

Section 9000 – General Public and Organizational Relations

9230-R School Volunteers

9230-R

Parent/Guardian/Community/Agency Volunteers

I. Use of Volunteers

Administrators who intend to use volunteers shall follow these rules:

1. Volunteer Groups/Individuals

When volunteers are used in the buildings, for school programs or special events, to enhance and supplement the achievement and curriculum goals and objectives, administrators should define what services are needed from the volunteer. Volunteering is not a right, but instead it is a privilege. Volunteers serve at the pleasure and discretion of the District.

2. Parent/Guardian Involvement Accountability

Parents/Guardians who expect to receive acknowledgement for their involvement must request the information from the Community and Student Services office (CSS).

3. Liability

Administrators who use volunteers shall consult with the Community and Student Services Office and use the appropriate "tools" to reduce the potential liability to the District. All volunteers shall be required to fill out an "Application to Volunteer," and the application will be reviewed by the Community and Student Services Office prior to long-term volunteer assignments.

4. Student Safety

Volunteers who meet the following criteria must have a criminal background check.

A. Criminal Background Check

1. A volunteer who volunteers regularly in the District. "Regularly" is defined to mean that the volunteer assignment requires an individual to be in the school or on school property or affiliated with a school program at least once per week or two or more times per month for two months or more;

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2. Any volunteer assignment which requires a volunteer to have direct one-on-one contact with students without the direct involvement and supervision of school district personnel; or
3. Any volunteer who will be taking students off site.

For the purposes of policy 9230, the “criminal background check” means that the employee/volunteer contact information must be submitted to the Criminal Records Division of the Department of State Police via CHAT, and the volunteer's name must be checked against the Michigan Public Sex Offender Registry. If the volunteer candidate disagrees with the criminal background information obtained from CHAT or from other sources, then the volunteer candidate should submit voluntarily to a fingerprinting background check through the Michigan State Police and FBI records. The volunteer candidate is required to pay for any fingerprinting costs.

B. Results of the Criminal Background Check

1. If, as a result of the criminal background check, or if Grand Rapids Public Schools learns through an authoritative source, that a volunteer candidate has been convicted of a listed offense, then that individual cannot be allowed to volunteer;
2. If the volunteer candidate is listed on the Michigan Public Sex Offender Registry, then that individual cannot be allowed to volunteer;
3. If the volunteer candidate has been convicted of a felony other than a listed offense, then that individual cannot be allowed to volunteer. The volunteer candidate can appeal this decision to the Superintendent. The appeal will be considered in accordance with Board policy with respect to allowing personnel with felony convictions (other than listed offenses) to be employed in the District;
4. "Listed offenses" are those defined in MCL 28.722 and include the following:

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- a. MCL 750.145a. Accosting, enticing or soliciting a child (less than 16 years of age) for immoral purposes.
- b. MCL 750.145b. Accosting, enticing or soliciting a child (less than 16 years of age) for immoral purposes - second or subsequent offenses.
- c. MCL 750.145c. Child (a person less than 18 years of age who has not been legally emancipated) sexually abusive activity or material, including possession of child sexually abusive material.
- d. MCL 750.158. Crime against nature (i.e., sodomy and bestiality) if the victim is an individual less than 18 years of age.
- e. A third or subsequent violation of any combination of the following:
 1. MCL 750.167(1)(f). Indecent or obscene conduct in a public place;
 2. MCL 750.335a. Indecent exposure;
 3. MCL 750.338. A local ordinance of a municipality substantially corresponding to a section described in A or B, supra.
- f. Except for juvenile disposition or adjudication, a violation of:
 1. MCL 750.338. Gross indecency between males; fellatio or masturbation;
 2. MCL 750.338a. Gross indecency between female, oral sex;
 3. MCL 750.388b. Gross indecency between male and female persons.If the victim is an individual less than 18 years of age:
- g. MCL 750.349. Kidnapping, if victim is an individual less than 18 years of age.
- h. MCL 750.350. Kidnapping; child under 14 years of age with intent to detain or conceal from child's parent or legal guardian.
- i. MCL 750.448. Soliciting or accosting by a person 16 years of age or older, if victim is an individual less than 18 years of age.

