

Chapter: Volunteer Management
Title: Criminal History Standards

Effective Date: 10/7/08, T-10
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Replaces: VLS.03.02, 11/01/01

ACA Standard(s): N/A

(a) **Policy.**

The Texas Youth Commission (TYC) conducts criminal background checks on prospective volunteers and adheres to established standards in granting access to TYC youth, facilities, and information.

(b) **Standards for Criminal History Information.**

- (1) Volunteers are subject to the standards for non-correctional series positions as established in PRS.05.13.
- (2) Except as described in (c) below, a prospective volunteer may not be selected for enrollment as a volunteer if:
 - (A) the volunteer does not meet the criminal history criteria set forth in PRS.05.13; or
 - (B) the volunteer has ever been convicted of a sex offense, as defined in § 62.001, Code of Criminal Procedure, or capital murder.

(c) **Executive Exception for Volunteer Applicants.**

- (1) A community relations coordinator may seek an executive exception to the criminal history eligibility criteria set forth in PRS.05.13 for a volunteer applicant if the community relations coordinator believes a compelling reason exists which would justify selection of the applicant. Volunteer applicants who have been convicted of capital murder or a sex offense are not eligible for the executive exception.
 - (2) An executive exception may be requested only after the community relations coordinator has interviewed the applicant and received at least two favorable character references.
 - (3) To request an exception, the community relations coordinator must provide the following information to the facility administrator:
 - (A) the nature of the applicant's prior criminal history;
 - (B) the specific and limited role for which the applicant is being considered;
 - (C) the compelling reason for considering the applicant;
 - (D) an explanation of why the applicant does not pose a risk (i.e., evidence of rehabilitation); and
 - (E) precautions and controls to ensure youth and facility security are not placed at risk.
 - (4) The facility administrator will attach his/her recommendation to the request for executive exception and forward the information to the manager of volunteer services.
 - (5) The manager of volunteer services, in consultation with the Office of Independent Ombudsman, will prepare a proposal for decision and forward to the executive director or designee.
 - (6) The executive director or designee is the final decision authority for volunteer applicant executive exceptions, and will communicate the final decision in writing to the manager of volunteer services.
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