

THE MASTERS PROGRAM

Volunteer Screening Policy

Welcome to The MASTERS Program's Volunteer Program. Volunteer and parent involvement is an important part of TMP, and we appreciate your willingness to devote your time and energy to the school. This policy is intended to ensure the safety and well-being of students and staff at TMP and complies with state regulations regarding school volunteers (6.50.18.8 NMAC [7.1.2010]).

Volunteers at TMP, whether they have unsupervised access to students or not, will be required to complete an application and to sign an authorization form and provide date of birth, Social Security Number, and current address, that collectively authorizes TMP to order an individual criminal background check. All authorization forms and results of screening must be received prior to the start of volunteer duties.

TMP contracts with a third party to conduct the background checks. All information received as a result of the screening will be kept confidential and not disclosed to anyone outside of TMP, unless ordered to do so by a governmental authority with appropriate jurisdiction. All authorization forms, records or reports shall be maintained in a confidential manner, and kept for a fixed period of time as set by TMP's record retention policy.

If any disqualifying information is found that prevents an applicant from being accepted, TMP's Administrator or his/her designee will be responsible for notifying applicant of disqualification in a confidential manner. In the event an applicant feels a mistake has been reported in his/her criminal background check, it is the applicant's responsibility to contact the reporting agency and resolve any issues. TMP will provide contact information of the background reporting agency upon request of the denied applicant. TMP and its employees are not responsible for errors or omissions that may be reported on background checks.

FREQUENCY OF BACKGROUND INVESTIGATIONS

Background investigations will be conducted every three years for all volunteers who will be responsible for all associated fees. The initial authorization release signed by the volunteer applicant specifically states that the release shall remain in effect until revoked in writing.

DISQUALIFYING FACTORS

A person will be disqualified and prohibited from serving as a volunteer if the person has been found guilty of any of the following crimes or has *pending* charges. Guilty means that a person was found guilty following a trial, entered a guilty plea, entered a no contest plea accompanied by a court finding of guilty, regardless of whether there was an adjudication of guilt (conviction) or a withholding of guilt. This recommendation does not apply if criminal charges resulted in acquittal, non-prosecution determination, or dismissal.

DISQUALIFYING OFFENSES:

1. Crimes involving sexual conduct:
 - All Sex Offenses – Regardless of the amount of time since offense. Examples include:
 - Sexual conduct with a minor, sexual assault of anyone, child molestation, rape, sexual battery, lewd and lascivious acts (including indecent exposure),
 - Failure to register as a sex offender, any crime for which a person is required to register as a sexual offender pursuant to the New Mexico Sex Offender, Registration and Notification Act,
 - Prostitution or solicitation,
 - Possession, distribution or receipt of child pornography, and
 - Other sexual offenses identified as crimes whether felony or misdemeanor.

2. Felonies.

- All Violent Felonies – Regardless of the amount of time since offense. Examples include:
 - Murder, attempted murder, manslaughter,
 - Aggravated assault (assault with a weapon), kidnapping, arson, robbery, aggravated burglary, child endangerment, and
 - Other crimes identified to be violent felonies.
- All Felony offenses other than Violent Felonies or Sexual Offenses within the past 10 years. Examples include:
 - Burglary, larceny, fraud, forgery,
 - Certain types of vandalism,
 - White collar crimes,
 - Drug offenses, theft, embezzlement, or
 - Other felonies not considered violent or sexual offenses.

3. Misdemeanors.

- All misdemeanor violence involving a minor (unless the applicant was themselves a minor) – regardless of the amount of time since the offense,
- All misdemeanor drug & alcohol offenses involving a minor (unless the applicant was themselves a minor) – regardless of the amount of time since the offense, and
- All other misdemeanor violence offenses within the past 7 years. Examples include:
 - Simple assault, battery, domestic violence, hit and run, etc.
- All misdemeanor drug & alcohol offenses within the past 5 years or more than one offense in the past 10 years regardless of whether the offense involved a minor. Examples include:
 - Driving under the influence, simple drug possession, drunk and disorderly, public intoxication, possession of drug paraphernalia, and
 - Any other felony or misdemeanor within the past 5 years that would be considered a potential danger to vulnerable populations.

4. Plea Bargains. Any felony or misdemeanor convictions for which individual accepted through plea bargaining or other legal action a lesser plea conviction than that original charge that involved any of the above listed offenses.

5. Other Disqualifying Crimes. Any felony or misdemeanor conviction or pending charges which involve a crime against a member of the vulnerable population or pending charges of felonies or misdemeanors as listed within this procedure.

PENDING CASES

1. Pending matters. Any applicant who has been *arrested for or charged* with any of the disqualifying offenses will not be allowed to volunteer until disposition of the charge. A serving volunteer who has been charged with any of the disqualifying offenses will have their service suspended until disposition of the charge.

2. Report of arrest/pending charges. A volunteer must immediately inform TMP Administrators of an arrest or of any pending charge(s) that has been filed against the volunteer and which, if convicted, would cause them to be disqualified as a volunteer as stated in this policy. Failure to do so may result in further consequences including permanent disqualification.

NOTE: This Volunteer Screening Policy is subject to review and changes as determined necessary by TMP in administering its Volunteer Program.