

This introductory page outlines the contents of this regulation on criminal history background checks for District volunteers. See the following sections for provisions on:

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SECTION I: VOLUNTEER CRIMINAL HISTORY BACKGROUND CHECK

VOLUNTEER
DEFINITION

1. For the purposes of this regulation, a volunteer is any person regularly providing services for or on behalf of the Houston Independent School District (HISD). The term volunteer includes a person volunteering for a single field trip or event, on the premises of District property or at a school-sponsored or school-related activity on or off school property, who does not receive compensation in excess of reimbursement for expenses. [See GKG(LOCAL) and Texas Education Code §22.053 School District Volunteers]

VISITORS ON CAMPUS

2. Since February 2004, all volunteers have been required to register online and participate in the annual background check process. For additional guidelines regarding visitors on campus, see GKC(LOCAL) and GKC(REGULATION).

CRIMINAL HISTORY
RECORD CHECK

3. While education is the primary focus of the District, the safety of each student is vital. In accordance with the law, and to ensure the safety of children, annual criminal history background checks for volunteers are required. The Texas Education Code allows a school district to obtain from any law enforcement or criminal justice agency all criminal history record information that relates to a person serving as a volunteer of the District and to any person who has indicated, in writing, the intent to serve as a volunteer with the District, including a parent, guardian, or grandparent. [See references GKG(LEGAL) and (LOCAL) and Texas Education Code §22.0835 Access to Criminal History Records of Student Teachers and Volunteers by Local and Regional Education Authorities.]

The District will obtain from the Texas Department of Public Safety, and may obtain from any other law enforcement or criminal justice agency or a private entity that is a consumer reporting agency governed by the Fair Credit Reporting Act, all criminal history record information related to a volunteer.

SECTION II: VOLUNTEER REGISTRATION PROCESS

VOLUNTEER
REGISTRATION
PROCESS

4. Anyone who wants to participate as a volunteer with Volunteers in Public Schools (VIPS) must register using the VIPS login. VIPS login is an online registration system available on the HISDConnect home page at www.houstonisd.org. (Departments, Strategic Partnerships, Volunteers In Public Schools (VIPS).) Each potential volunteer must indicate the school(s) where he or she plans to volunteer. For additional

information on the responsibilities of volunteers, see GKG2(REGULATION).

ELIGIBILITY

RESTRICTIONS ON
WAIVERS FOR
PARENTS,
GRANDPARENTS,
AND GUARDIANS

5. Guidelines regarding eligibility for volunteers are as follows:
- A parent, guardian, or grandparent of a child who is enrolled in the District or the school for which the person volunteers or is applying to volunteer who has a conviction may request, before or after a background check is performed, an individual assessment, and upon obtaining a waiver, may volunteer for any activity if the person:
- Will be accompanied by a District employee while on a school campus; or
 - Is volunteering for a single event on the school campus.

IDENTIFICATION

6. At the school level, potential volunteers must complete the VIPS online registration and provide an official form of identification (ID). [See references GKC(LEGAL) and GKG(LEGAL) and (LOCAL)] School personnel must verify that the name and identification number on the registration form are exactly as they appear on the ID, confirm that the picture ID matches the person registering, and check the expiration date on the identification document. The following photo IDs may be used in verifying the potential volunteer's identity:
- A valid, current driver's license issued by any of the United States or any of its territories (preferred ID);
 - A valid, current identification card issued by any of the United States or any of its territories (preferred ID);
 - A valid, current passport issued by any nation;
 - A valid, current military ID card;
 - A valid, current Resident Alien Card issued by the federal government of the United States;
 - A valid, current Matricula Consular (consular ID card); or
 - An HISD Student ID.

CLEARANCE

- a. Volunteers, as described at CRIMINAL HISTORY RECORD CHECK above, must clear the background check before they can begin volunteer work. A volunteer who refuses a school's request for a background check may not volunteer in any capacity on any District campus.

STUDENTS

- b. The volunteer criminal history background check is required of students 16 years of age or older. In the case of community service projects, the students and activities are approved by the respective school. Students should have clearly defined responsibilities and schedules, and must always be supervised by school staff members or approved volunteer sponsoring the activity.

CONFIDENTIALITY

7. All records on criminal background checks of volunteers will be treated with confidentiality.

SECTION III: RESPONSIBILITIES REGARDING BACKGROUND CHECKS

RESPONSIBILITIES

8. Responsibilities concerning criminal history background checks of volunteers are as follows:

PRINCIPAL

- a. The principal is responsible for all volunteer activities at his or her school. The major responsibilities of the principal regarding annual criminal history background checks of volunteers are to:
 - Assign a primary Volunteers in Schools Information Tracking System (VISITS) coordinator and a back-up designee to manage the volunteer criminal background check process;
 - Require selected staff members to attend school volunteer coordinator and VISITS training annually;
 - Notify volunteers and business and community partners of the District's policies and procedures regarding annual criminal history background checks;
 - Inform staff members of the volunteer annual criminal history background check process; and
 - Convey to staff members and the community that this process supports the safety of District students.

