

POLICY

Volunteer Assistance

The Governing Board encourages parents/guardians and other members of the community to share their time, knowledge, and abilities with our students. Community volunteers in our schools enrich the educational program and strengthen our schools' relationships with homes, businesses, public agencies, and private institutions. The presence of volunteers in the classroom, on school grounds, and at school sponsored functions also enhances supervision of students and contributes to school safety.

- (cf. 1000 - Concepts and Roles)
- (cf. 1700 - Relations Between Private Industry and the Schools)
- (cf. 4127/4227/4327 - Temporary Athletic Team Coaches)
- (cf. 4222 - Teacher Aides/Paraprofessionals)
- (cf. 5020 - Parent Rights and Responsibilities)
- (cf. 5148 - Child Care and Development)
- (cf. 5148.2 - Before/After School Programs)
- (cf. 6020 - Parent Involvement)
- (cf. 6171 - Title I Programs)

The Superintendent or designee may authorize the use of volunteers and shall establish procedures to protect the safety of students and adults in accordance with laws related to tuberculosis testing, fingerprinting, and criminal record checks.

The Superintendent or designee shall develop and implement a plan for recruiting, screening, and placing volunteers, including strategies for reaching underrepresented groups of parents/guardians and community members. He/she may also recruit community members to serve as mentors to students and/or make appropriate referrals to community organizations.

- (cf. 1020 - Youth Services)
- (cf. 1400 - Relations Between Other Governmental Agencies and the Schools)

First Reading: _____

Adopted: _____

Legal Reference:

Volunteers shall act in accordance with District policies, regulations, and school rules. At his/her discretion, a staff member who supervises volunteers may ask any volunteer who violates school rules to leave the campus. Staff members also may confer with the principal or designee regarding any volunteers and their impact on school activities. The Superintendent or designee shall be responsible for investigating and resolving complaints regarding volunteers.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 3515.2 - Disruptions)

The Board encourages principals to develop a means for recognizing the contributions of each school's volunteers.

(cf. 1150 - Commendations and Awards)

The Superintendent or designee shall periodically report to the Board regarding the district's volunteer assistance program.

Volunteer work shall be limited to those projects that do not replace the normal duties of classified staff. The Board nevertheless encourages volunteers to work on short-term projects to the extent that they enhance the classroom or school, meet a specific need, comply with established building and safety codes, and do not significantly interfere with maintenance workloads as established by employee commitments and contracts.

Volunteer aides shall not be used to assist certificated staff in performing teaching or administrative responsibilities in place of regularly authorized classified employees who have been laid off. (Education Code 35021)

The Board encourages site administrators to develop a means for recognizing the contribution of each school's volunteers.

First Reading: _____
Adopted: _____
Legal Reference:

Injuries Occurring While Acting as a Volunteer

Unsalariated volunteers shall be considered employees of the District for workers' compensation insurance purposes. If injured while serving as volunteers in the District, they should complete the forms provided by the district office.

Qualifications

***Note: Education Code 45347 and 45349 require certain volunteers, depending on the types of duties they will be performing, to meet qualifications pertaining to basic skills proficiency, tuberculosis testing, and/or criminal background checks; see the accompanying administrative regulation. ***

The Superintendent or designee shall establish procedures for determining whether volunteers possess the qualifications, if any, required by law and administrative regulation for the types of duties they will perform.

***Note: Effective July 9, 2010, AB 346 (Ch. 52, Statutes of 2010) amended Education Code 49024 to require any volunteer who works with students in a district-sponsored student activity program to obtain an Activity Supervisor Clearance Certificate (ASCC) from the Commission on Teacher Credentialing, unless the district requires the volunteer to clear a Department of Justice (DOJ) and Federal Bureau of Investigation (FBI) criminal background check prior to beginning the volunteer duties. This legislation was introduced in response to legislation passed in 2009 (AB 1025, Ch. 379, Statutes of 2009) which had required noncertificated personnel or volunteers who "supervise, direct, or coach the activity" to obtain an ASCC. ***

