and repeated contact with one or more children that is integral to the volunteer responsibilities.

**Co-Op or Similar Program Supervisor** - in connection with an internship, externship, work study, co-op or similar program with an employer, an individual whom the employer and the school identify as a student's supervisor and person responsible for the student's welfare while the student participates in the program with the employer.

As examples, and without limiting the category of individuals who may be considered volunteers, **volunteer** includes:[12]

1. Any individual who serves as a volunteer sport coach or otherwise assists and has contact with children in connection with production or conduct of a play, concert or other curricular, cocurricular or extracurricular activity.
2. An individual who serves as a daily, weekly or other periodic scheduled classroom assistant.
3. An individual who serves as a school sponsored event chaperone with expectation of contact with children in circumstances when no school employee is present.

An individual who allows a student to visit the individual's place of business for job shadowing for a limited time period is not considered involved in an internship, externship, work study, co-op or similar program and is not considered a volunteer or Co-Op or Similar Program Supervisor.

**Student volunteer** - a student age eighteen (18) or older enrolled in one of the district's schools who volunteers for an event on school grounds and sponsored by the school in which the student is enrolled and which is not an event for children who are in the care of a child care service. This definition applies only if the student is not responsible for the welfare of any child at the event.

**Visitor** - an individual whose actions do not rise to the level of a volunteer. As examples, and without limiting the category of individuals who may be considered visitors, **visitor** includes:

1. A parent/guardian or close relative who visits a classroom, auditorium, other school common area or private meeting area to make a delivery to, meet with or share a celebration time with, a student who is the individual's child or other close relative or for whom the individual is the guardian.
2. An individual who without pay assists in conducting a classroom celebration.
3. Concert or other performance ushers.
4. An individual who attends a sports event or other extracurricular activity.
5. An individual who, without pay, is a career day or other similar speaker or participant visiting to share information with students in the presence of a school employee.
6. In most cases, an individual who without pay, operates or helps operate a concession stand at a school activity.

7. An individual who assists without pay in other types of school activities in the presence of a school employee. Visitors are governed by board policy.[7]

### **Guidelines**

Effective the adoption date of this policy, any volunteers, except for a student volunteer, and beginning December 31, 2015, any Co-Op or Similar Program Supervisor is required to submit the following background check and related documents and information to the Human Resources Office prior to providing volunteer services or interacting with a student in a co-op or similar program:

- **Volunteer Application**
- **PA State Police Criminal History Report** - dated no more than one (1) year prior to the application date.
- **PA Department of Human Services Child Abuse Report** - dated no more than one (1) year prior to the application date.
- **Federal Criminal History Report** - dated no more than one (1) year prior to the application date.
- **PDE-6004 Arrest/Conviction Report and Certification Form** - dated as of application date. This is a written statement that the individual has never been arrested or convicted of certain crimes specified in law.[2]
- **Employee/Volunteer Self-Reporting Commitment Form** - dated as of application date. This is a written statement that the individual has never been arrested or convicted of certain offenses, including offenses that would prohibit employment under law and certain other offenses, has never been named as a perpetrator in a founded or indicated report of child abuse, and if in the future the individual is arrested or convicted for any such offense or is named as a perpetrator, the individual will provide written notice to the district within seventy-two (72) hours of such event, which notice will be on the PDE-6004 Form if related to an arrest or conviction. This form also includes the individual's **Cogent Systems Registration ID** - enabling district direct access to federal criminal history reports.[8]
- **Volunteer Acknowledgement of Board policy** - dated as of application date. This is a written statement that the individual has read, understands and agrees to comply with these policies.[9][10]

Without regard to whether an individual meets the definition of Volunteer or Co-op or Similar Programs Supervisor, in accordance with School Code 1418(b) and 28 Pa. Code 23.44, any individual who provides direct services to students on behalf of the District that involves direct contact with students ten (10) or more hours per week is also required to:

- Receive a tuberculin skin test and provide documentation of the same in accordance with Pennsylvania Department of Health regulations.
- Receive an updated tuberculin skin test and provide documentation of the same within five (5) years from the date of the most recent tuberculin skin test.

