



**DEPARTMENT OF DEFENSE
EDUCATION ACTIVITY
4040 NORTH FAIRFAX DRIVE
ARLINGTON, VA 22203-1635**

Office of Safety & Security

DoDEA Administrative Instruction 4700.3
May 15, 2006

**DEPARTMENT OF DEFENSE EDUCATION ACTIVITY
ADMINISTRATIVE INSTRUCTION**

SUBJECT: Application and Background Checks for Department of Defense Education Activity
School Volunteers and Student Teachers

- References:
- (a) DoD Instruction 1402.5, "Criminal History Background Checks on Individuals In Child Care Services," January 19, 1993
 - (b) DoD Instruction 1100.21, "Voluntary Services in the Department of Defense," March 11, 2002, as amended
 - (c) DoD Regulation 5200.1-R, "Information Security Program," January 14, 1997, authorized by DoD Directive 5200.1, December 13, 1996
 - (d) DoD Regulation 5200.2-R, "Personnel Security Program," February 23, 1996, as amended, authorized by DoD Directive 5200.2, April 9, 1999
 - (e) DoDEA Manual 5800.1, "Policies and Processing of Personnel Security & Suitability Program," October 21, 1998, as amended

1. PURPOSE

This Administrative Instruction implements reference (a) by establishing procedures for background checks of current and prospective volunteers and student teachers who provide child care services in the Department of Defense Education Activity (DoDEA) schools.

2. APPLICABILITY

This Administrative Instruction applies to:

2.1. The Office of the Director, Department of Defense Education Activity (DoDEA); the Director, Domestic Dependent Elementary and Secondary Schools, and Department of Defense Dependents Schools, Cuba (DDESS/DoDDS-Cuba); the Director, Department of Defense Dependents Schools, Europe (DoDDS-E); the Director, Department of Defense Dependents Schools, Pacific, and Domestic Dependent Elementary and Secondary Schools, Guam (DoDDS-P/DDESS-Guam); and all DoDEA District Superintendents, School Principals, Teachers, and Support Staff.

2.2. Volunteers who provide, or who apply to provide, child care services in DoDEA schools under reference (b).

2.3. Student teachers who apply for placement in DoDEA schools to earn credit for academic purposes under reference (a).

3. DEFINITIONS

Terms used in this Administrative Instruction are defined in enclosure 1.

4. POLICY

It is DoDEA policy that:

4.1. DoDEA prospective and current school volunteers and prospective student teachers shall be subject to a standardized application process that includes completion of an application form and standardized background checks as prescribed in enclosure 3.

4.2. Coordination is established with specific installation organizations involved in background checks.

4.3. A Specified School Volunteer may have unsupervised access to students upon receipt of a favorable standardized background check. Specified School Volunteer services may be provisionally accepted before the completion of a background check provided the Specified School Volunteer is under direct line-of-sight supervision of a DoDEA employee with a favorable background check.

4.4. Temporary school volunteers and student teachers shall not have unsupervised access to students, and must be under direct-line-of-sight supervision of a DoDEA employee with a favorable background check.

4.5. Temporary and Specified School Volunteers shall execute a "Volunteer Agreement For Appropriated Fund Activities and Nonappropriated Fund Instrumentalities," DD Form 2793, in accordance with reference (b).

5. RESPONSIBILITIES

5.1. The Director, Department of Defense Education Activity, shall establish this Instruction to govern the actions of all under his or her authority.

5.2. The Director, Domestic Dependent Elementary and Secondary Schools and Department of Defense Dependents Schools, Cuba; the Director, Department of Defense Dependents

Schools, Europe; the Director, Department of Defense Dependents Schools, Pacific and Domestic Dependent Elementary and Secondary Schools, Guam, shall:

5.2.1. Develop implementation and evaluation procedures for adherence to this Instruction.

5.2.2. Monitor compliance with this Instruction.

5.2.3. Provide District Personnel Field Office technical support and resources as required.

5.2.4. Implement the local agency background check or Installation Records Check (IRC) for in-theater student teacher applicants prescribed in enclosure 3, and make eligibility determinations utilizing the criteria in enclosure 4.