***Note: Thus, the Governing Board may choose whether to require a volunteer to obtain the ASCC (Option 1 below) and/or to obtain a DOJ/FBI criminal background check (Option 2 below). The Board may select either one of the options below, combine them to allow an individual to obtain either the ASCC or DOJ/FBI check at the individual's discretion, or to apply different requirements to different positions in the district. ***

First Reading: _____

Adopted: _____

Legal Reference:

***Note: In addition, AB 346 amended Education Code 45125.01 to allow multiple districts within a county or within contiguous counties to share criminal record information of noncertificated employees and volunteers working in a student activity program; see AR 4112.62/4212.62/4312.62 - Maintenance of Criminal Offender Records. ***

***Note: See the accompanying administrative regulation for the definition of "student activity program" pursuant to Education Code 49024. ***

OPTION 1: Prior to assuming a volunteer position to work with students in a district-sponsored student activity program, a volunteer shall possess an Activity Supervisor Clearance Certificate issued by the Commission on Teacher Credentialing. (Education Code 49024)

A volunteer who obtained both a Department of Justice and Federal Bureau of Investigation criminal background clearance through the district prior to July 9, 2010 shall have satisfied this requirement. (Education Code 49024)

OPTION 2: Prior to assuming a volunteer position to work with students in a district-sponsored student activity program, a volunteer shall obtain both a Department of Justice and Federal Bureau of Investigation criminal background check through the district. (Education Code 49024)

A volunteer who possesses a current Activity Supervisor Clearance Certificate from the Commission on Teacher Credentialing, issued prior to July 9, 2010, shall have satisfied district requirements for the criminal background check. (Education Code 49024)

Legal Reference:

EDUCATION CODE

- 8482-8484.6 After School Education and Safety program
- 8484.7-8484.9 21st Century Community Learning Center program
- 35021 Volunteer aides
- 35021.1 Automated records check
- 35021.3 Registry of volunteers for before/after school programs
- 44010 Sex offense; definition

First Reading: _____

Adopted: _____

Legal Reference:

- 44227.5 Classroom participation by college methodology faculty
- 44814-44815 Supervision of students during lunch and other nutrition periods
- 45125 Fingerprinting requirements
- 45125.01 Interagency agreements for criminal record information
- 45340-45349 Instructional aides
- 45360-45367 Teacher aides
- 49024 Activity Supervisor Clearance Certificate
- 49406 Examination for tuberculosis

GOVERNMENT CODE

- 3543.5 Prohibited interference with employees' rights

HEALTH AND SAFETY CODE

- 1596.871 Fingerprints of individuals in contact with child day care facility clients

LABOR CODE

- 1720.4 Public works; exclusion of volunteers from prevailing wage law
- 3364.5 Persons performing voluntary services for school districts

PENAL CODE

- 290 Registration of sex offenders
- 290.4 Information re: sex offenders
- 290.95 Disclosure by person required to register as sex offender

CODE OF REGULATIONS, TITLE 22

- 101170 Criminal record clearance
- 101216 Health screening, volunteers in child care centers

UNITED STATES CODE, TITLE 20

- 6319 Qualifications and duties of paraprofessionals, Title I programs

ATTORNEY GENERAL OPINIONS

- 62 Ops.Cal.Atty Gen. 325 (1979)

COURT DECISIONS

- Whisman Elementary School District, (1991) PERB Decision No. 868

Management Resources:

- COMMISSION ON TEACHER CREDENTIALING CODED CORRESPONDENCE
- 10-11 Information on Assembly Bill 346 Concerning the Activity Supervisor Clearance Certificate (ASCC), July 20, 2010

First Reading: _____

Adopted: _____

Legal Reference:

School District

Policy _____

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education, Parents/Family and Community:

<http://www.cde.ca.gov/ls/pf>

California Department of Justice, Megan's Law: <http://www.meganslaw.ca.gov>

California Parent Teacher Association: <http://www.capta.org>

Commission on Teacher Credentialing: <http://www.ctc.ca.gov>

National Coalition for Parent Involvement in Education: <http://www.ncpie.org>

National Parent Teacher Association: <http://www.pta.org>

First Reading: _____

Adopted: _____

Legal Reference: