

Volunteer Assistance

Administrative Regulation:

All volunteers are required to submit the “Volunteer Registration Form” at the school site. Nothing in this regulation shall prohibit authorized parents/guardians from visiting their child’s classroom or school campus providing that such a visit has been arranged in advance with the school administration and is in compliance with Board Policy ____.

***Note: Education Code 45349 authorizes the use of volunteers in the supervision and instruction of students, subject to Education Code 35021 and 45340-45349. ***

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 which the volunteer is assigned, may be performed by a person not licensed as a classroom teacher. These duties shall not include assignment of grades to students. (Education Code 45343, 45344, 45349)

- (cf. 4222 - Teacher Aides/Paraprofessionals)
- (cf. 5148 - Child Care and Development)
- (cf. 5148.2 - Before/After School Programs)

Volunteers may supervise students during lunch, breakfast, or other nutritional periods or may 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, 44814, 44815)

Volunteers may work on short-term facilities projects pursuant to state law, Board policy and the section below entitled "Volunteer for Facilities Projects."

Qualifications

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

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

***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 student activity program, as defined below, to obtain an Activity Supervisor Clearance Certificate from the Commission on Teacher

Adopted:

Credentialing, unless the district requires the candidate to clear a Department of Justice and Federal Bureau of Investigation criminal background check prior to beginning the volunteer duties. See the accompanying Board policy for options that may be selected or adapted by the district. ***

***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. ***

Any volunteer working with students in a district-sponsored student activity program shall obtain an Activity Supervisor Clearance Certificate or criminal background check in accordance with Board policy. The Superintendent or designee shall determine which volunteer positions in the district are subject to this requirement.

(cf. 4212.5 - Criminal Background Check)

"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. This 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)

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

(cf. 6145 - Extracurricular and Cocurricular Activities)

***Note: Pursuant to Education Code 35021 and 45349, a district is prohibited from assigning a registered sex offender as a volunteer who assists certificated personnel in the performance of their duties; supervises students during lunch, breakfast, or other nutritional period; or serves as a nonteaching aide to perform noninstructional tasks. In addition, Penal Code 290.95 requires any person registered as a sex offender to disclose his/her status as a registrant when he/she applies for or accepts a position as a volunteer where the work would require him/her to work directly and in an unaccompanied setting with minor children on more than an incidental and occasional basis, to have supervision or disciplinary power over minor children, or to touch minor children on more than an incidental basis. Penal Code 290.95 also requires disclosure when the person would be working directly and in an unaccompanied setting providing goods or services to minors. See BP/AR 3515.5 - Sex Offender Notification. ***

Adopted:

The Superintendent or designee shall not assign any person required to register as a sex offender pursuant to Penal Code 290 as a volunteer who assists certificated personnel in the performance of their duties; supervises students during lunch, breakfast, or other nutritional period; or serves as a nonteaching aide to perform noninstructional tasks. In addition, a person who is required to register as a sex offender because of a conviction for a crime where the victim was a minor under age 16 shall not serve as a volunteer in any capacity in which he/she would be working directly and in an unaccompanied setting with minors on more than an incidental and occasional basis or have supervision or disciplinary power over minors. (Education Code 35021, 45349; Penal Code 290.95)

(cf. 3515.5 - Sex Offender Notification)

***Note: Districts may verify whether a person is a registered sex offender by checking the Department of Justice's Megan's Law web site, asking law enforcement to conduct a check pursuant to Education Code 35021.1, and/or requiring volunteers to certify as to their status. The following paragraph should be modified to reflect district practice. ***

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

***Note: Education Code 45347 and 45349 require that volunteers providing supervision or instruction meet the obligations required of classified staff. Pursuant to Education Code 49406, tuberculosis testing is one of these obligations; see AR 4112.4/4212.4/4312.4 - Health Examinations. In areas where there is a high incidence of tuberculosis, the district may revise the following paragraph to require more frequent tests or to require that all volunteers be tested. ***

No volunteer shall be assigned to supervise or instruct 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)

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

***Note: The following paragraph is optional pursuant to Education Code 49406. ***

The Superintendent or designee may exempt from tuberculosis testing requirements those volunteers who serve less than a school year and whose functions do not require frequent or prolonged contact with students. (Education Code 49406)

Adopted:

***Note: See AR 5148.2 - Before/After School Programs for information about health screening and fingerprint clearance requirements for volunteers in the After School Education and Safety program and 21st Century Community Learning Center program pursuant to Education Code 8483.4 and 35021.3. ***

Volunteers for Facilities Projects

Volunteers may work on short-term facilities projects pursuant to state law and Governing Board policy. Facilities projects include the construction, repair, and maintenance including, but not limited 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 playground equipment and benches
8. Installation of sprinkler systems
9. Paving
10. Installation of marquees and signs
11. Tree planting, pruning or removal

All proposed volunteer facilities projects shall have approximate start and completion dates.

***Note: The following optional section should be revised to reflect district practice. ***

***Note: Pursuant to Labor Code 1720.4, volunteers are exempt from laws requiring workers employed in public works projects (e.g., construction, maintenance, and repair work) to be paid at least the general prevailing rate of per diem wages. ***

All volunteer facilities projects proposed for a particular school shall be approved by the principal in advance. All proposed volunteer facilities projects shall also be approved in advance by the Superintendent or designee . The Superintendent or designee shall ensure that the above projects comply with health and safety codes, building codes, fire codes, environmental laws, and other applicable laws and collective bargaining agreements. The District will provide on-site assistance and supervision for such projects, depending upon their complexity and the expertise of the volunteers. Projects shall be inspected upon completion to ensure that the work was done satisfactorily. Electrical, electronic, heating, ventilation air conditioning, plumbing,

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welding, and structural work must be done by a licensed contractor or performed under the supervision of a skilled district maintenance employee with the knowledge of the trade involved.

(cf. 3514 - Environmental Safety)

(cf. 3514.1 - Hazardous Substances)

(cf. 7140 - Architectural and Engineering Services)

Adopted: