



Southeast Island School District

Volunteer/Chaperone Packet

Welcome and thank you for your interest in volunteering within the Southeast Island School District. Volunteers who will be performing services outside the sight and sound of a district employee are required to complete this application and receive approval prior to volunteering. All chaperones except current employees are required to complete the packet and receive approval prior to serving as a chaperone. Please return your completed application to the principal/Lead Teacher of the school.

Please review following documents:

1. SISD Mandatory Child Abuse Reporter Training (separate document)
 - a. This training is mandatory for all volunteers, including volunteer coaches and chaperones. It should take approximately 30 minutes to review.
2. Read Blood Borne Pathogen Information - pages 2 – 4
3. Review the Background Check Information – page 4
4. Review Defining Adult and Student Boundaries Information and Student and Staff Privacy information – pages 5-7
5. Review Drug-, Alcohol-, and Tobacco-free Workplace information – page 7

Please complete and submit the following to the building principal:

- _____ Mandatory Child Abuse Reporter Training Acknowledgment Form•
- _____ Volunteer Contact Information (page 8)
- _____ Volunteer Code of Conduct (pages 9-10)
- _____ Background Check Consent Form (page 11)
- _____ Volunteer Acknowledgement Form (page 12)
- _____ Waiver of Liability Form (page 13)
- _____ Copy of Government Issued ID – No Military ID accepted

You will NOT be eligible to volunteer or chaperone until the District can review the online criminal history background check report. The turnaround time for results could take five or more business days. See page 4 for more information. Once your background check has been approved, you will be notified by a district representative. If you are approved as a volunteer/chaperone, that approval is valid for two years from the date of approval. Volunteer/chaperones are required to self-report any convictions that occur in the intervening time between background checks. If you have questions regarding the volunteer/chaperone application, please contact the building principal.

All volunteer/chaperones, who volunteer/chaperone 4 hours in a week or 20 in a month are mandated reporters and MUST report suspected child abuse within 24 hours. A mandated reporter, who tells the principal/lead teacher or another individual within the school district of his or her suspicion of abuse or neglect, is not relieved of the obligation to make the report to OCS. The person with the suspicion must make the report as soon as is reasonably possible, and no longer than twenty-four (24) hours.

Feel free to keep pages 1-6 and pages so you can reference it at a later time. The Barrier Crimes Matrix (pages 14-20) do not need to be returned.



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Section 1 - Bloodborne Pathogen Training for Volunteers and Chaperones

Bloodborne pathogens are pathogenic microorganisms such as viruses or bacteria which are carried in the blood and body fluids and can cause disease in people. There are many different bloodborne pathogens, but the Hepatitis B Virus (HBV), Hepatitis C Virus (HCV) and the Human Immunodeficiency Virus (HIV) are the three viruses that pose the greatest concern to people. These diseases are specifically addressed by the OSHA Bloodborne Pathogen standard.

Hepatitis B Virus (HBV)

Hepatitis B is a virus that can infect the liver. This inflammation can lead to more serious conditions such as chronic liver disease, cancer, or death. More than 5,000 people die annually from HBV-related liver disease.

Symptoms may include fatigue, abdominal pain, loss of appetite, nausea and vomiting. Symptoms of jaundice, a distinct yellowing of the skin and eyes, and darkened urine will often occur as the disease progresses. Half of those infected show no symptoms and others may show symptoms as soon as 2 weeks or as long as 6-9 months after infection.

Hepatitis B is the most easily transmitted bloodborne pathogen. The only way to confirm it is by blood test. There is no cure or specific treatment for HBV, but fortunately there is an effective vaccine.

Hepatitis C Virus (HCV)

The Hepatitis C Virus (HCV) can also cause a liver infection. It is estimated that 3.5 million Americans are living with an active, chronic Hep C infection. In 2014, there were 19,659 deaths from HCV related infections.

Symptoms are frequently non-specific, but may include jaundice, abdominal pain, fatigue, dark urine, loss of appetite and nausea. Hep C may lead to cirrhosis of the liver and liver cancer. There is no vaccine for HCV, but there are anti-viral drugs that are used for those who have contracted the disease.

Human Immunodeficiency Virus (HIV)

Human Immunodeficiency Virus (HIV) attacks the body's immune system, weakening it so that it cannot fight other deadly diseases. Approximately 1.2 million people in the United States are HIV positive. 1 in 8 people may not be aware that they are infected. The HIV virus is very fragile and will not survive very long outside of the human body. It is primarily a concern to employees who provide first aid in situations involving fresh blood. Even though the chance of contracting HIV in the workplace environment is low and the number of new cases is on the decline, because it is such a devastating disease, all precautions against exposure should be taken.



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Transmission of Bloodborne Pathogens

To be exposed to a bloodborne pathogen such as Hepatitis B, Hepatitis C or HIV, infected blood must get into your bloodstream. Exposures occur primarily through needlesticks, sharps injuries, mucous membrane and non-intact skin.

As a volunteer/chaperone, you can be exposed to Hepatitis B, Hepatitis C and HIV by coming in contact with body fluids contaminated with blood. This can happen when you directly touch contaminated blood while performing first aid or when you touch an object or surface contaminated with blood and then transfer the virus to your mouth, eyes, nose or non-intact skin. Feces, urine, vomit, nasal secretions, sputum, sweat, tears and saliva are not considered infectious unless they contain visible blood. Remember the virus must get into your bloodstream for you to get sick. You cannot become infected with these viruses through casual contact. Volunteer/chaperones are urged to take advantage of available personal protective equipment, such as gloves, and follow work practice controls to prevent exposure to blood and other body fluids.

Recognizing and Preventing Bloodborne Pathogen Exposures

Knowing these steps will help you prevent exposures to body fluids that are potentially infectious:

- SISD has a [Bloodborne Pathogen Exposure Control Plan](#). It is based on the guidelines for workplace safety according to OSHA standards.
- Follow universal precautions. Although you may instinctively want to help a student, make sure that you first protect yourself properly.
- Contact custodial staff immediately to ensure proper cleaning of contaminated surfaces.
- Practice good handwashing techniques. This is the most important defense against the spread of disease. A handwashing video can be found here: [CDC Hand Washing Video](#)

Universal Precautions and Work Practice Controls

Universal precautions and work practice controls are used as an approach to infection control to protect employees and volunteers from exposure to all human blood and other potentially infectious materials.