No individual shall begin service as a volunteer or Co-Op or Similar Program Supervisor until:

1. The individual has complied with the above mandatory background check requirements.
2. The district has evaluated the results.
3. The start of services has been approved by the Superintendent or designee, and if required in Board policy. Approval of a volunteer or Co-Op or Similar Program Supervisor shall apply for an entire school year or the remainder of a school year and the approval must be renewed to serve in a future school year.

### Obtaining Background Check Reports

**PA State Policy Criminal History Report** - Applicants may apply online through PATCH and obtain this report online through PATCH at <https://epatch.state.pa.us/Home.jsp>, or applicants may also use Form SP-164, Pennsylvania State Police Request for Criminal Record Check, and mail a money order to the PA State Police with the application. The form may also be downloaded from the PATCH website.[13]

**PA Child Abuse Report** - Applicants may obtain forms from the district or online from the Department of Human Services at [www.dhs.state.pa.us/findaform/childabusehistoryclearanceforms/index.htm](http://www.dhs.state.pa.us/findaform/childabusehistoryclearanceforms/index.htm).

**Federal Criminal History Report** – This requires fingerprinting. 3M Cogent manages the fingerprinting process for the PA Department of Education. The applicant must register prior to going to the fingerprint site. Registration is completed online or over the phone. Registration is available online 24 hours/day, 7 days per week at [www.pa.cogentid.com](http://www.pa.cogentid.com). Telephone registration is available at 1-888-439-2486 Monday through Friday, 8:00 a.m.. to 6:00 p.m.. EST.

Volunteers must pay the required fees for background check reports. However, the Commonwealth of Pennsylvania waives fees under certain circumstances for volunteers obtaining reports other than the federal criminal history report. For additional information, see the PA Department of Education website - Background Checks. Volunteers may request to be reimbursed for the cost of obtaining the federal criminal history report after completing ten (10) hours of volunteer service within the district.

Starting December 31, 2015, with respect to an internship, externship, work study, co-op or similar program, the employer and the school shall identify the individual who will serve as the Co-Op or Similar Program Supervisor. The Co-Op or Similar Program Supervisor is required to be in the immediate vicinity at regular intervals with the student during the program. For this purpose, **immediate vicinity** means an area in which an individual is physically present with a student and can see, hear, direct and assess the activities of the student.

A **student volunteer** is defined as a student age eighteen (18) or older enrolled in one of the district's schools who volunteers for an event on school grounds a sponsored by the school in which the student is enrolled and which is not an event for children who are in the care of a child care service. This definition applies only if the student is not responsible for the welfare of any child at the event. An individual who qualifies as a student volunteer is not required to provide background check information.

### Background Check Updates

Volunteers and Co-Op or Similar Program Supervisors must provide new background check reports as set forth above within five (5) years from the date of the oldest of the required background check reports most recently submitted to the district. [\[14\]](#)

### Volunteer Self-Reporting

As stated on the Employee/Volunteer Self-Reporting Commitment Form, all volunteers and Co-Op or Similar Program Supervisors are required to provide written notice to the district of arrests, convictions or naming in a report of child abuse, which notice will be on the PDE-6004 Form if related to an arrest or conviction. Failure to accurately report such arrests, convictions or naming within seventy-two (72) hours may subject the individual to criminal prosecution.

### School Board Approval/Termination of Services

The names of all volunteers and Co-Op or Similar Program Supervisors shall be submitted to the Board for approval. No individual shall begin a volunteer or Co-Op or Similar Program Supervisor position until approved by the Board. The Board and/or Superintendent or designee may terminate the services of a volunteer at any time in his/her or their sole discretion, with or without cause.

### Child Abuse Training

The district may make available training on child abuse recognition and reporting to volunteers. The level of training shall be commensurate with the type of volunteer position. [\[15\]](#)

### Child Abuse Reporting

Every volunteer should familiarize himself/herself with Board policy. A volunteer is required to report pursuant to Board policy if the volunteer has reasonable cause to suspect a child is a victim of child abuse. [\[9\]](#)

### Volunteer Role

A volunteer may work with students by assisting in classroom activities, curriculum-related activities and extracurricular activities during the school day and after regular school hours - with duties or activities as determined by the school employee who approves the start of volunteer services.

The role of a volunteer is to assist. Volunteers may not assume instruction responsibilities of school employees, but will work under the direction of school employees, providing help in supportive or enriching activities. Volunteers will not administer tests to students.

