



ADMINISTRATIVE REGULATION

DATE APPROVED:

AR: 5.01

**November 3, 2014
October 19, 2020 Revised**

SUBJECT:

DEPARTMENT:

Recreation Department Volunteer Program

Recreation

Wakulla County adopts the following policies and procedures concerning volunteers associated with Recreation Department activities.

1. All personnel, including volunteers must have required Florida Drivers Licenses in order to transport children or youth involved in any Wakulla County Recreation activities.
2. All persons transporting children or youth involved in Wakulla County Recreation activities in privately owned vehicles, must exhibit proof and maintain statutory required insurance to cover children while transporting same.
3. Persons who have been convicted or who have been placed on probation with adjudication of guilt withheld, for the offense of DUI, DWI, or any other criminal traffic offense in the last five years may not transport any children other than their own, involved in any Wakulla County Recreation activities.
4. All Wakulla County Recreation volunteers will submit to an annual background check conducted by the County. The County reserves the right to conduct background checks on a more frequent basis at the discretion of the Recreation Department Director. Persons found guilty of the following crimes are disqualified and prohibited from serving as a volunteer in any capacity for Wakulla County Recreation activities for the time periods noted below.

(For the purposes of this policy, the term "Guilty" shall mean that the person: withheld adjudication; was adjudicated guilty following a trial; entered a plea of guilty; entered a plea of no contest (nolo contendere); or entered a pre-trial diversion or deferred adjudication program in lieu of conviction):

Sex Offenses:

- All Sex Offenses render the guilty party ineligible for life. Examples include, but are not limited to, child molestation, rape, sexual assault, sexual battery, sodomy, prostitution, solicitation, indecent exposure, obscenity, human trafficking etc.

Felonies:

- Category 1: All felonies that resulted in a death or involved a victim under the age of 18 render the guilty party ineligible for life. Examples include, but are not limited to, homicide, manslaughter, child abuse, child endangerment etc.
- Category 2: All other felonies that included actual harm to a person, a threat of physical harm to a person where there was a reasonable probability of physical harm, or reckless disregard for the physical wellbeing of a person render the guilty party ineligible for a period of thirty (30) consecutive years from guilt or release from incarceration, whichever is later. The guilty party will regain eligibility if there have been no other law enforcement incidents in that 30-year period, including arrests even if charges are later dropped, but not including traffic tickets. For the purposes of this policy, this includes felonies found in the following chapters of Florida Statutes, or their statutory successor in function that do not qualify as a Sex Offense or Category 1 felony, or equivalent offenses found in federal law or the criminal laws of other states or sovereign nations:
 - Chapter 782 – Homicide
 - Chapter 784 – Assault, Battery
 - Chapter 787 – Kidnapping, Human Trafficking
 - Chapter 790 – Weapons, Firearms
 - Chapter 806 – Arson
 - Chapter 810 -- Burglary and Trespass
 - Chapter 812 – Theft, Robbery
 - Chapter 825 – Abuse, Neglect of Elderly
 - Chapter 827 – Abuse of Children
 - Chapter 836 – Defamation, Libel, Threatening Letters
 - Chapter 843 – Obstruction of Justice
 - Chapter 859 – Poison
 - Chapter 870- Riots
- Category 3: All other felonies other than those covered in Sex Offenses, Category 1 or Category 2 render the guilty party ineligible for a period of ten (10) consecutive years from guilt or release from incarceration, whichever is later. Examples include drug offenses, theft, embezzlement, fraud, etc.

Misdemeanors:

- All Misdemeanor offenses that included actual harm to a person, a threat of physical harm to a person where there was a reasonable probability of physical harm, or reckless disregard for the physical wellbeing of a person render the guilty party ineligible for a period of seven (7) consecutive years from guilt or release from incarceration, whichever is later. Examples include simple assault, battery, domestic violence, hit & run, etc.
- Two or More Misdemeanor Drug & Alcohol Offenses render the guilty party ineligible for a period of five (5) consecutive years from the date of guilt or release from incarceration, whichever is later for the last offense. Examples include driving under the influence, simple drug possession, drunk & disorderly, public intoxication, possession of drug paraphernalia, etc.

- Any other misdemeanor that would be considered a potential danger to children or is directly related to the functions of the volunteer render the guilty party ineligible for a period of five (5) consecutive years from the date of guilt or release from incarceration, whichever is later.

Pending Cases:

- Individuals with open or pending cases pertaining to any of the disqualifying offenses described above are ineligible to volunteer prior to the formal adjudication of the case. If the disposition of the pending case does not meet the criteria for disqualification as listed above, the individual may then be cleared and/or reinstated.
5. The Wakulla County Recreation Department Director is authorized to refuse approval of any person to serve as a volunteer or otherwise in any youth sponsored Wakulla County Recreation activity who possesses or exhibits any qualities, habits, or characteristics which adversely affect children or youth involved in said activities.