These include:

- Treat all human blood and body fluids as if they are infectious.
- Observe universal precautions in all situations when there is a potential for contact with blood or other potentially infectious materials.
- Use personal protective equipment in all situations involving blood or body fluids.

Handwashing

Handwashing facilities should be readily accessible. Antiseptic hand cleanser can be used if handwashing facilities are not accessible - handwashing with soap and water should be done as soon as possible. Wash hands immediately after removing gloves or other Personal Protective Equipment (PPE).

Personal Protective Equipment (PPE)

The most common PPE that volunteers will use is gloves.

- Wear gloves when it is possible that your hands may come into contact with blood or body fluids or if you have cuts, scratches, or other breaks in the skin.
- Gloves are single use; do not wash or reuse. They should be removed if they become torn or damaged.



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Custodial Responsibilities

Custodial responsibilities include the major tasks of cleaning and disposal of potentially infectious materials. To minimize exposures the following measures should be implemented:

- Notify custodial staff to clean any equipment or surfaces contaminated with blood or body fluids.
- Broken glass should always be treated as contaminated and never be picked up with unprotected hands. Always use mechanical means to pick up glass such as a broom and dustpan. Never push or compact trash with your hands. Hold it away from you and shake down.
- Call your custodial staff for assistance and clear the area of students.

In the event of an exposure, volunteers are required to:

- Wash exposed areas with soap and water. Immediately flush exposed mucous membranes with water.
- Immediately report the exposure incident to the building principal. The principal will provide appropriate paperwork and instructions for seeking medical attention.

Section 2 - Background Check Information

The Southeast Island School District strives to provide a safe and secure environment for students, staff, volunteers, and chaperones. To further this goal, the School District will conduct background checks on volunteers and chaperones who will be performing services near children outside the sight and sound of a district employee.

Please be advised as a part of your volunteer process, you will be asked to complete a background check authorization. SISD background check complies with the Fair Credit Reporting Act (FCRA). All volunteers and chaperones who will be performing services near children outside the sight and sound of a district employee will be required meet SISD security check requirements (Board Policy/Administrative Regulation 4112.5/4212.5/4312.5) by having a criminal background check completed.

You will need to sign a consent to background check form with the information necessary for School District personnel to submit a background check request. This document is included in this packet. To process the criminal background check, you will need to submit a completed fingerprint card to the District Office for processing. During the COVID-19 pandemic, a name-based criminal background check form may be submitted, followed by a fingerprint card within 180 days (or 90 days after the declaration of the end of the pandemic, whichever is first).

The background check report may take five or more business days for completion. Volunteers/chaperones may NOT volunteer in the schools or chaperone students until this background check process has been completed and the School District approval for volunteer or chaperone placement has been received. You will be notified by the principal/lead teacher when you have been approved to begin volunteer work in the school or begin chaperone duties.



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Section 3 – Privacy and Adult-Student Boundaries

Respecting one’s privacy and confidentiality is very important. Adult members who are closely involved with students must understand the difference between appropriate and inappropriate interactions. Board Policy & Administrative Regulation 5141.42, Professional Boundaries of Staff with Students, applies to all volunteers.

Purpose

The District is committed to protecting children from inappropriate conduct by adults, including school staff and volunteers. The purpose of this policy is to provide all staff, students, volunteers and community members with information about their role in protecting children. This policy applies to all district staff and volunteers. For purposes of this policy and its administrative regulation, the terms “district staff,” “staff member(s),” and “staff” also includes volunteers.

General Standards

Maintain professional boundaries: The board expects all staff to maintain the highest professional standards when they interact with students. District staff are required to maintain an atmosphere conducive to learning by consistently maintaining professional boundaries with students.

The interactions and relationships between district staff and students should be based upon mutual respect and trust, an understanding of the appropriate boundaries between adults and students in and outside of the educational setting, and consistency with the district’s educational mission.

District staff will not intrude on a student’s physical and/or emotional boundaries unless the intrusion is necessary to serve a bona fide health, safety, or educational purpose. An educational purpose is one that relates to the staff member’s duties as an educator. Additionally, staff members are expected to avoid any appearance of impropriety in their conduct when interacting with students.

Report violations of professional boundaries: Whenever a staff member observes another staff member engaging in inappropriate boundary invasions with a student, they must report what they have observed to administration. ***When in doubt, report it out.***

Preexisting, outside relationships with students: The board recognizes that staff may have familial and pre-existing social relationships with parents/guardians/caretakers of students and students. This could create dual relationships with students. Staff members should use sound professional judgment when they have a dual relationship with students to avoid violating this policy. In all such relationships staff should avoid any appearance of impropriety with any student and any appearance of favoritism toward any student.

Staff members shall pro-actively discuss dual relationship circumstances with their building administrator or supervisor. Regardless of any preexisting relationship with students outside of work, when on the job as an educator, staff shall abide by this policy and its accompanying administrative regulations.



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Use of technology: The board supports the use of technology to communicate for educational purposes. However, unless the student is the staff member's own child, staff are prohibited from communicating privately with students on-line or from engaging in any conduct on social networking websites that violates the law, district policies or procedures, or other generally recognized professional standards.

Staff whose conduct violates this policy may face disciplinary and/or termination consistent with the district's policies and procedures, acceptable use agreement, and collective bargaining agreements, as applicable.

Boundary Invasions

School employees and volunteers are professionally and ethically obligated to maintain professional boundaries with students when working in an educator's professional role. Staff is defined as school employees and volunteers. In any staff-student relationship, staff is expected to maintain professional boundaries with students and avoid any boundary invasion which does not have a legitimate health, safety, or educational reason.

Schools must pay attention to boundary invasions and unprofessionalism because inappropriate boundary invasions by staff can morph into sexual grooming of students. If there is no legitimate health, safety, or educational reason for such boundary invasions, such boundary invasions are unwise and prohibited. Curtailing inappropriate boundary invasions reduces the opportunity for sexual grooming.