- j. MCL 750.455. Pandering.
- k. MCL 750.520b. First degree criminal sexual conduct.
- l. MCL 750.520c. Second degree criminal sexual conduct.
- m. MCL 750.520d. Third degree criminal sexual conduct.
- n. MCL 750.520e. Fourth degree criminal sexual conduct.
- o. MCL 750.520g. Assault with intent to commit criminal sexual conduct.
- p. Any other violation of a law or the state or a local ordinance of a municipality that by its nature constitutes a sexual offense against an individual who is less than 18 years of age.
- q. MCL 750.10a. Offense by sexually delinquent person (i.e., "any person whose sexual behavior is characterized by repetitive or compulsive acts which indicate a disregard of consequences or the recognized rights of others, or by the use of force upon another person in attempting sexual relations of either a heterosexual or homosexual nature, or by the commission of sexual aggressions against children under the age of 16").
- r. An attempt or conspiracy to commit an offense described in (i) through (xvii).
- s. An offense substantially similar to an offense described in (i) through (xvii) under a law of the United States, any state, or any country or any tribal or military law.

C. Charges and Convictions

A volunteer should report any criminal charges or convictions involving any misdemeanor, felony or traffic offense which results in the suspension or revocation of the volunteer's drivers license. A volunteer who is charged and/or convicted of a listed offense or any felony shall have their volunteer privileges immediately revoked.

Direct Supervision of Volunteer Program

The Community and Student Services Office will serve as the supervision structure for the District's volunteer initiative. The office shall be responsible for

interpreting the volunteer guidelines and responding to questions regarding volunteer involvement in the District. However, building administrators have ultimate responsibility for the supervision of volunteers.

Procedures for Volunteers While in a Building/Program

No volunteers may be in any building/program without prior authorization from the Community and Student Services Office.

Authorized volunteers will be issued an identification badge from the Community and Student Services Office. The badge will be issued upon final authorization for volunteering. The badges will have an expiration date. Volunteers are required to display this badge at all times they are volunteering. Volunteers are expected to sign in and out in all building locations which they are present.

Buildings/Programs are required to verify the authorization of all volunteers who are in their locations and to require all volunteers to display the appropriate identification badge.

II. Insurance Coverage for Volunteers

1. Purpose

To establish criteria under which a volunteer for the Grand Rapids Public Schools will be protected by District General Liability Insurance, as a named insured, and to protect the school district's position under governmental immunity.

2. Criteria

Extension of coverage and inclusion as names insured for volunteers for the Grand Rapids Public Schools will be subject to the following criteria:

- A. Volunteers are specifically designated as such (as volunteers) and are acting by and on behalf of the Grand Rapids Public Schools;
- B. The volunteer activity has prior approval by authorized Grand Rapids Public Schools personnel and is of the type the school district is permitted to engage in while exercising or discharging its governmental function;
- C. The volunteer activity directly and specifically benefits the Grand Rapids Public Schools;

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- D. There is no monetary or other form of payment for services rendered by the volunteer;
- E. The volunteer is acting in the scope of his/her authority; and
- F. The volunteer's conduct does not result in gross negligence. Gross negligence is defined as conduct so reckless as to demonstrate a substantial lack of concern for whether an injury results and that it is the proximate cause of the injury or damage.

3. Use of Automobile

Each volunteer using his/her automobile in the course of services provided to the Grand Rapids Public Schools, and involving the volunteer's auto, the provisions of Michigan's No Fault Auto Insurance shall prevail. This means that the volunteer's personal automobile liability coverage shall provide the primary level of coverage and the district's coverage shall provide excess coverage.

In addition, each volunteer must maintain a minimum of \$100/\$300,000 liability coverage. Volunteers are encouraged to maintain liability insurance in the amount of \$250/\$500,000 and to also have uninsured and underinsured coverage. Further, each volunteer must possess a valid Michigan driver's license or a chauffeur license.

4. Procedures

- A. A sign-in sheet shall be available at the point of the volunteer activity (office, field, bus, etc.).
- B. Volunteer drivers will complete the "Volunteer Driver" form which includes the driver's name, address, telephone number, Michigan driver's license number, and limits of liability. This form will be maintained in each school office.
- C. A school official should provide instructions for the volunteer related to his/her duties prior to commencing the activity.
- D. It is recommended that all volunteers be at least 18 years of age. Volunteer drivers must be at least 21 years of age.

Rules Accepted: June 29, 2009