VISITS
COORDINATOR OR
DESIGNEE

- b. The VISITS coordinator or back-up designee manages the annual volunteer criminal history background check process on behalf of the principal. The major responsibilities of the VISITS coordinator and back-up designee are to:
 - Participate in annual volunteer coordinator training, which includes volunteer criminal history background check procedures;

- Assist with online registration; and
 - Maintain online lists of campus volunteers.
- VOLUNTEERS IN
PUBLIC SCHOOLS
OFFICE
- HUMAN
RESOURCES
- CONTRACT
SERVICES
- BACKGROUND
CHECK
RECORDS
- VISITS
NOTATIONS
- INELIGIBLE
PARENTS
- c. The VIPS program administrator is responsible for supporting and communicating to the community the need for volunteer annual criminal history background checks.
- d. The District background check process is a function of Human Resources. Guidelines are as follows:
- (1) Human Resources may employ private contractors to conduct volunteer criminal background checks if necessary. Contractor responsibilities include:
 - Conducting both local and state criminal history background checks on volunteers using the Texas Department of Public Safety database;
 - Conducting a nationwide background check; and
 - Ensuring confidentiality and security of all information.
 - (2) Human Resources will maintain background check records for all volunteers, including ineligible volunteers.
 - (3) Human Resources will note in the VISITS database any potential volunteers determined to be ineligible for volunteer services due to a background check.
 - (4) A parent or legal guardian who has a child in a District school and who has a criminal record that would preclude him or her from volunteering with the District may participate in his or her child's education by attending parent meetings, open houses, school activities and events, and the like at the child's school. [See GKC(LOCAL) and GKC(REGULATION)]

SECTION IV: APPEAL PROCESS

- APPEALS
9. The volunteer appeal process applies only to parents, grandparents, and guardians. If a parent, grandparent, or guardian of a child who is enrolled in the District or school for which the person volunteers or is applying to volunteer wishes to appeal his or her eligibility, he or she may submit a request for an individual assessment and a waiver of this regulation to the VIPS program administrator. The VIPS program administrator

will present the request to the Human Resources representative on the assessment committee, who will schedule an interview with the prospective volunteer. Scheduled interviews will be held on a weekly basis at the Hattie Mae White Administration Building Office of Human Resources at 4400 West 18th Street, Houston, Texas.

REVIEW
COMMITTEE

a. A volunteer whose criminal history background check reveals a violation of District policy may appeal the criminal history restrictions to volunteering through a process of review by the Human Resources department. A criminal history review committee has been created to facilitate the appeal process for volunteer background checks. This will be the same committee established to review applicant and employee appeals. [See DC16(REGULATION)] The review committee will be comprised of one representative each from Human Resources, Legal Services, and the HISD Police Department. In order to obtain a waiver of a violation, a person must receive a majority vote of the review committee.

APPEAL
PROCEDURE
INTERVIEW

b. The following procedures apply to the appeal process:

(1) The committee will schedule an interview to address each individual situation, considering the factors listed at item 5 above and item 9c or 9d below, as appropriate.

RECOMMENDA-
TION

(2) Upon completion of the interview, the committee will submit a recommendation to the chief human resources officer, Human Resources, or designee.

CONSIDERATION

(3) The chief human resources officer, Human Resources, or designee will consider the criminal history review committee's recommendation in deciding whether or not the individual is eligible for volunteering with the District.

FINAL

(4) The decision of the chief human resources officer, Human Resources, or designee regarding volunteer appeals is final.

INDIVIDUALIZED
ASSESSMENT

c. The District will perform an individualized assessment of criminal history record information when determining a parent's, grandparent's, or guardian's eligibility for volunteering on District property or at a school-sponsored or school-related activity on or off school property. The District will take into account a variety of factors, including the following:

- The nature of the offense;
- The age of the person when the crime was committed;
- The date of the offense and how much time has elapsed;
- The adjudication of the offense (e.g., whether the person was found guilty by a trier of fact, pled guilty, entered a no contest plea, or received deferred adjudication);
- The nature and responsibilities of the job sought;
- The accuracy of the person's disclosure of his or her criminal history during the application process;
- The effect of the conduct on the overall educational environment;
- Whether the offense under the current penal code would be the same degree of offense;
- Any further information provided by the person concerning his or her criminal history record; and
- Any other information obtained by the District regarding the applicant's criminal history record.

OFFENSES FOR WHICH EXCLUSION IS LIKELY

TITLE V, TEXAS PENAL CODE

- d. A record of certain offenses carries a high likelihood that the District will exclude the individual from volunteering.
- (1) Persons whose criminal history record shows convictions or pleas of guilty or nolo contendere for offenses under Title V, Texas Penal Code, and specifically offenses requiring registration as a sex offender (or equivalent offenses under the laws of other states and federal law), and at the time the offenses occurred, the victim of the offense was under 18 years of age or was enrolled in a public school, are presumptively disqualified from volunteering with the District. Subject to an individualized assessment, the following offenses will likely preclude volunteering with the District. These offenses include, but are not limited to:
- Murder;
 - Capital murder;

- Manslaughter;
- Criminally negligent homicide;
- Kidnapping;
- Aggravated kidnapping;
- Smuggling of persons;
- Trafficking of persons;
- Continuous trafficking of persons;
- Sexual abuse of a young child or children;
- Indecency with a child;
- Improper relationship between educator and student;
- Sexual assault;
- Aggravated assault;
- Injury to a child, elderly individual, or disabled individual; and
- Abandoning or endangering a child.

NON-TITLE V,
TEXAS PENAL
CODE

(2) Subject to an individualized assessment, the following non-Title V, Texas Penal Code offenses are also presumptively disqualifying:

- Aggravated robbery;
- Any felony where a deadly weapon was used or exhibited; and
- Any felony related to the manufacture, delivery, or possession of marijuana, a controlled substance, or a dangerous drug, except that any person charged and convicted of felony possession of marijuana, which under current law would be a misdemeanor, will be considered to have a misdemeanor conviction under this regulation.

CONSULTATION

10. This regulation does not require consultation.

MAINTENANCE
RESPONSIBILITY

11. The general manager, Strategic Partnerships, is responsible for maintenance of this regulation.

Houston ISD
101912

COMMUNITY RELATIONS
SCHOOL VOLUNTEER PROGRAM

GKG1
(REGULATION)

EFFECTIVE DATE 12. This regulation will be effective as of the adoption date, January 19, 2016.