Except in an emergency situation, volunteers will not be involved in student discipline or administration of first aid.

Except as authorized in advance by the appropriate administrator, and in compliance with district policies for vehicle use, volunteers are not permitted to operate a motor vehicle owned by or under the control of the district, or to transport a student to or from a school sponsored activity in a privately owned motor vehicle other than a student to whom the volunteer is the student's parent, stepparent, foster parent, legal guardian, or close family relative (sibling, grandparent, aunt or uncle).

Volunteers shall follow all applicable administrative procedures established pursuant to this policy and all other rules, regulations, procedures, and administrative guidelines concerning the conduct of the district professional and paraprofessional staff. However, such rules, regulations and procedures and guidelines shall not be deemed to expand the responsibility or authority of volunteers as set forth in this policy.

### Confidentiality of Student Information

Volunteers are expected to adhere to all rules, regulations, and policies of the district, most importantly those concerning confidentiality of student information and students' rights. Each volunteer shall keep strictly confidential all information the volunteer may learn about students during the course of performing volunteer services, and shall follow all requirements of the Family Education Rights and Privacy Act (FERPA). No volunteer shall be permitted to access, review, disclose, or use confidential student information, or participate in conversations in which confidential student information is discussed, unless knowledge of that student information is necessary for the volunteer to fulfill his or her responsibilities.[16]

Examples of such information include, but are not limited to: grades or other measures of academic performance; class standing; standardized or other test scores; attendance records; discipline history; individualized education plans; health data; family background information; teacher or counselor ratings and observations; and any other verified or unverified information contained in a student's file maintained by school employees or the district. If a volunteer has questions about the confidentiality of student information, the volunteer should consult with the building principal.

### Volunteer Status

A volunteer is not an employee or independent contractor of the district and shall not receive any compensation for services. The position of volunteer is not a right, but a privilege conferred upon the volunteer by the Board, acting through the Superintendent, building principal or other administrator. The district reserves the right to suspend or terminate the privilege to serve as a volunteer at any time, with or without cause.

### Delegation of Responsibility

The Superintendent or designee may expand the definition of volunteer, as stated above, and thereby require background checks and related steps from additional individuals in circumstances where it is determined such is appropriate for the protection of the safety of students. If any question arises as to whether an individual is a volunteer subject to the requirements of this policy, the question will be submitted to the Superintendent or designee, and the decision of the Superintendent or designee shall resolve the issue. Each building principal may adopt for his/her building additional administrative procedures for recruitment, selection and assignment of volunteers; however, the following requirements shall apply to all such procedures:

1. No such procedures shall be inconsistent with this policy.
2. All such procedures must be approved by the Superintendent or designee.
3. Each building principal or designee has general authority over and responsibility for volunteers performing services at such schools. The Athletic Director and the building principal have

general authority over and responsibility for volunteer sport coaches.

### School Board Members Serving as Volunteers

In order to avoid actual or perceived conflicts of interest in the performance of their official duties, Board members are prohibited from serving as volunteers during the time period they serve on the Board in the following capacities:

1. A head coach for an interscholastic athletic team.
2. A lead advisor for an extracurricular activity or otherwise primarily responsible for supervising a school-sponsored student activity that meets on a regular, on-going basis during the school year.

Board members may volunteer to serve as assistant coaches, assistant advisors, chaperones or volunteers for dances, field trips, social events, public performances or other school events.

Nothing in this paragraph is intended to prohibit Board members from participating in district-sponsored activities where such participation is actively encouraged by the Board.

Legal

[1. 24 P.S. 510](#)

[2. 24 P.S. 111](#)

[3. 23 Pa. C.S.A. 6301 et seq](#)

[4. 23 Pa. C.S.A. 6303](#)

[5. 23 Pa. C.S.A. 6344.2](#)

[6. 24 P.S. 527](#)

[7. Pol. 907](#)

[8. 23 Pa. C.S.A. 6344](#)

[9. Pol. 806](#)

[10. Pol. 916](#)

12. PA Dept of Human Services Volunteer FAQs 12/19/14

13. PDE Website - Background Checks

[14. 23 Pa. C.S.A. 6344.4](#)

[15. 24 P.S. 1205.6](#)

16. Pol. 216

[22 PA Code 8.1 et seq](#)



