

EVERGREEN COMMUNITY CHARTER SCHOOL  
VOLUNTEER POLICY

Approved 7/19/16 revised 8.23.18 rev. 9/20/18

The ECCS Board of Directors recognizes the valuable contributions that school volunteers can make to the learning process and educational goals of the school. Instructional programs are enhanced through the participation of community members, local business and industry, and family members of the students. These volunteers contribute time, resources and expertise, while providing needed support to help ensure educational success for all children.

The Executive Director or his/her designee shall be responsible for the implementation and supervision of the school volunteer program. The school volunteer program will provide the following:

- Adequate screening of volunteers based upon the amount of contact they will have with students;
- A criminal and motor vehicle records check in accordance with applicable policy/procedure;
- Reasonable supervision of volunteers based at least in part upon the amount of contact they will have with students; and
- Adequate training of volunteers, including familiarizing volunteers with applicable laws, board policies, administrative procedures and school rules.

All school volunteers, to remain in good standing, will be expected to be professional and dependable in their volunteer activities, and to comply with all applicable laws, policies, procedures and rules, including the policies of this Board.

**This policy will become effective August 27, 2018.**

EVERGREEN COMMUNITY CHARTER SCHOOL  
VOLUNTEER POLICY: RULES AND PROCEDURES

I. Introduction

The purpose of this section is to set forth the procedures for screening and training volunteers with ECCS.

II. Rules and Procedures

- a. All volunteers are required to complete an ECCS Volunteer Application Form.
- b. All volunteers will be held to professional standards for maintaining the confidentiality of student records. The Executive Director or his/her designee will advise volunteers on the issues and importance of confidentiality of student information. Volunteers shall not be granted access to a student's confidential education record.
- c. Level I Volunteers – No formal screening is required for volunteers who volunteer on a sporadic or occasional basis and who do not have unsupervised contact with students. As a general rule, these volunteers will include individuals who help with classroom activities, fundraising activities, testing proctors, school carnivals and fairs, and volunteers who help with campus beautification projects. These volunteers shall be classified as Level I Volunteers.
- d. Level II Volunteers – A criminal and motor vehicle record history check shall be conducted for all volunteers who are anticipated to have unsupervised contact with students and/or who plan or intend to volunteer at school on a consistent and regular basis. As a general rule, these volunteers will include in-class volunteers, extracurricular coaches (e.g., such as Odyssey of the Mind), sports coaches, after hours tutors, field trip drivers, and overnight field trip chaperones. These volunteers also include clerical and office assistants who volunteer on a consistent and regular basis. These volunteers shall be classified as Level II Volunteers.
- e. Duties – The Executive Director or his/her designee shall be responsible for assuring that all volunteers undergo training in accordance with paragraph "f" below. The ECCS Volunteer Application Form shall not include any personal, private, and/or confidential information. The Executive Director and/or the Business Manager shall ensure that a criminal and motor vehicle record history check is completed for all Level II Volunteers. No one other than the Executive Director and/or the Business Manager shall have access to the information gathered from the criminal

and motor vehicle record check. Each volunteer shall provide his/her personal information to a secure and encrypted web-based platform, such as BIB's "Secure Volunteer" system, selected by the Executive Director to safeguard each volunteer's personal information.

- f. Training – All volunteers are required to undergo volunteer training that addresses professionalism, appropriate and ethical behavior with students and confidentiality issues, at a minimum.
- g. Volunteers must register in the school office at the beginning of each school visit.
- h. Criminal and motor vehicle record history check – A "criminal and motor vehicle record history" for the purpose of this policy shall consist of a nationwide criminal record search completed by an experienced and reputable criminal record searching agency, as well as a North Carolina motor vehicle record search. The review of a criminal and motor vehicle record and decision on whether the applicant is eligible to serve as a volunteer shall be determined by a special committee created by the Board in accordance with Board policy.
- i. Continuous Screening – All Level II Volunteers shall be continuously screened through an automated background check program such as "BIB Guardian".

EVERGREEN COMMUNITY CHARTER SCHOOL  
VOLUNTEER POLICY: BACKGROUND CHECKS

I. Procedure

- a. A criminal and motor vehicle background check will be conducted on all volunteers who chaperone overnight field trips or have unsupervised contact with students.
- b. A criminal and motor vehicle background check by a private contractor shall be conducted for all states in which the volunteer has resided for the past twenty years or since the applicant was 16 years old, whichever is shorter. Prior to conducting this criminal history check, ECCS will obtain a Waiver and General Release form from the volunteer applicant authorizing the background check. Alternatively, this Waiver and General Release will be obtained electronically by a web-based platform, such as BIB's "Secure Volunteer" system, used to process criminal history checks. No person will be permitted to chaperone overnight field trips or have unsupervised contact with students who (1) refuses to authorize the background check or (2) provides inaccurate or incomplete information about his or her previous residences, name(s) or any other information requested in the ECCS Volunteer Application Form, with the exception that individuals who do not have a social security number shall not be required to provide one but will need to contact the Business Manager or Executive Director for alternative procedure.
- c. If ECCS receives any indication of a disqualifying criminal history as a result of a criminal history check by a private contractor, the volunteer applicant will be notified of the adverse results in accordance with the Fair Credit Reporting Act. Any indication of a disqualifying criminal history will be verified either by the applicant, by court records, or by other reliable means before any decision is based on such results.
- d. ECCS shall enter all Level II Volunteers into a system that checks continuously for new criminal and motor vehicle offenses. If ECCS receives any indication of a disqualifying criminal history as a result of the ongoing criminal history check by a private contractor, the volunteer applicant will be notified as per paragraph 1c.
- e. All Level II Volunteers entered into the continuous screening system shall be removed from the system upon cessation of Level II Volunteer approval. This shall be done at the request of the volunteer and/or upon leaving the school.

