

## **Community Relations**

### **VOLUNTEER ASSISTANCE**

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 Board also encourages community members to serve as mentors providing support and motivation to 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 and/or make appropriate referrals to community organizations.

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)

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 approved 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.

**VOLUNTEER ASSISTANCE (continued)**

**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)

- (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)
- (cf. 1020 - Youth Services)
- (cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
- (cf. 0410 - Nondiscrimination in District Programs and Activities)
- (cf. 3515.2 - Disruptions)
- (cf. 1150 - Commendations and Awards)

**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

**VOLUNTEER ASSISTANCE (continued)**

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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## **Community Relations**

### **VOLUNTEER ASSISTANCE**

#### **Duties of Volunteers**

Volunteers may assist certificated personnel in the performance of their duties, in the supervision of adults, 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. (Education Code 45343, 45344, 45349)

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)

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 Board Policy and the section below entitled "Volunteer 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)

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.

"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)

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

**VOLUNTEER ASSISTANCE (continued)**

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)

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.

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)

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)

**Volunteer Facilities Projects**

All volunteer facilities projects shall have approximate start and completion dates and must be approved by the principal in advance. Projects 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, playground equipment, benches, sprinkler systems, marquees or signs
7. Paving
8. Tree planting, pruning or removal

**VOLUNTEER ASSISTANCE (continued)**

The Superintendent or designee shall ensure that 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.

- (cf. 4222 - Teacher Aides/Paraprofessionals)
- (cf. 5148 - Child Care and Development)
- (cf. 5148.2 - Before/After School Programs)
- (cf. 4212 - Appointment and Conditions of Employment)
- (cf. 4212.5 - Criminal Background Check)
- (cf. 4127/4227/4327 - Temporary Athletic Team Coaches)
- (cf. 6145 - Extracurricular and Cocurricular Activities)
- (cf. 3515.5 - Sex Offender Notification)
- (cf. 4112.4/4212.4/4312.4 - Health Examinations)
- (cf. 3514 - Environmental Safety)
- (cf. 3514.1 - Hazardous Substances)
- (cf. 7140 - Architectural and Engineering Services)

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