

SUBJECT: VOLUNTEER ASSISTANCE

ORIGINATING OFFICE: ASSISTANT SUPERINTENDENT, PERSONNEL SERVICES

EFFECTIVE: OCTOBER 13, 2015

REVISED:

The Board of Trustees 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.

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.

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 maintenance work shall be limited to those projects that do not replace the normal maintenance 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, do not significantly increase maintenance workloads, and comply with employee negotiated agreements.

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)

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.

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

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

Qualifications

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.

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**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

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>

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Volunteers may assist certificated personnel in the performance of their duties, in the supervision of students, and in instructional tasks which, in the judgment of the certificated personnel to whom the volunteer is assigned, may be performed by a person not licensed as a classroom teacher. These duties shall not include assignment of duties normally performed by classified instructional assistants, nor the assignment of grades to students. (Education Code 45343, 45344, 45349)

Volunteers may supervise students during lunch and/or breakfast periods or may serve as non-teaching assistants under the immediate supervision and direction of certificated personnel to perform non-instructional work which assists certificated personnel in the performance of teaching and administrative responsibilities. (Education Code 35021, 44814, 44815)

Volunteers may work on short-term facilities projects pursuant to Governing Board policy and administrative regulation.

Qualifications of Volunteers

Volunteers providing supervision or instruction of students pursuant to Education Code 45349 shall give evidence of basic skills proficiency. (Education Code 45344.5, 45349)

A person who is required to register as a sex offender pursuant to Penal Code 290 shall not serve as a volunteer instructional aide or as a volunteer non-teaching aide under the direct supervision of a certificated employee. (Education Code 35021) The Superintendent or designee shall verify by reasonable means that persons serving as volunteer instructional aides and non-teaching volunteer aides are not required to register as a sex offender pursuant to Penal Code 290.

No volunteer shall be assigned to provide supervision or instruction of students unless he/she has submitted evidence of an examination within the past 60 days to determine that he/she is free of active tuberculosis. Volunteers who test negative shall thereafter be required to take a tuberculosis test every four years in accordance with Education Code 49406. (Education Code 45106, 45347, 45349, 49406)

Because volunteers may serve in a variety of areas and in a variety of circumstances, the requirements for volunteers may vary. The district has established the following definition and requirements for volunteers:

Parent Club or Special Event Volunteers

These volunteers provide assistance with snack bars, grad-night parties, band marathons, and other limited events or special occasions. They work with other volunteers, are supervised by certificated staff, and do not have direct responsibility for supervising students. No clearance or prior approval is required.

Classroom, Library or Office Volunteers

These volunteers provide assistance that is limited to work that does not replace the normal duties of classified administrative assistants or instructional assistants in administrative or academic areas on a regular or frequent basis, such as a three-day-per-week library volunteer, a college student assisting with a class for credit, or a two-day-per-week office assistant. These volunteers generally fit into two categories: (1) supervised and unlikely to be alone with students, or, (2) unsupervised and/or likely to be alone with students. The requirements for each group are as follows:

Supervised or Unlikely to Be Alone with Students

1. Completion of a district volunteer information form that includes name, address and phone number, brief description of service to be provided and name of supervisor.
2. A valid tuberculosis (TB) clearance.
3. No volunteer may provide services until the form and TB clearance are completed and on file with the principal.

Unsupervised or Likely to Be Alone with Students

1. Completion of a district volunteer information form that includes name, address and phone number, brief description of service to be provided and name of supervisor.
2. DOJ and FBI fingerprint clearance.
3. A valid tuberculosis (TB) clearance.
4. No volunteer may provide services unless and until the appropriate forms are on file with the principal.

Athletic Coaching Volunteers

These volunteers serve as unpaid coaches. A volunteer coach must meet the guidelines established in Title 5 of the California Code of Regulations established for paid, non-certificated coaches. The requirements for volunteer coaches are as follows:

1. The principal will submit a completed coaching application form and volunteer information form.
2. DOJ and FBI fingerprint clearance.
3. TB Clearance.
4. Valid CPR/AED Card.
5. Valid First Aid Card.
6. CIF Mandated Coaching Certificate
7. Concussion Certificate
8. Sudden Cardiac Arrest Certificate
9. No volunteer may perform services unless and until the appropriate forms are on file with the principal.

The district recognizes the importance of parents/guardians and other community members who volunteer and provide transportation to students who participate in and attend athletic and special school activities. Administrative regulations in the 3000 series identify further requirements governing Volunteers and Transportation of students.

Co-Curricular Coaching Volunteers

Similar to Classroom, Library or Office Volunteers who provide assistance that is limited to work that does not replace the normal duties of classified administrative assistants or instructional assistants in administrative areas on a regular or frequent basis, Co-Curricular Coaching Volunteers assist certificated staff with the facilitation and supervision of co-curricular activities, such as Speech and Debate, Marching Band or the Dance Team, throughout their performance/competition season.

Co-Curricular Coaching Volunteers may be unsupervised and/or are likely to be alone with students; therefore, the requirements are as follows:

1. Completion of a district volunteer information form that includes name, address and phone number, a brief description of the service to be provided and name of supervisor.

2. DOJ and FBI fingerprint clearance.
3. A valid tuberculosis (TB) clearance.
4. No volunteer may provide service unless and until the appropriate forms are on file with the principal.

The district recognizes the importance of parents/guardians and other community members who volunteer and provide transportation to students who participate in and attend athletic and special school activities. District Administrative Regulations 3542.4 and 3542.5 identify further requirements governing Volunteers and Transportation of students.

Volunteer Services

Volunteers 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)

Volunteer Facilities Projects

All volunteer facilities projects shall have approximate start and completion dates and must be approved by the principal in advance.

Projects approved by the principal shall also be approved in advance by the Superintendent or designee if they involve the following types of work:

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
7. Installation of playing field equipment and benches
8. Installation of sprinkler systems
9. Paving
10. Installation of marquees and signs
11. Tree planting, pruning or removal

The Superintendent or designee shall ensure that the volunteers possess the appropriate license and/or have sufficient expertise appropriate to 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. Projects shall be inspected upon completion to ensure that the work was done satisfactorily.

Reimbursement For Fingerprinting

The cost for the processing of fingerprints shall be the responsibility of the volunteer. For all non-certificated coaches who receive a stipend from the district Stipend List, the district will reimburse DOJ/FBI fingerprint clearance costs. The Live Scan Rolling Fee will not be reimbursed.

All other non-certificated coaches (booster-paid stipends or volunteers) who are not on the district Stipend List will pay the DOJ/FBI fingerprint clearance costs, plus the Live Scan Rolling Fee and will not be reimbursed by the district.