# MIDDLETOWN AREA SCHOOL DISTRICT

SECTION: OPERATIONS

TITLE: CHILD ABUSE

ADOPTED: October 14, 1991

REVISED: December 22, 2014

	806. CHILD ABUSE
1. Authority SC 1205.6 23 Pa. C.S.A. Sec. 6301 et seq Pol. 333, 818	The Board requires district employees, independent contractors and volunteers to comply with identification and reporting requirements for suspected child abuse, as well as the training requirement for recognition and reporting of child abuse in order to comply with the Child Protective Services Law and the School Code.
2. Definitions  23 Pa. C.S.A. Sec. 6303  23 Pa. C.S.A. Sec. 6303  23 Pa. C.S.A. Sec. 6303	<p>The following words and phrases, when used in this policy, shall have the meaning given to them in this section:</p> <p><b>Bodily injury</b> - impairment of physical condition or substantial pain.</p> <p><b>Child</b> - an individual under eighteen (18) years of age.</p> <p><b>Child abuse</b> - intentionally, knowingly or recklessly doing any of the following:</p> <ol style="list-style-type: none"> <li>1. Causing bodily injury to a child through any recent act or failure to act.</li> <li>2. Fabricating, feigning or intentionally exaggerating or inducing a medical symptom or disease which results in a potentially harmful medical evaluation or treatment to the child through any recent act.</li> <li>3. Causing or substantially contributing to serious mental injury to a child through any act or failure to act or a series of such acts or failures to act.</li> <li>4. Causing sexual abuse or exploitation of a child through any act or failure to act.</li> <li>5. Creating a reasonable likelihood of bodily injury to a child through any recent act or failure to act.</li> <li>6. Creating a likelihood of sexual abuse or exploitation of a child through any recent act or failure to act.</li> </ol>

	<p>7. Causing serious physical neglect of a child.</p> <p>8. Engaging in any of the following recent acts:</p> <ul style="list-style-type: none"> <li>a. Kicking, biting, throwing, burning, stabbing or cutting a child in a manner that endangers the child.</li> <li>b. Unreasonably restraining or confining a child, based on consideration of the method, location or the duration of the restraint or confinement.</li> <li>c. Forcefully shaking a child under one (1) year of age.</li> <li>d. Forcefully slapping or otherwise striking a child under one (1) year of age.</li> <li>e. Interfering with the breathing of a child.</li> <li>f. Causing a child to be present at a location while a violation of 18 Pa. C.S. § 7508.2 (relating to operation of methamphetamine laboratory) is occurring, provided that the violation is being investigated by law enforcement.</li> <li>g. Leaving a child unsupervised with an individual, other than the child's parent, who the actor knows or reasonably should have known: Is required to register as a Tier II or Tier III sexual offender under 42 Pa. C.S. Ch. 97 Subch. H (relating to registration of sexual offenders), where the victim of the sexual offense was under eighteen (18) years of age when the crime was committed; has been determined to be a sexually violent predator under 42 Pa. C.S. § 9799.24 (relating to assessments) or any of its predecessors; or has been determined to be a sexually violent delinquent child as defined in 42 Pa. C.S. § 9799.12 (relating to definitions).</li> </ul> <p>9. Causing the death of the child through any act or failure to act.</p> <p>The term <b>child abuse</b> does not include physical contact with a child that is involved in normal participation in physical education, athletic, extracurricular or recreational activities. Also excluded from the meaning of the term <b>child abuse</b> is the use of reasonable force by a person responsible for the welfare of a child for purposes of supervision, control or safety, provided that the use of force:</p> <ul style="list-style-type: none"> <li>1. Constitutes incidental, minor or reasonable physical contact in order to maintain order and control;</li> <li>2. Is necessary to quell a disturbance or remove a child from the scene of a disturbance that threatens property damage or injury to persons;</li> </ul>
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<p>SC 1205.6</p>	<ol style="list-style-type: none"> <li>3. Is necessary for self-defense or defense of another;</li> <li>4. Is necessary to prevent the child from self-inflicted physical harm; or</li> <li>5. Is necessary to gain possession of weapons, controlled substances or other dangerous objects that are on the person of the child or in the child's control.</li> </ol> <p><b>Direct contact with children</b> - the possibility of care, supervision, guidance or control of children or routine interaction with children.</p>
<p>23 Pa. C.S.A. Sec. 6303</p>	<p><b>Independent contractor</b> - an individual who provides a program, activity or service who is otherwise responsible for the care, supervision, guidance or control of children. The term does not include an individual who has no direct contact with children.</p>
<p>23 Pa. C.S.A. Sec. 6303</p>	<p><b>Perpetrator</b> - a person who has committed child abuse and is a parent/guardian of the child, a spouse or former spouse of the child's parent/guardian, a paramour or former paramour of the child's parent/guardian, a person responsible for the child's welfare, an individual residing in the same home as the child, an individual fourteen (14) years of age or older who is responsible for the child's welfare or who resides in the same home as the child, or an individual eighteen (18) years of age or older who does not reside in the same home as the child but is related within the third degree of consanguinity or affinity by birth or adoption to the child.</p>
<p>23 Pa. C.S.A. Sec. 6303</p>	<p><b>Person responsible for the child's welfare</b> - a person who provides permanent or temporary care, supervision, mental health diagnosis or treatment, training or control of a child in lieu of parental care, supervision and control. The term includes any such person who has direct or regular contact with a child through any program, activity or service sponsored by a school, for-profit organization or religious or other not-for-profit organization.</p>
<p>23 Pa. C.S.A. Sec. 6303</p>	<p><b>Program, activity or service</b> - a public or private educational, athletic or other pursuit in which children participate. The term includes, but is not limited to, the following:</p> <ol style="list-style-type: none"> <li>1. A youth camp or program.</li> <li>2. A recreational camp or program.</li> <li>3. A sports or athletic program.</li> <li>4. An outreach program.</li> </ol>