5.3. The DoDEA District Superintendents shall:

5.3.1. Monitor compliance with this Instruction.

5.3.2. Provide District Personnel Field Office technical support and resources as required.

5.3.3. Maintain records of favorable and unfavorable background checks on school volunteer applicants.

5.3.4. Ensure that copies of favorable and unfavorable background checks of school volunteer applicants are forwarded to the DoDEA HQ Personnel Security Program Manager.

5.4. The DoDEA School Principals shall:

5.4.1. Implement the school volunteer application and background check policy prescribed in enclosure 3, and make eligibility determinations utilizing the criteria in enclosure 4.

5.4.1.1. Consult with the DoDEA HQ Personnel Security Program Manager, as necessary, with respect to school volunteer eligibility determinations.

5.4.1.2. Execute the Record of Final Determination at enclosure 5.

5.4.2. Notify an applicant or provisional school volunteer when his or her background check results in an unfavorable determination.

5.4.3. Maintain records in accordance with enclosure 3 of individuals who have applied to volunteer, including those with background checks still pending completion, and those whose background checks have resulted in a favorable determination.

5.4.4. Immediately notify and forward all records of unsuccessful school volunteer applicants to the appropriate district superintendent.

5.4.5. Require all successful volunteer applicants to execute a "Volunteer Agreement For Appropriated Fund Activities and Nonappropriated Fund Instrumentalities," DD Form 2793, in accordance with reference (b).

5.4.6. Protect students by denying or removing any volunteer, volunteer applicant, or student teacher who, by virtue of negative information verified in background checks, is determined unsuitable.

5.5. The DoDEA HQ Personnel Security Program Manager shall:

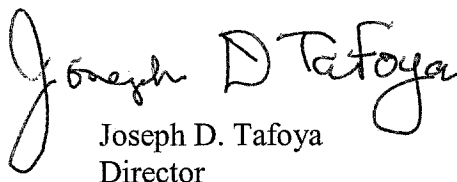
5.5.1. Provide advice and assistance with respect to implementation of procedures in this Administrative Instruction.

5.5.2. Provide advice and assistance to DoDEA School Principals with respect to volunteer or student teacher eligibility determinations.

5.5.3. Maintain a central repository of favorable and unfavorable determinations.

6. EFFECTIVE DATE

This Administrative Instruction is effective immediately.



Joseph D. Tafoya
Director

Enclosures - 5

- E1. Definitions
- E2. DoDEA Form 4700.3-F1, "Volunteer Application Form"
- E3. Volunteer and Student Teacher Background Check Procedures
- E4. Criteria for Special Volunteer and Student Teacher Disqualification
- E5. Record of Final Determination

E1. ENCLOSURE 1DEFINITIONS

E1.1. Adult. An individual 18 years old and over, whom has terminated his or her status as a student in a secondary school.

E1.2. Child. A “child” is an unmarried person under 18 years of age for whom a parent, guardian, foster parent, caretaker, employee of a residential facility, or any staff person providing out-of-home care is legally responsible.

E1.3. Child Abuse and/or Neglect. The physical or mental injury, sexual abuse or exploitation, or negligent treatment of a child. This does not include discipline administered by a parent or legal guardian to his or her child provided it is reasonable in manner and moderate in degree and otherwise does not constitute cruelty.

E1.4. Child Care Services. DoD personnel, in-home providers, civilian community-based care providers, volunteers, and contract workers who are involved in any of the following: social services, health and mental health care, child and youth care, religious activities, education (whether or not directly involved in teaching), foster care, residential care, recreational or rehabilitative programs, and detention, correctional, or treatment services.

E1.5. Child Care Special Agreement Check (CSAC). A CSAC is performed by the Office of Personnel Management (OPM) on the background of a potential Specified School Volunteer who does not have any DoD affiliation, and has resided in the United States for at least 5 years. The CSAC includes a check with the Federal Bureau of Investigations (FBI) and various State Criminal History Repository (SCHR) checks, depending on where the applicant has resided.

E1.6. Installation Records Check (IRC). A local record check conducted on an individual for a minimum of 2 years before the date of the application. An IRC shall include, at a minimum:

E1.6.1. Police (base and/or military police, security office, criminal investigators, or local law enforcement) local files checks,

E1.6.2. Drug and Alcohol Program,

E1.6.3. Family Housing,

E1.6.4. Medical Treatment Facility for Family Advocacy Program Service Central Registry records, mental health records, and

E1.6.5. Any other record checks as appropriate to the extent permitted by law.

