



## Family Engagement and Background Checks

November 15, 2021

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The Kentucky Collaborative for Families and Schools, along with numerous other state and local organizations, will celebrate Family Engagement in Education Week Nov. 15-19 with activities planned to encourage a renewed effort in school and family partnerships. The week will kick off with an official proclamation signing by Gov. Andy Beshear, who will designate it as a statewide celebration of families and schools.

The Kentucky Department of Education (KDE) recognizes the importance of and supports strong family engagement and volunteerism in Kentucky public schools. When schools are community hubs that welcome and take time to listen to all students and families, our public schools grow stronger. Although some districts may be limiting the use of volunteers in schools due to the COVID-19 pandemic, when possible, family volunteers aid and support the crucial work of educators throughout the state.

During Family Engagement in Education Week, KDE wishes to clarify common questions it receives regarding school volunteer background checks. KRS 160.380(6)(d) provides that “A superintendent may require a volunteer or a visitor to submit to a national and state criminal history background check by the Department of Kentucky State Police and the Federal Bureau of Investigation and have a clear CA/N check, provided by the individual.”

KRS 161.148(4) further provides that:

*Each local board of education shall develop and adopt a policy requiring a state criminal records check on all volunteers who have contact with students on a regularly scheduled or continuing basis, or who have supervisory responsibility for children at a school site or on school-sponsored trips. The request for records may be from the Justice and Public Safety Cabinet or the Administrative Office of the Courts, or both, and shall include records of all available convictions as described in KRS 17.160(1). Any request for a criminal records check of a volunteer under this subsection shall be on a form or through a process approved by the Justice and Public Safety Cabinet or the Administrative Office of the Courts. If the cabinet or the Administrative Office of the Courts charges fees, the local board of education shall arrange to pay the cost, which may be from local funds or donations from any source including volunteers.*

Finally, each local school district should have a local board policy addressing and encouraging the use of volunteers.

For volunteers who do not have contact with students on a regularly scheduled or continuing basis, and who do not have supervisory responsibility for children at a school site or on school-sponsored trips, discretion concerning background checks lies with the local school district. In light of this, KDE recommends that local advocates work with school districts to establish alternate procedures as needed for individuals wishing to volunteer in local school districts, but lacking Social Security numbers (SSN). School districts are encouraged to engage these family volunteers in meaningful connections with the school community.



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The following Q&A addresses questions frequently posed to KDE regarding family engagement and background checks:

### **For what activities is the criminal background check necessary for a parent/guardian?**

Volunteers who have contact with students on a regularly scheduled or continuing basis, or who have supervisory responsibility for children at a school site or on school-sponsored trips. Other volunteers may be required to submit to a background check at the discretion of the superintendent or based on local policy.

### **If a background check is required, can the needed information be obtained without the use of an SSN? Can another form of identification be used, or another background check tool be used?**

Such a determination would be based on which type of background checks are required at the local level. For example, Child Abuse/Neglect (CAN) registry checks can be completed without an SSN.

### **If a background check flags concerns related to the parent/caregiver, what process then determines the extent to which the parent/guardian can or cannot participate in school activities?**

This question is not specially addressed in KRS 160.380 as it relates to volunteers. However, KRS 160.380(5) provides that “No superintendent shall initially employ in any position in the district any person who is a violent offender or has been convicted of a sex crime as defined by KRS 17.165, which is classified as a felony, or persons with an administrative finding of child abuse or neglect in records maintained by the Cabinet for Health and Family Services. The superintendent may employ, at his discretion, except at a Kentucky Educational Collaborative for State Agency Children program, persons convicted of sex crimes classified as a misdemeanor.”

### **Do districts have designated staff available who can assist a parent in obtaining a background check or can provide clarification on how to engage in school activities?**

Individuals should reach out to specific local districts or schools directly for more information about involvement opportunities. KDE encourages schools and districts to deploy various family engagement efforts. This could include easy-to-understand information on how to obtain background checks and assistance in doing so.

### **Are background checks offered only at the beginning of the school year?**

Background checks typically are offered by third parties on a continuous basis, although local districts may have policies related to when they accept new volunteers. Of note, for the 2021-2022 school year, schools may be limiting or not permitting school volunteers to mitigate the spread of COVID-19.



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**If a district offers options for obtaining a background check, are these options made clear to parents, and do they include alternatives to the SSN?**

Individuals should reach out to specific local districts or schools directly for more information about involvement opportunities. Volunteer opportunities in local districts are not vetted at the state level.

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