II. Effect of Criminal History

- a. The following offenses will not be considered in making decisions on volunteer applicants except that traffic offenses will be considered if the person is applying for a position as a driver:
  - 1. Infractions;
  - 2. Traffic offenses that are not felonies and are not related to and did not involve driving while intoxicated or under the influence of a drug or intoxicating substance; and
  - 3. Offenses that have been "waived."
- b. If the criminal history check or other information shows that the volunteer applicant has failed to disclose a guilty plea, conviction, no contest plea, prayer for judgment continued or pending charge on his/her application, the applicant will be disqualified.
- c. If the criminal history check or other information shows that the applicant has been convicted, pled guilty, or pled no contest to a felony that is listed in N.C.G.S. 115C-332(a)(1), or to a comparable federal law felony or felony from another state, the applicant will be disqualified.

### III. Volunteer Standards

If the criminal history check or other information shows that the applicant has been convicted, pled guilty, or pled no contest to felonies other than those listed in N.C.G.S. 115C-332 (a)(1), or to misdemeanors, the factors listed below will be considered in making the determination of whether the nature of the offense or offenses indicates that the person may pose a threat to the safety of students or personnel or whether the offense or offenses indicate that the person may not have sufficient honesty, integrity, or morality to serve in the capacity of a chaperone having unsupervised contact with students.

- a. Factors that weigh against the applicant being permitted to have unsupervised contact with students include:
  - 1. The victim of the offense was a child;
  - 2. There were drugs or narcotics involved in an offense;
  - 3. The offense was sexual in nature;
  - 4. The offense involved a violent act or the threat of violence against a person;
  - 5. The offense involved deception, dishonesty or fraud;
  - 6. There was a pattern of offenses or multiple offenses;
  - 7. The offense was a felony;
  - 8. The offense was within the last ten years;

9. The evaluation of a person who supervised the applicant contemporaneously with or subsequent to the event is that the offense is indicative of a pattern of behavior.
  
- b. Factors that indicate that the applicant might be permitted to have unsupervised contact with students in spite of his or her criminal history check include:
  1. The applicant has no convictions, guilty pleas, or pleas of no contest for at least ten years;
  2. There was only one offense;
  3. The applicant was under 21 years old at the time of the offense;
  4. The offense was a misdemeanor not included in the articles listed in N.C.G.S.115C-332(a)(1);
  5. There is evidence of rehabilitation;
  6. The evaluation of a person who supervised the applicant contemporaneously with or subsequent to the event is that the offense is not indicative of a pattern of behavior.
  
- c. If the criminal history check discloses that the applicant has had one or more arrests for a sexual offense as defined in Article 7A of Chapter 14 of the N.C.G.S. and/or child abuse without convictions, prayers for judgment continued, deferred prosecutions, or charges with no disposition, ECCS will conduct an expanded evaluation to determine whether the arrests or the underlying conduct indicate a pattern of behavior that may show that the person poses a threat to the safety of students or personnel or that the person may not have sufficient honesty or integrity to serve in the capacity of a chaperone having unsupervised contact with students.

#### IV. Pending Charges

If the criminal history check or other information indicates that there are one or more charges currently pending:

- a. If the charge is for a felony listed in N.C.G.S. 115C-332(a)(1), the applicant shall not be considered as a volunteer in the capacity of a chaperone having unsupervised contact with students until the charges are resolved.
  
- b. If the charge is for an offense other than a felony listed in N.C.G.S. 115C-332(a)(1):
  1. The applicant shall not be considered as a volunteer in the capacity of a chaperone having unsupervised contact with students unless the determination is made that, even if the applicant is guilty, the conviction would

not indicate that the person poses a threat to the safety of students or personnel or that the person does not have sufficient honesty or integrity to serve in such capacity. In making this determination, the factors listed in Section III above will be considered.

2. If such determination is not made, the applicant shall not be further considered until the charges are resolved.

V. Notice Requirement

If ECCS receives any indication of a disqualifying criminal history as a result of a criminal history check by a private contractor, the applicant will be notified and provided a copy of his or her criminal history in accordance with the Fair Credit Reporting Act. If the applicant denies the information provided to ECCS of a disqualifying criminal history, the information will be verified either by an examination of court records or other reliable means before any decision is based on such results. In the event a disqualifying decision is made, ECCS will provide the applicant with the name, telephone number and address of the consumer reporting service that supplied the report, a statement to the effect that the reporting agency did not make the decision or take the adverse action and cannot give specific reasons for it, and a notice of the applicant's right to obtain a free copy of the report from the reporting agency within 60 days and to dispute the information in the report.

VI. Criminal History Checks of Current Volunteers

- a. ECCS may conduct criminal history checks using private contractors on current volunteers charged and/or convicted of a crime provided the procedure complies with the Fair Credit Reporting Act.

VII. Record Keeping Required

- a. If a volunteer applicant is denied, based on the information contained in the applicant's criminal history, a written record shall be made of the reason(s) for the denial. The record shall be maintained for a minimum of one year.
- b. If a volunteer applicant is approved and the applicant has a record of a conviction, a written record shall be made of the reason(s) for the approval. The record shall be maintained for a minimum of five years.

- c. If the applicant has no record of convictions, no determination need be made, but a copy of the criminal history report shall be maintained for a minimum of one year.
- d. Copies of criminal histories obtained by ECCS shall be maintained in accordance with applicable state and federal law, and State Board of Education Policy.