E1.7. Line-of-Sight Supervision. An individual may be accepted provisionally prior to the completion of a background check, if the individual, when in contact with children and youth, is within continuous sight and under the supervision of a staff person who has a favorably

completed background check. DoDEA policy prohibits the use of video surveillance equipment in classroom and gym settings. However, if applicable, the use of video surveillance equipment is an acceptable option for line-of-sight supervision in school hallways and on playgrounds, provided it is monitored by an individual who has a favorably completed background check.

E1.8. Mental Injury. Harm to a child's psychological or intellectual functioning that may be exhibited by severe anxiety, depression, withdrawal, or outward aggressive behavior, or a combination of those behaviors, which may be demonstrated by a change in behavior, emotional response, or cognition.

E1.9. Negligent Treatment. The failure to provide, for reasons other than poverty, adequate food, clothing, shelter, or medical care so as to seriously endanger the physical health of the child.

E1.10. Physical Injury. Includes but is not limited to lacerations, fractured bones, burns, internal injuries, severe bruising or serious bodily harm.

E1.11. Sexual Abuse. The employment, use, persuasion, inducement, enticement, or coercion of a child to engage in, or assist another person to engage in, sexually explicit conduct or rape, molestation, prostitution, or other form of sexual exploitation of children, or incest with children.

E1.12. Specified School Volunteer. A position involving extensive, frequent, or recurring unsupervised interaction with a student or students under the age of 18 (e.g., coach, tutor, overnight trip chaperone, etc.).

E1.13. Student Teacher. An individual who is enrolled not less than full time in a United States accredited college or university who contributes volunteer service to DoDEA. The term "student teacher" is not meant to unduly restrict the program and may be applied to an individual pursuing studies in fields related to elementary and secondary education such as school psychology, nursing, vocational education, and social work.

E1.14. Temporary School Volunteer. A position involving interaction with a student or students that is shorter in duration than is required to perform a background check (e.g., one-day class trip, class party, etc.). A temporary school volunteer is not authorized to have unsupervised access to students, and must be under direct line-of-sight supervision by a DoDEA school employee who has a record of a favorably completed background investigation. Temporary school volunteers must have application information on file at the school(s) where they volunteer, but do not require background checks for supervised interactions with students.

E2. ENCLOSURE 2

SCHOOL VOLUNTEER APPLICATION

SCHOOL VOLUNTEER APPLICATION	
PRIVACY ACT STATEMENT	
<p>AUTHORITY: Section 113 of title 10 (Secretary of Defense), section 13041 of title 42 USC 13041 (Crime Control Act of 1990), and section 552a of title 5 (Privacy Act) of the United States Code, and E.O 9397 (SSN) authorize the collection of this information.</p> <p>PRINCIPAL PURPOSE: To obtain information to determine applicant suitability for acceptance as a DoDEA volunteer.</p> <p>ROUTINE USE: Disclosures of the Social Security Number and other personal information within the Department of Defense are authorized upon a demonstrated "need to know" to perform an official duty, including, but not limited to: (1) DoD attorneys rendering advice and assistance, and (2) DoD law enforcement or security activities concerning a law enforcement or security investigation. Other routine disclosures of relevant and necessary information are authorized to agencies outside of the DoD by DoDEA and DoD Privacy Act Systems Notices, and by government-wide systems notices which may be found at http://www.defenselink.mil/privacy/notices/osd/.</p> <p>DISCLOSURE: <u>VOLUNTARY</u>. Failure to disclose the information may delay or render an individual unable to participate in the volunteer program</p>	
<p>Instruction: Provide complete information. Only completed applications can be considered.</p>	
NAME:	SSN:
SPONSOR'S NAME:	SSN:
MAILING ADDRESS:	HOUSE ADDRESS:
Home telephone: (Area code first)	Duty telephone: (Area code first)
Facsimile number: (Area code first)	E mail Address:
<p>List the school (s) where you are applying as a volunteer:</p> <p>1. _____</p> <p>2. _____</p> <p>3. _____</p>	
<p>Check all services for which you are interested in volunteering:</p>	
<input type="checkbox"/> Classroom Activities	<input type="checkbox"/> Field Trips (Over night)
<input type="checkbox"/> Lunchroom Monitor	<input type="checkbox"/> Extracurricular Activities
<input type="checkbox"/> Bus Monitor	<input type="checkbox"/> Athletic Coaching
<input type="checkbox"/> Playground Supervision	<input type="checkbox"/> Chaperone for Student Field Trips
<input type="checkbox"/> Library Media Center	<input type="checkbox"/> Tutoring
<input type="checkbox"/> Field Trips (Day)	
<input type="checkbox"/> Other (Please specify all others)	
<p>Complete the following questionnaire. If you answer yes, provide information requested in the space provided. If additional space is needed to answer a question, use a blank piece of paper with your name and SSN noted at the top of the page.</p>	

