

Board Policy
COMMUNITY RELATIONS

BP 1240 (a)

VOLUNTEER ASSISTANCE

The Hayward Unified School District Board of Education 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 and on school grounds also enhances supervision of students and contributes to school safety. Parents, guardians, and members of recognized volunteer groups, or those participating in established volunteer programs, will be actively encouraged to volunteer at District school sites. In no case may a volunteer be allowed to work one-on-one with a student when an employee is not present.

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 and fingerprinting for criminal background clearance. Volunteers shall work with students under supervision of certificated employees.

Volunteers shall act in accordance with district policies, regulations and school rules. Site Administration may ask any volunteer who violates school rules, Board Policies or Administrative Regulations to leave the campus. The Superintendent or designee shall be responsible for investigating and resolving complaints regarding volunteers.

Volunteer projects are not intended to replace the normal maintenance duties of classified staff. The Board nevertheless encourages volunteers to work on short-term projects that enhance the classroom or school, meet a specific need, comply with established building and safety codes, do not significantly increase maintenance workloads and comply with employee commitments and contracts.

Volunteer classroom assistants 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 who serve as high school coaches must meet all the requirements of a paid coach and follow all district procedures (BP 4127(a), BP 4227, BP 4327).

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

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Cross References:

(cf. 4127/4227/4327 - Temporary Athletic Team Coaches)
(cf. 0410 - Nondiscrimination in District Programs and Activities) (cf. 5144 - Discipline)
(cf. 6144 - Controversial Issues)

Legal Reference:

EDUCATION CODE

35021 Volunteer aides
35021.1 Automated records check
44010 Sex offense; definition
44227.5 Classroom participation by college methodology faculty
44814 Duty-free lunch periods 44815
Noncertificated supervision 45125
Fingerprinting requirements
45340-45349 Instructional aide act, especially:
45344.5 Instructional aide; proficiency in basic skills
45347 Instructional aides as classified employees
45349 Volunteers
45360-45367 Teacher aides
49406 Examination for tuberculosis

GOVERNMENT CODE

3543.5 Prohibited interference with employees' rights
96100-96114 Academic Volunteer and Mentor Service Act of 1992

HEALTH AND SAFETY CODE

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

LABOR CODE

3364.5 Persons performing voluntary services for school districts

PENAL CODE

290.4 Information re sex
CODE OF REGULATIONS, TITLE 22

101170 Criminal record clearance

COURT DECISIONS

Whisman Elementary School District, 15 Public Employee Reporter for California, 22043

Policy adopted: August 3, 1992
Revised: September 25, 2002
August 26, 2009
September 9, 2009
March 10, 2010

Hayward Unified School District
Hayward, CA

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Definitions

Volunteer non-teaching assistants may supervise students during lunch and/or breakfast periods or may serve as non-teaching assistants under the 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)

Volunteer instructional assistants 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 instructional assistant is assigned, may be performed by a person not licensed as a classroom teacher. These duties shall not include assignment of grades to students. An instructional assistant need not perform his/her duties in the physical presence of the teacher, but the teacher retains responsibility for the instruction and supervision of students in his/her charge. (Education Code 45343, 45344).

In no case is a lone volunteer allowed to work one-on-one with a single student without an employee present. Volunteers are also encouraged not to bring non students to the site during volunteer hours.

Facilities project volunteers may work on short-term facilities projects pursuant to Governing Board policy and this regulation.

**Qualification of Volunteers
Tuberculosis Testing**

All volunteers providing supervision or instruction to student shall submit evidence, at least once every four years, that they are free from active tuberculosis pursuant to Education Code 49406. (Education Code 45106, 45347, 45349, 49406)

All volunteers, including those working in child care and development programs shall be tested for tuberculosis within 60 days before or within seven days after the volunteer service begins. Staff shall also maintain annual follow up reports indicating that the volunteer is free from tuberculosis. (5 CCR 18168)

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VOLUNTEER ASSISTANCE

Definitions

Fingerprinting

All volunteers who supervise, direct, or coach student activity programs must obtain an Activity Supervisor Clearance Certificate (ASCC) from the Commission on Teacher Credentialing (CTC). Candidates for the certificate must complete the fingerprint process and meet the character and professional fitness requirements of the CTC by submitting to state and federal criminal record checks (AB1025).

