

**Report on Act 1 of 2009: Section 7**

**An Act Relating to Improving Vermont's  
Sexual Abuse Response System: Volunteers;  
Study**

**Report/Recommendations to the House and Senate Committees on  
Education and Judiciary**

**January 15, 2010**

**Submitted by:**



**Legal Division  
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Pursuant to Section 7 of Act 1 of the 2009 Legislature, the Commissioner of Education is required to submit recommendations to the House and Senate Education and Judiciary Committees, on or before January 15, 2010, proposing mechanisms for ensuring that registered sex offenders do not have unsupervised contact with students when working as volunteers in schools. The recommendations are to be designed in such a manner that they not create undue barriers that would make it impossible or impractical for volunteers to assist school staff.

The Commissioner's recommendation is for schools to use an easy-to-use online criminal record service known as the Vermont Criminal Conviction Record Internet Service (VCCRIS), which is provided by the Vermont Criminal Information Center (VCIC). This service provides schools with a means of instantly retrieving Vermont criminal conviction records online, in response to inquiries requiring only the names and the dates of birth of the individuals about whom information is sought. Once the schools apply online for an account as an educational institution, the records are free of charge, and for users who are registered as educational institutions, the online criminal record check will also clearly identify whether the subject of the record check has one or more convictions for offenses which are listed in 13 V.S.A. § 5401 (the section which defines the term "sex offender" for registration purposes).

The Department of Education issued a memo to all superintendents and principals on December 2, 2009 recommending the use of this service. Attached is a copy of that memo. Also attached is a copy of another related memo (relating to due diligence in the context of hiring) which was distributed to superintendents and principals on the same date. Both memos are posted on the *Communications from the Commissioner* section on the Department of Education's Web site at

<http://education.vermont.gov/new/html/maindept.html>.

For further information on these subjects, please contact Mark Oettinger, DOE General Counsel, or Matthew Raymond, DOE Investigator, at 828-3135.