Inappropriate Boundary Invasion Examples

Examples of possible inappropriate boundary invasions by staff members include, but are not limited to, the following:

Taking an undue interest in a Particular Student:

1. Having a "special friend or a "special relationship" with a particular student.
2. Favoring certain students by giving them special privileges.
3. Favoring certain students, inviting them to come to the classroom at non-class times.
4. Getting a particular student out of class to visit the teacher during the teacher's prep period.
5. Engaging in peer-like behavior with students including rough-housing.

Using poor judgment in relation to a particular student:

6. Allowing a particular student to get away with inappropriate behavior.
7. Being alone with the student behind closed doors at school.
8. Giving gifts or money to the student.
9. Being overly "touchy" with certain students.
10. Touching students for no educational or health reason.
11. Giving students rides in the educator's personal vehicle, especially alone.
12. Frequent electronic communication or phone contacts with a particular student.



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Becoming involved in the student's private life:

13. Talking to the student about the educator's personal problems.
14. Talking to the student about the student's personal problems to the extent that the adult becomes a confidant of the student when it is not the adult's job role to do so.
15. Initiating or extending contact with students beyond the school day in a private or non-group setting.
16. Taking a particular student on personal outings, away from protective adults.
17. Using email, text-messaging, instant messaging, or social networking to discuss personal topics or interests with students.

Not respecting normal boundaries:

18. Invading the student's physical privacy (*i.e.*, walking in on the student in the bathroom).
19. Inviting students to the educator's home.
20. Visiting the student's home.
21. Asking the student to keep certain things secret from his/her parents.

Sexually related conduct:

22. Engaging in sex talk with students (sexual innuendo, sexual banter, or sexual jokes).
23. Talking with a student about sexual topics that are not related to a specific curriculum.
24. Showing pornography to the student.
25. Hugging, kissing, or other affectionate physical contact with a student.

Section 4: Drug-, Alcohol-, and Tobacco-free Workplace

It is the policy of Southeast Island School District to provide a drug-free, alcohol-free, and tobacco-free workplace. Compliance with the District's standards of conduct relating to controlled substances, alcohol, and tobacco is mandatory.

It is a violation of Board policy to unlawfully manufacture, distribute, dispense, possess, use or be under the influence of any alcoholic beverage, drug or controlled substance -- as defined in the Controlled Substances Act and Code of Federal Regulations -- at a School District workplace. Additionally, it is a violation of Board policy to use, distribute or sell tobacco, any non-FDA approved tobacco or nicotine delivery products or devices including but not limited to, cigarettes, cigars, dip, hookah pens, e-cigarettes, and dissolvable nicotine products at a School District workplace.

"Drug" is defined to include, but is not limited to, marijuana or cannabis, in any form; synthetic marijuana or cannabis, in any form; synthetic variations of controlled substances, in any form; prescription medication for which a valid prescription has not been obtained, which is used in amounts in excess of prescribed dosages, or which is used for purposes other than as prescribed; and prescription drugs distributed or dispensed to any person other than the prescription holder.

"School District workplace" is defined as any place where School District work is performed, including a school building or other school premises; any school-owned or school-approved vehicle used to transport students, employees, or volunteers to and from school or school activities; any off-school sites when accommodating a school-sponsored or school-approved activity or function, such as a field trip or athletic event, where students are under District jurisdiction; or during any period of time when an employee or volunteer is supervising students on behalf of the District or otherwise engaged in District business.



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Volunteer/Chaperone Code of Conduct

The Volunteer/Chaperone Code of Conduct outlines expectations for all SISD volunteers and chaperones.

Volunteers role and responsibilities in schools and programs:

- Understand that your role is a supportive one. The teacher and principal are completely in charge. If the teacher leaves the room, the teacher in the next room assumes responsibility. You must not be left in charge of a classroom.
- Remember volunteers are only permitted to work with students on school grounds and under the supervision of district staff.
- Maintain student confidentiality at all times. Do not discuss any student with anyone except teachers, counselors, and principals.
- Use good judgment and avoid any compromising situations. Work in a room with other people at all times. Never be left alone with one student out of view of other people. Always keep the door open. Always use adult bathrooms.
- Discipline is absolutely prohibited. Ask the teacher or district staff for assistance with problematic student behavior.
- If you become aware of suspected child abuse through your volunteer activities with the district, immediately report your concerns to an administrator, school counselor or teacher. *
- Maintain a constructive attitude. Don't make negative comments about the school, its personnel or the students to other volunteers or individuals outside the school.
- Be prompt and consistent in your attendance. Staff depend on volunteers and plan their work accordingly. Students depend on volunteers even more, especially on field trips.
- Notify the school or department as soon as possible if you are late or absent.
- Keep an accurate record of your attendance by signing in each day you volunteer.
- Dress and act professionally.
- Never be under the influence of drugs or alcohol when with students.
- Do not smoke on school grounds or at any time around students.
- Do not lend money, contribute or solicit money for organizations while on school grounds.
- Do not use the internet inappropriately by going to websites that are not conducive to a professional or educational environment.
- Do not use a cellphone in the classroom or at any time around students.
- Adhere to district, school, and classroom policies rules and regulations.
- Refer any student in need of first aid or any type of medication to the teacher or front office.
- Learn and follow fire drill and other emergency procedures and all school rules.
- Notify the principal of any accident you had on school grounds.



