

BACKGROUND CHECKS FOR VOLUNTEERS

Senate Bill 187 went into effect March 22, 2001. The law provides for criminal record background checks of any employee or volunteer who provides unsupervised access to children on a regular basis.

What kinds of entities are covered by the Act?

The Act covers, among others, religious, charitable, scientific, educational, athletic and service institutions, organizations or entities that provide care, treatment, education, training, instruction, supervision or recreation to children.

What kinds of duties does the Act impose on covered entities?

Significantly, the Act does not require a covered entity to conduct background checks on individuals who will have unsupervised access to children on a regular basis. What the Act does require, however, is that covered entities provide notice to prospective and current volunteers who have or will have unsupervised access to children on a regular basis that they may, at any time, be required to provide a set of fingerprints and undergo a criminal records check. Notice to prospective volunteers must be given at the time of the person's initial application.

The act requires an organization to notify a parent or guardian of a child served if a person who has been convicted of or plead guilty to certain offenses, according to a criminal records check, will be accepted as or allowed to remain a volunteer with unsupervised access to children on a regular basis. The offenses that mandate notification are the same that disqualify a person from being an adoptive parent or foster-care giver, including murder, manslaughter, involuntary manslaughter, assault, rape, sexual batter, corruption of a minor, voyeurism, public indecency, promoting prostitution, pandering obscenity involving a minor, robbery, burglary, domestic violence, carrying a concealed weapon, trafficking in drugs and adulteration of food.

What does "Unsupervised Access to a Child" mean?

The phrase "unsupervised access to a child" means that the person in question has access to a child and that either (1) no other person 18 years of age or older is present in the same room with the child or (2) if outdoors, no other person 18 years of age or older is within a 30 yard radius of the child or has visual contact with the child.

It becomes important that faith-based groups and individual churches begin a discussion to determine their future policy for processing new employees and volunteers. Many denominations have already expanded their background check policy to include those volunteers working regularly with children. This provides churches with immunity protection and more importantly, affirmation that they have done all that is possible to preserve the safety of their children.

The GCSC (Governor's Community Services Council) may be contacted by telephone at (614) 728-2916 or at one of the following website addresses:

- www.serviceohio.org
- www.State.oh.us/ohiogsc/