Volunteer supervisors for breakfast, lunch, or other nutritional periods pursuant to Education Code (EC) §§44814 and 44815 and non-teaching volunteer assistants under the immediate supervision and direction of certificated personnel of the district pursuant to EC §35021 are exempt from the ASCC requirement but may still be subject to district fingerprint requirements as stipulated below.

Before authorizing any person to serve as a volunteer non-teaching assistant or a volunteer instructional assistant, the Human Resources Department shall conduct an automated records check or call the Department of Justice to determine that the individual is not a registered sex offender.

A parent or legal guardian may, under the direct supervision of a certificated employee of the district, volunteer in the actual classroom where his/her child is a student without being fingerprinted. Any volunteer classroom assistant who is not a parent or legal guardian of a child in the classroom or an employee of the district and who will serve as a volunteer instructional assistant or non-teaching assistant must be fingerprinted.

All volunteers in child care and development programs shall be fingerprinted for criminal record clearance if they have contact with children. (Health and Safety Code 1596.871).

Volunteers accompanying students in field trips or overnight trips must be fingerprinted.

Under no circumstances, shall any non-fingerprinted volunteer have unsupervised access to students.

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Volunteer Application Procedure

- a. Upon request, the school will provide each prospective volunteer with a volunteer application packet that is to be completed by the volunteer and submitted to the principal or his or her designee of the school site where the person requests to volunteer.
- b. The application packets will consist of an application form, supplemental questionnaire, and volunteer commitments/ policies form.
- c. Completed applications will be reviewed by the principal or his or her designee. If the volunteer meets the applicable requirements for volunteer service in the District, the principal or his or her designee will contact the prospective volunteer and ask them to contact the Human Resources Department for information on tuberculosis testing, and fingerprinting where applicable.
- d. Fingerprint results will be forwarded by the Department of Justice to the District's Human Resources Department. Tuberculosis test results should be provided to the Human Resources Department by the prospective volunteer. The Human Resources Department shall notify the principal-or his or her designee whether the prospective volunteer meets all-of the requirements for volunteer service in the District.
- e. The principal or designee will notify the prospective volunteer when they are approved to volunteer. No person shall be permitted to serve as a volunteer in the District until they are approved to provide volunteer service.
- f. All volunteers, including parents, will be required to sign in and sign out in the visitor/volunteer book, located in the main office at each school site. Teachers and staff shall refer any person who did not sign in the visitor/volunteer book back to the office.
- g. The Principal shall review the District's volunteer policy at the first staff meeting of the new school year.
- h. The principal shall monitor the use of volunteers at the site.

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Volunteers shall act in accordance with district policies, regulations and school rules. The District is under no obligation to accept, place, or continue the services of any volunteer. Site Administration may ask any volunteer who violates school rules, Board Policies or Administrative regulations to leave the campus. The Superintendent or designee shall be responsible for investigating and resolving complaints regarding volunteers. Parents will be informed by the site administration of their rights to appeal the decision using the Uniform Complaint process.

Cross References:

(cf. 4212 - Appointment and Conditions of Employment) (cf. 4222 - Teacher Aides/ Paraprofessionals)

(cf. 3514 - Environmental Safety)

(cf. 3514.1 - Hazardous Substances)

(cf. 7111 - Evaluating Existing Buildings)

(cf. 7140 - Architectural and Engineering Services)

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March 10, 2010

Hayward Unified School District

Hayward, CA

**Board Policy
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BP 1250(a)

VISITS TO THE SCHOOLS

The Governing Board encourages parents/guardians and interested members of the community to visit the schools.

Parents/guardians and the community are invited to open house activities and other special events, the Superintendent or designee shall develop procedures which facilitate visits during regular school days when all visitors must first register at the school office.

The principal or designee may refuse to register any visitor whose acts or presence he/she judges would disrupt normal school operations, threaten the health and safety of students or staff, or cause property damage. (Penal Code 627.4)

The Board recognizes that under California law, any person whose conduct materially disrupts classwork or extracurricular activities or cause a disturbance on school grounds may be guilty of a misdemeanor and subject to a fine, imprisonment, or both. (Education Code 44811, Penal Code 415.5) When such conduct occurs, the Superintendent or designee may take action leading to the imposition of these penalties.

Possession of unauthorized dangerous instruments, weapons or devices is prohibited on school premises, on any public right-of-way immediately adjacent to school property, or any other place where a teacher and student(s) are required to be in connection with assigned school activities.

Legal Reference: (See next page)