23 Pa. C.S.A. Sec. 6303	5. An enrichment program.
23 Pa. C.S.A. Sec. 6303	6. A troop, club or similar organization.
23 Pa. C.S.A. Sec. 6303	<b>Recent act or failure to act</b> - any act or failure to act committed within two (2) years of the date of the report to the Department of Human Services of the Commonwealth or county agency.
23 Pa. C.S.A. Sec. 6303	<b>School employee</b> - an individual who is employed by a school or who provides a program, activity or service sponsored by a school. The term excludes an individual who has no direct contact with children.
23 Pa. C.S.A. Sec. 6303	<b>Serious mental injury</b> - a psychological condition, as diagnosed by a physician or licensed psychologist, including the refusal of appropriate treatment, that:
23 Pa. C.S.A. Sec. 6303	1. Renders a child chronically and severely anxious, agitated, depressed, socially withdrawn, psychotic or in reasonable fear that the child's life or safety is threatened.
23 Pa. C.S.A. Sec. 6303	2. Seriously interferes with a child's ability to accomplish age-appropriate developmental and social tasks.
23 Pa. C.S.A. Sec. 6303	<b>Serious physical neglect</b> - any of the following when committed by a perpetrator that endangers a child's life or health, threatens a child's well-being, causes bodily injury or impairs a child's health, development or functioning:
23 Pa. C.S.A. Sec. 6303	1. A repeated, prolonged or egregious failure to supervise a child in a manner that is appropriate considering the child's developmental age and abilities.
23 Pa. C.S.A. Sec. 6303	2. The failure to provide a child with adequate essentials of life, including food, shelter or medical care.
23 Pa. C.S.A. Sec. 6303	<b>Sexual abuse or exploitation</b> - any of the following:
23 Pa. C.S.A. Sec. 6303	1. The employment, use, persuasion, inducement, enticement or coercion of a child to engage in or assist another individual to engage in sexually explicit conduct, which includes, but is not limited to, the following:
23 Pa. C.S.A. Sec. 6303	a. Looking at the sexual or other intimate parts of a child or another individual for the purpose of arousing or gratifying sexual desire in any individual.
23 Pa. C.S.A. Sec. 6303	b. Participating in sexually explicit conversation either in person, by telephone, by computer or by a computer-aided device for the purpose of sexual stimulation or gratification of any individual.