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Chaperones role and responsibilities:

- Set an example for proper behavior and to take reasonable measures to protect the health and safety of the students in their charge. In addition, chaperones must be supervising students at all times.
- Enforce all SISD Activity Travel Procedures and to report all violations of the rules to the appropriate their building principal.
- Are responsible for students during all free time activities (such as movies, dances and contact with individuals not associated with the District.)
- Adhere to curfew laws and are expected to remain within the lodging room for the duration of the night without exception and only permitted to leave for scheduled morning activities.
- Abide by the Alaska State Law.
- While traveling with students, the use of alcohol and/or illegal drugs is strictly prohibited.
- Always carry a copy of the student's participation agreement and medical release forms.
- If the weather is marginal for safe travel, the chaperone(s), after conferring with the Activities Director and building principal, shall have the authority to cancel travel. All rescheduling of travel shall be coordinated through the Activities Director & the building principal/lead teacher.
- Funding for lodging, transportation, 3 meals a day, and activities within the agenda will be provided by the school. Chaperones will be expected to provide personal funding for all other expenses.
- The chaperone(s) shall have the right to turn a student over to the police or juvenile authorities when, in their judgment, they are unable to control the student or the student presents a danger to his/herself or others.
- Immediately notify the building principal/lead teacher and the responsibility of the building principal/lead teacher to immediately notify the parent/guardian if the student is having medical problems, being returned to the District, being held by the police or involved in an accident.
- Determine if a student is using, or is under the influence of alcohol and/or illegal drugs. The decision of the chaperone in these matters shall be final.
- If a student leaves the group without authorization and cannot be located immediately or will not return to the group, the chaperone(s) shall immediately contact the police as well as the building principal.
- Only movies rated "G" and "PG" shall be permitted for student viewing.
- Time shall be designated each day of travel for students to complete homework assignments.

I agree to adhere to the above code of conduct at all times when I am a volunteer/chaperone at a SISD school site or program. I understand that my volunteer/chaperone privileges can be revoked at any time.

Printed Name

Signature

Date



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Consent to Background Check and Third Party Investigative Consumer Report

PLEASE READ CAREFULLY BEFORE SIGNING

I hereby authorize the District to investigate all statements made in this application or attachments; to contact any of my former employers, education institutions, personal references or any other person or organization that may have information relevant to my employment; to obtain records concerning my past work, character, education, or military background; to obtain a “consumer report” and/or “investigative consumer report” as defined by the Fair Credit Reporting Act; to obtain driving records; to obtain any records pertaining to prior felony or misdemeanor convictions or pending felony or misdemeanor charges. I authorize that such contact or investigation may occur at any time before or during employment. I will hold the District, its attorneys, and former employers, educational institutions and any other persons giving references free of liability for the exchange of the information and any other reasonable and necessary information incident to the employment process.

The crimes listed in the barrier crime matrix document bar volunteers/chaperones from working in our schools

Printed Name

Signature

Date



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Volunteer/Chaperone Acknowledgement Form

Bloodborne Pathogen Training Acknowledgement Form

Please check each statement then sign and date the bottom of this form.

- I have read and understand the information on Bloodborne Pathogens Training for Volunteers.
- I have received information on the epidemiology, symptoms, and transmission of BBP diseases.
- I understand that all body fluids should be considered as potentially contaminated and I should protect myself by using the appropriate PPE.
- I understand how to handle contaminated materials and how to have areas that have been contaminated cleaned.
- I understand that I must immediately notify the building principal/lead teacher of a potential exposure incident and complete required documentation of the incident.

Privacy and Adult-Student Boundaries Acknowledgement

- I acknowledge reading and understanding the information presented in Privacy and Adult-Student Boundary section.

Drug-, Alcohol-, and Tobacco-free Workplace Acknowledgement

- I acknowledge reading and understanding the information presented in Drug-, Alcohol-, and Tobacco-free Workplace section.

Background Check Acknowledgment

- I confirm that I have not been convicted of a misdemeanor within the last five years or ever been convicted of a felony. If you have been convicted of either one, please fill out the information below:

Have you been convicted of a misdemeanor with the last 5 years? *

- Yes
- No

If yes, explain, giving dates, location, nature of the offense and final disposition.

Have you ever been convicted of a felony? *

- Yes
- No

If yes, explain, giving dates, location, nature of offense, and final disposition.

Printed Name

Signature

Date



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Waiver of Liability for Volunteers/Chaperones

The Southeast Island School District from time to time provides opportunities for members of the community to volunteer/chaperone services to the school district. The purpose of this waiver is to provide notice to prospective volunteer/chaperones regarding the limitations of liability insurance coverage by the school district and to document the volunteer's acknowledgement that they are providing volunteer service at their own risk.

By executing this waiver, the volunteer:

1. Acknowledges that if s/he is injured in the course of the project, s/he is covered by Southeast Island School District's Workers' Compensation Program only to the extent required by the Alaska Workers' Compensation Act. Volunteer authorizes Southeast Island School District to seek emergency medical treatment on his/her behalf in case of injury, accident or illness to me arising from his/her involvement as a volunteer. Volunteer understands that s/he may be responsible for medical costs incurred by such accident, illness or injury.
2. Acknowledges that the District does not provide medical insurance coverage which would cover his/her actions. The volunteer will be responsible to provide for payment of any such expenses that are not covered by the District's general liability policy, should they occur. The volunteer is aware of the hazards associated with the transportation to and from, as well as participation in, this activity.
3. Agrees that, as consideration for volunteering for Southeast Island School District, the volunteer, and the volunteer's assignees, heirs, guardians, and legal representatives, will not make a claim against or sue Southeast Island School District or its employees, agents or contractors for injury or damage resulting from the negligence, whether active or passive, or other acts, however caused, by any of its officers, employees, agents, or contractors of Southeast Island School District as a result of my volunteering. The volunteer hereby releases and discharges southeast island school district and its officers, employees, agents and contractors from all actions, claims, or demands that s/he, his/her heirs, guardians, and legal representatives now have, or may have in the future, for injury or damage resulting from his/her participation in the project.
4. Agrees, to the maximum extent allowed by law, to defend, indemnify and hold harmless the Southeast Island School District and its employees, directors and designees for expenses relating to injuries, accidents, diseases, property damage and/or property loss which may occur as a result of my participation in volunteer activities.

By my signature below, I hereby certify that I have carefully read this waiver, and that I am making this waiver knowingly, without coercion or duress.

Printed Name	Signature	Date
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Witness Printed Name	Witness Signature	Date
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BARRIER CRIMES MATRIX FOR THE BARRIER CRIMES LISTED IN 7 AAC 10.905

January 5, 2007

The crimes listed in this document bar an individual from being associated in any manner described in 7 AAC 10.900(b) with any entity or individual service provider that is subject to the requirements of 7 AAC 10.900 – 7 AAC 10.990.

