

**VOLUNTEER ASSISTANCE**

The Governing Board recognizes that volunteer assistance in schools can enrich the educational program, increase supervision of students, and contribute to school safety while strengthening the schools' relationships with the community. The Board encourages parents/guardians and other members of the community to share their time, knowledge, and abilities with students.

*(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. 6020 - Parent Involvement)*  
*(cf. 6171 - Title I Programs)*

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)*

The Board prohibits harassment of any volunteer on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status. (Government Code 12940)

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

As appropriate, the Superintendent or designee shall provide volunteers with information about school goals, programs, and practices and an orientation or other training related to their specific responsibilities. Employees who supervise volunteers shall ensure that volunteers are assigned meaningful responsibilities that utilize their skills and expertise and maximize their contribution to the educational 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 and comply with employee negotiated agreements.

*(cf. 4141/4241 - Collective Bargaining Agreement)*

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.

## **VOLUNTEER ASSISTANCE** (continued)

Volunteers shall act in accordance with district policies, regulations, and school rules. The Superintendent or designee shall be responsible for investigating and resolving complaints regarding volunteers.

*(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.

*(cf. 0500 - Accountability)*

## **Workers' Compensation Insurance**

The Board desires to provide a safe environment for volunteers and minimize the district's exposure to liability.

Upon the adoption of a resolution by the Board, volunteers shall be entitled to workers' compensation benefits for any injury sustained while engaged in the performance of service for the district. (Labor Code 3364.5)

*(cf. 3530 - Risk Management/Insurance)*

*(cf. 4157.1/4257.1/4357.1 - Work-Related Injuries)*

*Legal Reference: (see next page)*

**VOLUNTEER ASSISTANCE (continued)**

*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*  
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*  
48981 *Parental notifications*  
49024 *Activity Supervisor Clearance Certificate*  
49406 *Examination for tuberculosis*

GOVERNMENT CODE

3543.5 *Prohibited interference with employees' rights*  
12940 *Prohibited discrimination and harassment*

HEALTH AND SAFETY CODE

1596.7995 *Immunization requirements for volunteers in child care center or preschool*  
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*  
3352 *Workers' compensation; definitions*  
3364.5 *Authority to provide workers' compensation insurance for volunteers*

PENAL CODE

290 *Registration of sex offenders*  
290.4 *Information re: sex offenders*  
290.95 *Disclosure by person required to register as sex offender*  
626.81 *Sex offender; permission to volunteer at school*

CODE OF REGULATIONS, TITLE 22

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

PUBLIC EMPLOYMENT RELATIONS BOARD DECISIONS

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

*Management Resources:*

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>

**VOLUNTEER ASSISTANCE**

**Duties of Volunteers**

The Superintendent or designee may assign volunteers to:

1. Assist certificated personnel in the performance of their duties, including in the supervision of students and in the performance of instructional tasks which, in the judgment of the certificated personnel to which the volunteer is assigned, may be performed by a person not licensed as a classroom teacher (Education Code 35021, 45343, 45344, 45349)

*(cf. 4222 - Teacher Aides/Paraprofessionals)*

*(cf. 5148 - Child Care and Development)*

*(cf. 5148.2 - Before/After School Programs)*

2. Serve as nonteaching aides under the immediate supervision and direction of certificated personnel to perform noninstructional work which assists certificated personnel in the performance of teaching and administrative responsibilities (Education Code 35021)
3. Supervise students during lunch, breakfast, or other nutritional periods (Education Code 35021, 44814, 44815)
4. Work on short-term facilities projects pursuant to the section below entitled "Volunteer Facilities Projects"
5. Perform other duties in support of district or school operations as approved by the Superintendent or designee

*(cf. 6163.1 - Library Media Centers)*

Volunteers shall not be authorized to assign grades to students, and 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, 45344)

*(cf. 4217.3 - Layoff/Rehire)*

**Basic Skills Proficiency Requirement**

Volunteers who supervise or provide instruction to students pursuant to Education Code 45349 shall submit evidence of basic skills proficiency to the Superintendent or designee. (Education Code 45344.5, 45349)

*(cf. 4212 - Appointment and Conditions of Employment)*

## **VOLUNTEER ASSISTANCE** (continued)

### **Criminal Background Check**

Prior to assuming a volunteer position working with students in a district-sponsored student activity program, a volunteer shall obtain fingerprint clearance through the Department of Justice (DOJ) and Federal Bureau of Investigation. At his/her discretion, the volunteer may choose to meet this requirement by obtaining an Activity Supervisor Clearance Certificate from the Commission on Teacher Credentialing. Student activity programs include, but are not limited to, scholastic programs, interscholastic programs, and extracurricular activities sponsored by the district or a school booster club, such as cheer team, drill team, dance team, and marching band. (Education Code 49024)

*(cf. 4112.5/4212.5/4312.5 - Criminal Background Check)*

*(cf. 4127/4227/4327 - Temporary Athletic Team Coaches)*

*(cf. 6145 - Extracurricular and Cocurricular Activities)*

The Superintendent or designee shall determine which volunteer positions in the district are subject to the above requirement.

The criminal background check requirement shall not apply to volunteer supervisors for breakfast, lunch, or other nutritional periods or to volunteer nonteaching aides under the immediate supervision and direction of certificated personnel pursuant to Education Code 35021, including parents/guardians volunteering in a classroom or on a field trip or community members providing noninstructional services. (Education Code 49024)

### **Registered Sex Offenders**

The Superintendent or designee may require all volunteers to disclose whether they are a registered sex offender and/or to provide the district with sufficient information in order to allow verification of this status on the DOJ's Megan's Law web site.

### **Tuberculosis Assessment/Examination**

Upon initial volunteer assignment, a volunteer shall have on file with the school a certificate showing that he/she has submitted to a tuberculosis risk assessment and, if tuberculosis risk factors were identified, was examined and found to be free of infectious tuberculosis. (Education Code 49406)

*(cf. 4112.4/4212.4/4312.4 - Health Examinations)*

### **Volunteer Facilities Projects**

All volunteer facilities projects shall have approximate start and completion dates and shall be approved by the principal in advance. Projects also shall be approved in advance by the Superintendent or designee if they involve the following types of work:

**VOLUNTEER ASSISTANCE** (continued)

1. Alterations, additions, or repairs to buildings and grounds
2. Construction involving wall or roof penetration, drilling, or nailing
3. Structural modifications
4. Electrical, electronic, plumbing, or heating and cooling work
5. Painting
6. Installation of carpet, playground equipment, benches, sprinkler systems, marquees or signs
7. Paving
8. Tree planting, pruning, or removal

The Superintendent or designee shall ensure that volunteers possess the appropriate license and/or have sufficient expertise required for the project. He/she shall also ensure that such projects comply with building and safety codes and other applicable laws and collective bargaining agreements. The district shall provide on-site assistance and supervision for such projects as necessary.

*(cf. 3514 - Environmental Safety)*

*(cf. 3514.1 - Hazardous Substances)*

*(cf. 7140 - Architectural and Engineering Services)*