E2. ENCLOSURE 2

SCHOOL VOLUNTEER APPLICATION

Question	YES	NO
1. Do you have a child/children in the school(s) where you wish to volunteer?		
What Grade level(s)?		
2. Do you have experience as a school volunteer?		
Describe your past experiences.		
3. Have you ever been removed from a school volunteer position?		
Describe the circumstances.		
4. Can you provide a character reference?		
Give the name and telephone number.		
5. Have you ever been arrested for, charged with, or convicted of a crime involving a child?		
If "Yes," state the disposition of the arrest charge.		
6. Have you ever been asked to resign from a job because of, or been decertified for a sexual offense?		
Describe the circumstances.		
<u>Pre-Selection Agreement</u>		
If selected for a school volunteer position, I agree to immediately notify the Principal of the school of any subsequent adverse information regarding myself that would indicate poor judgment, unreliability, or untrustworthiness in working with children.		
<u>Certification that My Answers Are True</u>		
My statements on this form, and any attachments to it, are true, and correct to the best of my knowledge and belief and are made in good faith. I understand that a knowing and willful false statement on this form may result in denial of selection for or termination of volunteer services, and possible law enforcement referral as appropriate.		
Signature _____	Date _____	

E3. ENCLOSURE 3VOLUNTEER AND STUDENT TEACHER BACKGROUND CHECK PROCEDURES

In accordance with DoD Instruction 1402.5, (reference (a)) a background check is required for all Specified School Volunteer applicants and student teachers. This includes any volunteer applicant or student teacher who is an active-duty military member, unemployed family members, or civilian Federal employee with record of a background investigation and/or security clearance on file, or an individual with a background check conducted by another organization (e.g., Civil Air Patrol, Boy Scouts of America, etc.).

E3.1. Initial Record Search. The first step in the application process is for the school to check (via E-mail) with the DoDEA HQ Personnel Security Program Manager to inquire if a potential Specified School Volunteer or student teacher has either a current favorable background check or unfavorable background check on file. If no information is on file, the school shall proceed with the application for an Installation Record Check (IRC) or Special Agreement Check (SAC), as appropriate.

E3.2. Student Teacher Background Check. In accordance with the established student teaching agreement between DoDEA and universities/colleges, the university/college agrees that appropriate state or Federal agency criminal/background checks must be initiated or completed prior to final student teacher placement.

E3.3. Current Location Installation Records Check (IRC). If the potential Specified School Volunteer or student teacher has resided in a local military community for at least the past 2 years before the date of application, an IRC shall be conducted at the current military installation. Review of the completed IRC for a Specified School Volunteer shall be conducted by the principal. Review of the completed IRC for a student teacher shall be conducted by the Area Director's Office. If a favorable determination is made, enclosure 5 will be completed and retained at the school with a copy forwarded to the district superintendent's office and DoDEA HQ Personnel Security Program Manager. If an unfavorable determination is made, enclosure 5 will be completed, to include copies of record checks that constitute the reasoning for unfavorable determination. A copy of the unfavorable determination, with attachments, will be forwarded to the DoDEA HQ Personnel Security Program Manager.

E3.4. Previous Location IRC.

E3.4.1. If a potential Specified School Volunteer or student teacher has only resided in the local military community for the past year, but resided in a military community at his/her prior assignment, the request for an IRC must be submitted to both the current installation and the applicant's losing installation (overseas or stateside) so that total background check coverage consists of at least the last 2 years.