DISCLAIMER: this matrix is provided as an information tool only. The department does not warrant that the information in this document is accurate, nor should anyone rely upon this document as controlling legal authority regarding the time associated with any barrier crime. The regulations are the legal authority that should be relied upon and if there are any questions, individuals should refer to the regulations which will control if there are any discrepancies.

BARRIER CRIME <i>[See notes at end of table for conditions that increase some barrier times]</i>	A Barrier Within the Following Time Periods					See 7 AAC 10.905 at:
	PERMANENT	10 Years	5 Years	3 Years	1 Year	
ATTEMPT, SOLICITATION, AND CONSPIRACY						
AS 11.31.100 (attempt to commit a crime)						
Unclassified felony if the crime attempted is murder in the first degree	X					(b)(1)
Class A felony if the crime attempted is an unclassified felony other than murder in the first degree	X					(b)(1)
Class B felony if the crime attempted is a class A felony	Same barrier as the class A felony attempted					
Class C felony if the crime attempted is a class B felony	Same barrier as the class B felony attempted					
Class A misdemeanor if the crime attempted is a class C felony and is a barrier crime	Same barrier as the class C felony attempted					
Class B misdemeanor if the crime attempted is a class A or class B misdemeanor and is a barrier crime	Same barrier as the misdemeanor attempted					
AS 11.31.110 (solicitation to commit a crime)						
Unclassified felony if the crime solicited is murder in the first degree	X					(b)(1)
Class A felony if the crime solicited is an unclassified felony other than murder in the first degree	X					(b)(1)
Class B felony if the crime solicited is a class A felony	Same barrier as the class A felony solicited					
Class C felony if the crime solicited is a class B felony	Same barrier as the class B felony solicited					
Class A misdemeanor if the crime solicited is a class C felony and is a barrier crime	Same barrier as the class C felony solicited					
Class B misdemeanor if the crime solicited is a class A or class B misdemeanor and is a barrier crime	Same barrier as the misdemeanor solicited					
AS 11.31.120 (conspiracy to commit a crime)						
Unclassified felony if the object of the conspiracy is murder in the first degree	X					(b)(1)
Class A felony if the object of the conspiracy is a crime punishable as an unclassified felony other than murder in the first degree	X					(b)(1)
Class B felony if the object of the conspiracy is a crime punishable as a class A felony	Same barrier as the class A felony involved in the conspiracy					
Class C felony if the object of the conspiracy is a crime punishable as a class B felony	Same barrier as the class B felony involved in the conspiracy					
OFFENSES AGAINST THE PERSON						
AS 11.41.100 (murder in the first degree) <i>Unclassified Felony</i>	X					(b)(1)
AS 11.41.110 (murder in the second degree) <i>Unclassified Felony</i>	X					(b)(1)
AS 11.41.120 (manslaughter) <i>Class A Felony</i>	X					(b)(1)
AS 11.41.130 (criminally negligent homicide) <i>Class B Felony</i>	X					(b)(1)
AS 11.41.200 (assault in the first degree) <i>Class A Felony</i>	X					(b)(1)
AS 11.41.210 (assault in the second degree) <i>Class B Felony</i>	X					(b)(1)
AS 11.41.220 (assault in the third degree) <i>Class C Felony</i>	X					(b)(4)
AS 11.41.230 (assault in the fourth degree) <i>Class A Misdemeanor</i>			X			(d)(1)(A)
AS 11.41.250 (reckless endangerment) <i>Class A Misdemeanor</i>			X			(d)(1)(B)

BARRIER CRIMES MATRIX FOR THE BARRIER CRIMES LISTED IN 7 AAC 10.905

January 5, 2007

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BARRIER CRIME <i>[See notes at end of table for conditions that increase some barrier times]</i>	A Barrier Within the Following Time Periods					See 7 AAC 10.905 at:
	PERMANENT	10 Years	5 Years	3 Years	1 Year	
AS 11.41.260 (stalking in the first degree) <i>Class C Felony</i>		X				(c)(1)
AS 11.41.270 (stalking in the second degree) <i>Class A Misdemeanor</i>			X			(d)(1)(C)
AS 11.41.300 (kidnapping)						
<i>Unclassified Felony</i>	X					(b)(1)
<i>Class A Felony</i> (victim released without serious injury . . .)	X					(b)(1)
AS 11.41.320 (custodial interference in the first degree) <i>Class C Felony</i> ("crime involving domestic violence")	X					(b)(2)
AS 11.41.330 (custodial interference in the second degree) <i>Class A Misdemeanor</i>			X			(d)(1)(D)
AS 11.41.410 (sexual assault in the first degree) <i>Unclassified Felony</i> ("sex offense")	X					(b)(1)
AS 11.41.420 (sexual assault in the second degree) <i>Class B Felony</i> ("sex offense")	X					(b)(1)
AS 11.41.425 (sexual assault in the third degree) <i>Class C Felony</i> ("sex offense")	X					(b)(11)
AS 11.41.427 (sexual assault in the fourth degree) <i>Class A Misdemeanor</i> ("sex offense")	X					(b)(11)
AS 11.41.434 (sexual abuse of a minor in the first degree) <i>Unclassified Felony</i> ("sex offense")	X					(b)(1)
AS 11.41.436 (sexual abuse of a minor in the second degree) <i>Class B Felony</i> ("sex offense")	X					(b)(1)
AS 11.41.438 (sexual abuse of a minor in the third degree) <i>Class C Felony</i> ("sex offense")	X					(b)(11)
AS 11.41.440 (sexual abuse of a minor in the fourth degree) <i>Class A Misdemeanor</i> ("sex offense")	X					(b)(11)
AS 11.41.450 (incest) <i>Class C Felony</i> ("sex offense")	X					(b)(11)
AS 11.41.452 (online enticement of a minor)						
<i>Class B Felony</i> if the defendant was required to register as a sex offender or child kidnapper ("sex offense")	X					(b)(1) and (b)(3)
<i>Class C Felony</i> if not required to register as a sex offender or child kidnapper	X					(b)(3)
AS 11.41.455 (unlawful exploitation of a minor) <i>Class B Felony</i> ("sex offense")	X					(b)(1)
AS 11.41.458 (indecent exposure in the first degree) <i>Class C Felony</i> ("sex offense")	X					(b)(11)
AS 11.41.460 (indecent exposure in the second degree) ("sex offense")						(b)(11)
<i>Class A misdemeanor</i> if before a person under 16 years of age;	X					(b)(5)
<i>Class B misdemeanor</i> if before a person 16 years of age or older	X					(b)(5)
AS 11.41.500 (robbery in the first degree) <i>Class A Felony</i>	X					(b)(1)
AS 11.41.510 (robbery in the second degree) <i>Class B Felony</i>	X					(b)(1)
AS 11.41.520 (extortion) <i>Class B Felony</i>	X					(b)(1)
AS 11.41.530 (coercion) <i>Class C Felony</i>			X			(d)(1)(E)
OFFENSES AGAINST PROPERTY						
AS 11.46.120 (theft in the first degree) <i>Class B Felony</i>		X				(c)(2)(A)
AS 11.46.130 (theft in the second degree) <i>Class C Felony</i>			X			(d)(2)
AS 11.46.140 (theft in the third degree) <i>Class A Misdemeanor</i>				X		(e)(1)(A)
AS 11.46.220 (concealment of merchandise) if a <i>Class C Felony</i>			X			(d)(2)