	<p>c. Actual or simulated sexual activity or nudity for the purpose of sexual stimulation or gratification of any individual.</p> <p>d. Actual or simulated sexual activity for the purpose of producing visual depiction, including photographing, videotaping, computer depicting or filming.</p> <p>Paragraph 1. does not include consensual activities between a child who is fourteen (14) years of age or older and another person who is fourteen (14) years of age or older and whose age is within four (4) years of the child's age.</p> <p>2. Any of the following offenses committed against a child: rape; statutory sexual assault; involuntary deviate sexual intercourse; sexual assault; institutional sexual assault; aggravated indecent assault; indecent assault; indecent exposure; incest; prostitution; sexual abuse; unlawful contact with a minor; or sexual exploitation.</p>
23 Pa. C.S.A. Sec. 6303	<b>Student</b> - an individual enrolled in a district school under eighteen (18) years of age.
23 Pa. C.S.A. Sec. 6344.2	<b>Volunteer</b> - an individual in an unpaid position with a program, activity or service who is individually responsible for the welfare of one or more children or has direct contact with children.
3. Delegation of Responsibility	In accordance with Board policy, the Superintendent or designee shall:
SC 111 23 Pa. C.S.A. Sec. 6344 Pol. 302, 304, 305, 306	1. Require each candidate for employment to submit an official child abuse clearance statement and other background checks as required by law.
23 Pa. C.S.A. Sec. 6344.3, 6344.4 Pol. 309	2. Require each applicant for transfer or reassignment to submit an official child abuse clearance statement unless the applicant is applying for a transfer from one position as a district employee to another position as a district employee of this district and the applicant's official child abuse clearance statement is current.
23 Pa. C.S.A. Sec. 6344.2	3. Require each volunteer to submit an official child abuse clearance statement and other background checks as required by law.
23 Pa. C.S.A. Sec. 6344.4	School employees, independent contractors and volunteers shall obtain and submit new background checks and clearances every thirty-six (36) months.

<p>4. Guidelines</p> <p>SC 1205.6 Pol. 317.1, 333, 818</p> <p>24 P.S. Sec. 2070.1a Pol. 317.1</p> <p>SC 1205.6</p> <p>23 Pa. C.S.A. Sec. 6311</p>	<p>The Superintendent or designee shall annually inform students, parents/guardians, independent contractors, volunteers and staff regarding the contents of this Board policy.</p> <p>The Superintendent or designee shall annually notify district staff, independent contractors, and volunteers of their responsibility for reporting child abuse in accordance with Board policy and administrative regulations.</p> <p><u>Training</u></p> <p>The school district, and independent contractors of the school district, shall provide their employees who have direct contact with children with mandatory training on child abuse recognition and reporting. The training shall include, but not be limited to, the following topics:</p> <ol style="list-style-type: none"> <li>1. Recognition of the signs of abuse and sexual misconduct and reporting requirements for suspected abuse and sexual misconduct.</li> <li>2. Provisions of the Educator Discipline Act, including mandatory reporting requirements.</li> <li>3. District policy related to reporting of suspected abuse and sexual misconduct.</li> <li>4. Maintenance of professional and appropriate relationships with students.</li> </ol> <p>Employees are required to complete a minimum of three (3) hours of training every five (5) years.</p> <p>The district shall make available to volunteers training on child abuse recognition and reporting.</p> <p><u>Duty To Report</u></p> <p>School employees, independent contractors and volunteers shall make a report of suspected child abuse if they have reasonable cause to suspect that a child is the victim of child abuse under any of the following circumstances:</p> <ol style="list-style-type: none"> <li>1. The school employee, independent contractor or volunteer comes into contact with the child in the course of employment, occupation and the practice of a profession or through a regularly scheduled program, activity or service.</li> <li>2. The school employee, independent contractor or volunteer is directly responsible for the care, supervision, guidance or training of the child.</li> </ol>
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	<p>3. A person makes a specific disclosure to a school employee, independent contractor or volunteer that an identifiable child is the victim of child abuse.</p> <p>4. An individual fourteen (14) years of age or older makes a specific disclosure to a school employee, independent contractor or volunteer that s/he has committed child abuse.</p>
23 Pa. C.S.A. Sec. 6311	A child is not required to come before the school employee, independent contractor or volunteer in order for that individual to make a report of suspected child abuse.
23 Pa. C.S.A. Sec. 6311	A report of suspected child abuse does not require the identification of the person responsible for the child abuse.
23 Pa. C.S.A. Sec. 6318	Any person who, in good faith, makes a report of suspected child abuse, regardless of whether the report is required, cooperates with an investigation, testifies in a proceeding, or engages in other action authorized by law shall have immunity from civil and criminal liability related to those actions.
23 Pa. C.S.A. Sec. 6319	Any person required to report child abuse who willfully fails to do so may be subject to disciplinary action and criminal prosecution.
18 Pa. C.S.A. Sec. 4906.1	Any person who intentionally or knowingly makes a false report of child abuse or intentionally or knowingly induces a child to make a false claim of child abuse may be subject to disciplinary action and criminal prosecution.
18 Pa. C.S.A. Sec. 4958	Any person who engages in intimidation, retaliation, or obstruction in the making of a child abuse report or the conducting of an investigation into suspected child abuse may be subject to disciplinary action and criminal prosecution.
23 Pa. C.S.A. Sec. 6320	The district shall not discriminate or retaliate against any person for making, in good faith, a report of suspected child abuse.
	<u>Reporting Procedures</u>
23 Pa. C.S.A. Sec. 6305, 6311, 6313	School employees, independent contractors or volunteers who suspect child abuse shall immediately make a written report of suspected child abuse using electronic technologies or an oral report via the statewide toll-free telephone number. A person making an initial oral report of suspected child abuse must also submit a written electronic report within forty-eight (48) hours after the oral report. Upon receipt of an electronic report, the electronic reporting system will automatically respond with a confirmation, providing the district with a written record of the report.

