

Tulpehocken Area School District Act 153 Volunteer Requirements

Governor Thomas Corbett signed into law Act 153 of 2014, which amended Pennsylvania's Child Protective Services Law and the Public School Code to impose more extensive criminal background check requirements on school employees and volunteers having direct contact with children. This is an unfunded mandate, requiring volunteers to bear the cost of the background checks unfortunately.

The definition of volunteer as provided is any "person having direct contact and interaction with students." In an attempt to comply with Act 153, Tulpehocken Area School District will view the following as volunteers due to the potential of having direct contact with students: PTO members, booster organization members, chaperones, persons assisting with athletic or music events, persons working in concession stands, school security personnel, and classroom volunteers.

Volunteers must obtain **ALL** of the following necessary clearances,

- Act 151 Pennsylvania Child Abuse History Clearance;
- Act 34 Pennsylvania Criminal History Record Check; and
- One of the following two options:
 - 1) Federal Criminal History Record (includes fingerprinting), or
 - 2) An "Act 153 Volunteer Affidavit" sworn and executed by the potential volunteer in the presence of, and witnessed by, a District Administrator or Human Resources officer. This form is available on the T ASD website and any school Office upon request. This option is only available to volunteers who:
 - a) Have been a resident of the Commonwealth of Pennsylvania continuously for the previous ten (10) year period of time, and
 - b) Have never been convicted of a disqualifying crime in Pennsylvania or another jurisdiction.

Volunteer must provide clearances that are less than 5 years old and they must be updated every 5 years.

The District will supply "approved" volunteers with a photo ID badge and lanyard. The badge will say "Approved Volunteer" and include the expiration date of each individual's clearances.

Once clearances have been provided to the School District and the volunteer has been issued an "Approved Volunteer" badge, a volunteer may transfer to or provide services to another T ASD department, program, service, or activity without obtaining additional certifications for so long as the volunteer's certification is current. Such clearances, however, cannot be used to volunteer with outside organizations.

Volunteers arrested for or convicted of a criminal offense enumerated under 23 Pa.C.S. § 6344(c), or named as perpetrators in a founded or indicated report of such an offense, must notify the School District in writing within 72 hours of arrest, conviction, or notification that they have been listed as a perpetrator in the Statewide database.

10/31/2019