BARRIER CRIMES MATRIX FOR THE BARRIER CRIMES LISTED IN 7 AAC 10.905

January 5, 2007

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BARRIER CRIME <i>[See notes at end of table for conditions that increase some barrier times]</i>	A Barrier Within the Following Time Periods				See 7 AAC 10.905 at:
	PERMANENT	10 Years	5 Years	3 Years	
AS 11.46.260 (removal of identification marks) if a Class C Felony			X		(d)(2)
AS 11.46.270 (unlawful possession) if a Class C Felony			X		(d)(2)
AS 11.46.280 (issuing a bad check)					
If Class B Felony		X			(c)(2)(B)
If Class C Felony			X		(d)(2)
AS 11.46.285 (fraudulent use of an access device)					
If Class B Felony		X			(c)(2)(C)
If Class C Felony			X		(d)(2)
AS 11.46.290 (obtaining an access device or identification document by fraudulent means) Class C Felony			X		(d)(2)
AS 11.46.300 (burglary in the first degree) Class B Felony		X			(c)(2)(D)
AS 11.46.310 (burglary in the second degree) Class C Felony			X		(d)(2)
AS 11.46.320 (criminal trespass in the first degree) Class A Misdemeanor [if domestic violence crime]				X	(e)(1)(B)
AS 11.46.360 (vehicle theft in the first degree) Class C Felony			X		(d)(2)
AS 11.46.400 (arson in the first degree) Class A Felony	X				(b)(6)
AS 11.46.410 (arson in the second degree) Class B Felony	X				(b)(6)
AS 11.46.430 (criminally negligent burning) Class A Misdemeanor [if domestic violence crime]				X	(e)(1)(C)
AS 11.46.475 (criminal mischief in the first degree) Class A Felony		X			(c)(2)(E)
AS 11.46.480 (criminal mischief in the second degree) Class B Felony		X			(c)(2)(F)
AS 11.46.482 (criminal mischief in the third degree) Class C Felony			X		(d)(2)
AS 11.46.484 (criminal mischief in the fourth degree) Class A Misdemeanor [if domestic violence crime]				X	(e)(1)(D)
AS 11.46.486 (criminal mischief in the fifth degree) Class B Misdemeanor [if domestic violence crime]					(f)(1)
AS 11.46.500 (forgery in the first degree) Class B Felony		X			(c)(2)(G)
AS 11.46.505 (forgery in the second degree) Class C Felony			X		(d)(2)
AS 11.46.510 (forgery in the third degree) Class A Misdemeanor				X	(e)(1)(E)
AS 11.46.520 (criminal possession of a forgery device) Class C Felony			X		(d)(2)
AS 11.46.530 (criminal simulation) If a Class C Felony			X		(d)(2)
AS 11.46.550 (offering a false instrument for recording in the first degree) Class C Felony			X		(d)(2)
AS 11.46.565 (criminal impersonation in the first degree) Class B Felony		X			(c)(2)(H)
AS 11.46.600 (scheme to defraud) Class B Felony		X			(c)(2)(I)
AS 11.46.620 (misapplication of property) If a Class C Felony			X		(d)(2)
AS 11.46.630 (falsifying business records) Class C Felony			X		(d)(2)
AS 11.46.660 (commercial bribe receiving) Class C Felony			X		(d)(2)
AS 11.46.670 (commercial bribery) Class C Felony			X		(d)(2)