23 Pa. C.S.A. Sec. 6305, 6311, 6313	A school employee, independent contractor or volunteer who makes a report of suspected child abuse shall immediately, after making the initial report, notify the school principal and if the initial report was made electronically, also provide the principal with a copy of the report confirmation. The school principal shall then immediately notify the Superintendent or designee that a child abuse report has been made and if the initial report was made electronically, also provide a copy of the report confirmation.
23 Pa. C.S.A. Sec. 6305, 6311, 6313	When a report of suspected child abuse is made by a school employee, independent contractor or volunteer as required by law, the school district is not required to make more than one (1) report. An individual otherwise required to make a report who is aware that an initial report has already been made by a school employee, independent contractor or volunteer is not required to make an additional report. The person making an initial oral report is responsible for making the follow-up written electronic report within forty-eight (48) hours, and shall provide the school principal with a copy of the report confirmation promptly after the written electronic report has been filed. The principal shall in turn provide a copy of the report confirmation to the Superintendent or designee.
SC 1302.1-A, 1303-A Title 22 Sec. 10.2, 10.21, 10.22 Pol. 805.1	If the Superintendent or designee reasonably suspects that conduct being reported involves an incident required to be reported under the Safe Schools Act, the Superintendent or designee shall inform local law enforcement, in accordance with applicable law, regulations and Board policy.  <u>Investigation</u>
23 Pa. C.S.A. Sec. 6311, 6346	The school principal shall facilitate the cooperation with the Department of Human Services of the Commonwealth or the county agency investigating a report of suspected child abuse, including permitting authorized personnel to interview the child while in attendance at school.
23 Pa. C.S.A. Sec. 6368	Upon notification that an investigation involves suspected child abuse by a school employee, the principal shall immediately implement a plan of supervision or alternative arrangement for the school employee under investigation. The plan of supervision or alternative arrangement shall be submitted to the county agency for approval.



References:

School Code – 24 P.S. Sec. 111, 1301-A et seq.

State Board of Education Regulations – 22 PA Code Sec. 10.1 et seq.

Child Abuse Recognition and Reporting Training – 24 P.S. Sec. 1205.6

Child Exploitation Awareness Education - 24 P.S. Sec. 1527

Educator Discipline Act – 24 P.S. Sec. 2070.1a et seq.

Endangering Welfare of Children – 18 Pa. C.S.A. Sec. 4304

False Reports of Child Abuse – 18 Pa. C.S.A. Sec. 4906.1

Intimidation, Retaliation or Obstruction in Child Abuse Cases –  
18 Pa. C.S.A. Sec. 4958

Child Protective Services Law – 23 Pa. C.S.A. Sec. 6301 et seq.

Board Policy – 302, 304, 305, 306, 309, 317, 317.1, 333, 805.1, 818