E3.4.2. A Previous Location IRC consists of the same record checks; however, it is conducted at the previous military community(ies).

E3.4.3. The request for a Previous Location IRC shall be submitted to the DoDDS/DDESS office in the area of the previous military community to conduct the IRC in their area.

E3.4.4. The results of the Previous Location IRC shall be forwarded to the requesting school or Area Director's Office for review. Enclosure 5 shall be maintained at the school with a copy forwarded to the district superintendent's office and the DoDEA HQ Personnel Security Program Manager.

E3.4.5. If an unfavorable determination is made for a Specified School Volunteer, the principal shall execute enclosure 5 and attach copies of record checks that constitute the reasoning for unfavorable determination. The principal shall forward a copy of enclosure 5 with attachments to the DoDEA HQ Personnel Security Program Manager.

E3.5. Child Care Special Agreement Check (CSAC). A CSAC is initiated on potential Specified School Volunteers with no prior or less than 2 years affiliation with DoD or military communities before the date of application. The SAC consists of checks with the Federal Bureau of Investigations (FBI) and State criminal record checks covering the past five years of residence within the United States.

E3.5.1. The CSAC background check package consists of the following forms by the requesting school and forwarded to their District Personnel Field Office. The District Personnel Field Office will initiate the required background check with OPM.

E3.5.1.1. OPM Office of Federal Investigation (OFI) Form 86C.

E3.5.1.2. Authorization for Release of Information Form (taken from the SF-85, SF-85P, or SF-86 security questionnaire form).

E3.5.1.3. Fingerprint Chart (FD-258).

E3.5.1.4. Any required State Criminal History Repository (SCHR) release form(s) and/or State fingerprint chart(s).

E3.5.2. Results of the SAC will be forwarded to the school requesting the review and determination. If a favorable determination is made, the principal shall complete enclosure 5 and retain it at the school with a copy forwarded to the district superintendent's office and DoDEA HQ Personnel Security Program Manager. If an unfavorable determination is made, the principal shall complete enclosure 5, and include copies of record checks that constitute the reasoning for the unfavorable determination. A copy of enclosure 5 with attachments shall be forwarded to the DoDEA HQ Personnel Security Program Manager.

E3.6. Foreign Nationals (Overseas). While not expressly included within the law, foreign nationals are subject to the following record checks or those equivalent in scope to checks conducted on U.S. citizens:

E3.6.1. Federal Bureau of Investigation (FBI) when information exists regarding residence by the individual in the U.S. for 1 year or more since the age of 18.

E3.6.2. Host-government law enforcement and security agency checks at city, state (province), and national level, whenever possible in accordance with the laws of the host-government.

E3.6.3. Host-government checks are requested directly by the school when permissible by the laws of the host-government. As an alternative, the school may request that overseas Military Service investigative elements obtain appropriate host-government checks.

E3.6.4. Foreign nationals will not be eligible for Specified School Volunteer services where host-nations' arrangements preclude comparable criminal history checks.

E3.7. Record Keeping.

E3.7.1. Enclosure 5 shall be retained on file by the school and district superintendent's office as long as the student teacher is assigned to the school or the volunteer retains unbroken Specified School Volunteer service at the school granting the favorable determination. Enclosure 5 shall be retained on file for 3 years following termination of the volunteer service or student teacher assignment.

E3.7.2. IRC checks and SAC records may be retained only for the period necessary to complete the purpose for which it was originally requested. The IRC checks and SAC records must be destroyed within 90 days after a favorable determination is made.

E3.7.3. A copy of enclosure 5, appropriate record checks, and application form will be forwarded to the DoDEA HQ Personnel Security Program Manager to be retained in the central repository for 3 years from the date the unfavorable decision was made.

E3.8. Safeguards. Records should be maintained in monitored or controlled areas accessible only to authorized personnel that are properly cleared and trained in accordance with reference (c). Records are locked outside regular working hours.

E3.9. Challenging Accuracy of Records. In accordance with reference (d), a DoD employee has the right to challenge the accuracy of records used to make an unfavorable determination. However, volunteers and student teachers are not employees, and therefore are not entitled to due process procedures.