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BARRIER CRIME <i>[See notes at end of table for conditions that increase some barrier times]</i>	A Barrier Within the Following Time Periods				See 7 AAC 10.905 at:
	PERMANENT	10 Years	5 Years	3 Years	
AS 11.46.710 (deceptive business practices)					
Class C Felony			X		(d)(2)
Class A misdemeanor				X	(e)(1)(F)
AS 11.46.730 (defrauding creditors)					
If Class B Felony		X			(c)(2)(J)
If Class C Felony			X		(d)(2)
AS 11.46.740 (criminal use of computer) Class C Felony			X		(d)(2)
OFFENSES AGAINST THE FAMILY AND VULNERABLE ADULTS					
AS 11.51.100 (endangering the welfare of a child in the first degree)					
If Class B Felony (if child dies)	X				(b)(7)(A)
If Class C Felony (if the child suffers sexual contact, sexual penetration, or serious physical injury)	X				(b)(7)(A)
If Class A misdemeanor (if the child suffers physical injury)	X				(b)(7)(A)
AS 11.51.110 (endangering the welfare of a child in the second degree) Violation			X		(d)(3)(A)
AS 11.51.120 (criminal nonsupport)					
Class C Felony			X		(d)(3)(B)
Class A misdemeanor				X	(e)(2)
AS 11.51.121 (aiding the nonpayment of child support in the first degree) Class C Felony			X		(d)(3)(C)
AS 11.51.130 (contributing to the delinquency of a minor) Class A Misdemeanor			X		(d)(3)(D)
AS 11.51.200 (endangering the welfare of a vulnerable adult in the first degree) Class C Felony	X				(b)(7)(B)
AS 11.51.210 (endangering the welfare of a vulnerable adult in the second degree) Class A Misdemeanor	X				(b)(7)(C)
OFFENSES AGAINST PUBLIC ADMINISTRATION					
AS 11.56.740 (violating a protective order) Class A Misdemeanor [if domestic violence crime]				X	(e)(3)(A)
AS 11.56.745 (interfering with a report of a crime involving domestic violence) Class A Misdemeanor				X	(e)(3)(B)
AS 11.56.750 (unlawful contact in the first degree) Class A Misdemeanor					(f)(2)
AS 11.56.755 (unlawful contact in the second degree) Class B Misdemeanor or Violation				X	(f)(2)
AS 11.56.765 (failure to report a violent crime committed against a child) Class A Misdemeanor			X		(d)(4)(A)
AS 11.56.807 (terroristic threatening in the first degree) Class B Felony [if domestic violence crime]		X			(c)(3)
AS 11.56.810 (terroristic threatening in the second degree) Class C Felony [if domestic violence crime]			X		(d)(4)(B)
AS 11.56.815 (tampering with public records in the first degree) Class C Felony			X		(d)(4)(C)
AS 11.56.835 (failure to register as a sex offender or child kidnapper in the first degree) Class C Felony	X				(b)(8)(A)
AS 11.56.840 (failure to register as a sex offender or child kidnapper in the second degree) Class A Misdemeanor	X				(b)(8)(B)

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BARRIER CRIME [See notes at end of table for conditions that increase some barrier times]	A Barrier Within the Following Time Periods					See 7 AAC 10.905 at:
	PERMANENT	10 Years	5 Years	3 Years	1 Year	
OFFENSES AGAINST PUBLIC ORDER						
AS 11.61.120 (harassment) <i>Class B Misdemeanor [if domestic violence crime]</i>					X	(f)(3)
AS 11.61.123 (indecent viewing or photography)						
Class C Felony	X					(b)(9)(A)
Class A misdemeanor	X					(b)(9)(A)
AS 11.61.125 (distribution of child pornography) (“sex offense”)						
Class A Felony	X					(b)(9)(B)
Class B Felony	X					(b)(9)(B)
AS 11.61.127 (possession of child pornography) <i>Class C Felony (“sex offense”)</i>	X					(b)(9)(B)
AS 11.61.128 (electronic distribution of indecent material to a minor)						
Class B Felony if the defendant was required to register as a sex offender or child kidnapper	X					(b)(3)
Class C Felony if not required to register as a sex offender or child kidnapper	X					(b)(3)
AS 11.61.130 (misconduct involving a corpse) <i>Class A Misdemeanor</i>			X			(d)(5)(A)
AS 11.61.140 (cruelty to animals) <i>Class A Misdemeanor</i>			X			(d)(5)(B)
AS 11.61.145 (promoting an exhibition of fighting animals, if Class C Felony)			X			(d)(5)(C)
AS 11.61.190 (misconduct involving weapons in the first degree) <i>Class A Felony</i>		X				(c)(4)(A)
AS 11.61.195 (misconduct involving weapons in the second degree) <i>Class B Felony</i>		X				(c)(4)(B)
AS 11.61.200 (misconduct involving weapons in the third degree) <i>Class C Felony</i>			X			(d)(5)(D)
AS 11.61.240 (criminal possession of explosives)						
Class A Felony		X				(c)(4)(C)
Class B Felony		X				(c)(4)(C)
Class C Felony			X			(d)(5)(E)
Class A misdemeanor				X		(e)(4)
AS 11.61.250 (unlawful furnishing of explosives) <i>Class C Felony</i>			X			(d)(5)(F)
OFFENSES AGAINST PUBLIC HEALTH AND DECENCY						
AS 11.66.110 (promoting prostitution in the first degree)						
Class A Felony - If the person who was induced or caused to engage in prostitution was under 16 years of age	X					(b)(10)(A)
Class B Felony						
If the person who was induced or caused to engage in prostitution was 16 or 17 years of age at the time of the offense (“sex offense”)	X					(b)(10)(A)
If the person who was induced or caused to engage in prostitution was 18 years of age or older at the time of the offense		X				(c)(5)

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BARRIER CRIME [See notes at end of table for conditions that increase some barrier times]	A Barrier Within the Following Time Periods					See 7 AAC 10.905 at:
	PERMANENT	10 Years	5 Years	3 Years	1 Year	
AS 11.66.120 (promoting prostitution in the second degree) Class C Felony						
If the person who was induced or caused to engage in prostitution was under 16 years of age	X					(b)(10)(B)
If the person who was induced or caused to engage in prostitution was 16 or 17 years of age at the time of the offense ("sex offense")	X					(b)(10)(B)
If the person who was induced or caused to engage in prostitution was 18 years of age or older at the time of the offense			X			(d)(6)
AS 11.66.130 (promoting prostitution in the third degree) Class A Misdemeanor						
If the person who was induced or caused to engage in prostitution was under 16 years of age	X					(b)(10)(C)
If the person who was induced or caused to engage in prostitution was 16 or 17 years of age at the time of the offense ("sex offense")	X					(b)(10)(C)
CONTROLLED SUBSTANCES						
AS 11.71.010 (misconduct involving a controlled substance in the first degree) <i>Unclassified Felony</i>		X				(c)(6)
AS 11.71.020 (misconduct involving a controlled substance in the second degree) <i>Class A Felony</i>		X				(c)(6)
AS 11.71.030 (misconduct involving a controlled substance in the third degree) <i>Class B Felony</i>		X				(c)(6)
AS 11.71.040(a)(1), (a)(2), (a)(5), (a)(6), (a)(7), (a)(8), or (a)(10) (misconduct involving a controlled substance in the fourth degree) <i>Class C Felony</i>			X			(d)(7)
IMITATION CONTROLLED SUBSTANCES						
AS 11.73.010 (manufacture or delivery of an imitation controlled substance) <i>Class C Felony</i>			X			(d)(8)
AS 11.73.020 (possession of substance with intent to manufacture) <i>Class C Felony</i>			X			(d)(8)
AS 11.73.030 (delivery of an imitation controlled substance to a minor) <i>Class B Felony</i>		X				(c)(7)
AS 11.73.040 (advertisement to promote the delivery of an imitation controlled substance) <i>Class C Felony</i>			X			(d)(8)
OTHER CRIMES						
AS 21.36.360 (fraudulent or criminal insurance acts)						
<i>Class B Felony</i>		X				(c)(8)
<i>Class C Felony</i>			X			(d)(10)
AS 28.35.030 (operating a vehicle, aircraft or watercraft while intoxicated)						
(n) – A <i>Class C Felony</i> (if the person convicted has been previously convicted two or more times since January 1, 1996, and within 10 years preceding the date of the present offense)		X				(c)(9)

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BARRIER CRIME <i>[See notes at end of table for conditions that increase some barrier times]</i>	A Barrier Within the Following Time Periods					See 7 AAC 10.905 at:
	PERMANENT	10 Years	5 Years	3 Years	1 Year	
AS 28.35.032 (refusal to submit to chemical test)						
(p) – A <u>Class C Felony</u> (if the person is convicted under this section and either has been previously convicted two or more times since January 1, 1996, and within the 10 years preceding the date of the present offense, or punishment under AS 28.35.030(n) or 28.35.032(b) was previously imposed within the last 10 years)		X				(c)(10)
AS 47.30.815 (limitation of liability; bad faith application a felony [willful initiation of an involuntary civil commitment procedure without good cause] <i>Felony</i>)			X			(d)(11)

IMPORTANT NOTES

- (1) Under AS 12.62.900(23) "serious offense" means a conviction for a violation or for an attempt, solicitation, or conspiracy to commit a violation of any of the following laws, or of the laws of another jurisdiction with substantially similar elements: (A) a felony offense; (B) a crime involving domestic violence; (C) AS 11.41.410 - 11.41.470; (D) AS 11.51.130 or 11.51.200 - 11.56.210; (E) AS 11.61.110(a)(7) or 11.61.125; (F) AS 11.66.100 - 11.66.130; (G) former AS 11.15.120, former 11.15.134, or assault with the intent to commit rape under former AS 11.15.160; or (H) former AS 11.40.080, 11.40.110, 11.40.130, or 11.40.200 - 11.40.420, if committed before January 1, 1980.
- (2) Under AS 12.63.100(6) "sex offense" means (A) a crime under AS 11.41.100(a)(3) [murder in the first degree], or a similar law of another jurisdiction, in which the person committed or attempted to commit a sexual offense, or a similar offense under the laws of the other jurisdiction; in this subparagraph, "sexual offense" has the meaning given in AS 11.41.100(a)(3); (B) a crime under AS 11.41.110(a)(3), or a similar law of another jurisdiction, in which the person committed or attempted to commit one of the following crimes, or a similar law of another jurisdiction: (i) sexual assault in the first degree; (ii) sexual assault in the second degree; (iii) sexual abuse of a minor in the first degree; or (iv) sexual abuse of a minor in the second degree; (C) a crime, or an attempt, solicitation, or conspiracy to commit a crime, under the following statutes or a similar law of another jurisdiction: (i) AS 11.41.410 - 11.41.438; (ii) AS 11.41.440(a)(2); (iii) AS 11.41.450 - 11.41.458; (iv) AS 11.41.460 if the indecent exposure is before a person under 16 years of age and the offender has a previous conviction for that offense; (v) AS 11.61.125 or 11.61.127; (vi) AS 11.66.110 or 11.66.130(a)(2) if the person who was induced or caused to engage in prostitution was 16 or 17 years of age at the time of the offense; or (vii) former AS 11.15.120, former 11.15.134, or assault with the intent to commit rape under former AS 11.15.160, former AS 11.40.110, or former 11.40.200.
- (3) Under AS 18.66.990(3) "domestic violence" and "crime involving domestic violence" mean one or more of the following offenses or an offense under a law or ordinance of another jurisdiction having elements similar to these offenses, or an attempt to commit the offense, by a household member against another household member: (A) a crime against the person under AS 11.41; (B) burglary under AS 11.46.300 - 11.46.310; (C) criminal trespass under AS 11.46.320 - 11.46.330; (D) arson or criminally negligent burning under AS 11.46.400 - 11.46.430; (E) criminal mischief under AS 11.46.475 - 11.46.486; (F) terrorist threatening under AS 11.56.807 or 11.56.810; (G) violating a protective order under AS 11.56.740(a)(1); or (H) harassment under AS 11.61.120(a)(2) - (4).
- (4) Regardless of the barrier crimes listed above – or the barrier times shown above -- the following is a permanent barrier under 7 AAC 10.905(b)(3): a crime that is a felony and involves a victim who was a child under 18 years of age at the time of the conduct, including a crime where the perpetrator was a person responsible for the child's welfare; in this paragraph, "person responsible for the child's welfare" has the meaning given in AS 47.17.290.
- (5) Even though some class B felonies are not classified as permanent barriers, if there is a conviction for two or more those felonies, that constitutes a permanent barrier under 7 AAC 10.905(b)(12).
- (6) AS 47.05.310(c) provides: The department may not issue or renew a license or certification for an entity if an individual is applying for a license, license renewal, certification, or certification renewal for the entity and that (1) individual has been found by a court or agency of this or another jurisdiction to have neglected, abused, or exploited a child or vulnerable adult under AS 47.10, AS 47.24, or AS 47.62 or a substantially similar provision in another jurisdiction, or to have committed medical assistance fraud under AS 47.05.210 or a substantially similar provision in another jurisdiction; or (2) individual's name appears on the centralized registry established under AS 47.05.330 or a similar registry of this state or another jurisdiction.