E3.10. Subsequent Investigations. Should derogatory information surface after a favorable background check has been completed, and if the individual desires to continue volunteer services, a new background check shall be conducted to determine the individual's eligibility to continue to provide volunteer services.

E4. ENCLOSURE 4CRITERIA FOR SPECIAL VOLUNTEER AND STUDENT TEACHER
DISQUALIFICATION

E4.1. The ultimate decision to determine how to use information obtained from the criminal history background checks in selection for Specified School Volunteer or student teacher positions must incorporate a common sense decision based upon all known facts. Adverse information is evaluated by the principal. All information of record, both favorable and unfavorable, will be assessed in terms of its relevance, recentness, and seriousness in accordance with reference (e). Likewise, positive mitigating factors should be considered. Criteria that will result in disqualification of a Specified Volunteer or student teacher require careful screening of the data and include, but are not limited to, the following:

E4.1.1. Mandatory Disqualifying Criteria.

E4.1.1.1. Any conviction for a sexual offense, a drug felony, a violent crime, or a criminal offense involving a child or children.

E4.1.1.2. A conviction, or non-judicial punishment imposed by a military commander, for:

E4.1.1.2.1. A sexual offense involving a child, or for sexual assault,

E4.1.1.2.2. The production, distribution, transportation, or possession of child pornography,

E4.1.1.2.3. The homicide or physical assault of a child, or neglect of a child,

E4.1.1.2.4. A felony offense concerning illegal or improper use or possession of any controlled or psychoactive substances, narcotics, cannabis, or other dangerous drug,

E4.1.1.2.5. A crime of violence that is a felony, and

E4.1.1.2.6. A felony offense involving possession or use of a firearm.

E4.1.1.3. Offenses involving assault, battery, or other abuse of a victim, regardless of age of the victim.

E4.1.1.4. Evidence or documentation of substance abuse dependency.

E4.1.1.5. Illegal or improper use, possession, or addiction to any controlled or psychoactive substances, narcotic, cannabis, or other dangerous drug.

E4.1.1.6. Sexual acts, conduct, or behavior that, because of the circumstances in which they occur, may indicate untrustworthiness, unreliability, lack of judgment, or irresponsibility in providing child care services to children and youth.

E4.1.1.7. A wide range of offenses such as arson, homicide, robbery, fraud, or any offense involving possession or use of a firearm.

E4.1.1.8. Evidence that the individual is a fugitive from justice.

E4.1.1.9. Evidence that the individual is an illegal alien.

E4.1.1.10. A finding of negligence in a mishap causing death or serious injury to a child or dependent person entrusted in their care.

E4.1.1.11. A civil adjudication that terminated the individual's parental rights to his or her child.

E4.1.2. Discretionary Criteria.

E4.1.2.1. An act or acts that may tend to indicate poor judgment, unreliability, or untrustworthiness in providing child care services to children and youth.

E4.1.2.2. Any behavior; illness; or mental, physical, or emotional condition or combination of behaviors, illnesses, or conditions, that in the opinion of a competent medical authority may cause a defect in judgment or reliability in providing child care services to children and youth.

E4.1.3. Suitability Considerations. In making a determination of suitability, the evaluator shall consider the following additional factors to the extent that these examples are considered pertinent to the individual case:

E4.1.3.1. The kind of position for which the individual is applying.

E4.1.3.2. The nature and seriousness of the conduct.

E4.1.3.3. The recentness of the conduct.

E4.1.3.4. The age of the individual at the time of the conduct.

E4.1.3.5. The circumstances surrounding the conduct.

E4.1.3.6. The contributing social or environmental conditions.

E4.1.3.7. The absence or presence of rehabilitation or efforts toward rehabilitation.

E4.1.3.8. The nexus of the arrests in regard to the volunteer service to be performed.

E5. ENCLOSURE 5

RECORD OF FINAL DETERMINATION

Based on review of the background check noted below, a favorable/unfavorable (circle one) determination has been made on the following individual for a Specified School Volunteer/Student Teacher (circle one) position:

Name: _____

SSN: _____

Type of Background Check: _____

Date of Background Check: _____

Principal Date

School

Attachment(s):