

TITLE: Volunteer Assistance	
Approved by: <u> <i>Rob Gregor</i> </u> <i>Rob Gregor, Superintendent of Schools</i>	Series: Community Relations Version: 2 Effective Date: 9/25/2023 Previous Policy Date: Unknown Revised By: Committee Policy Number: AR 1240

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)
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 Yuba County Office of Education (YCOE) or school operations as approved by the Superintendent or designee

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)

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)

Criminal Background Check

Prior to assuming a volunteer position working with students in a YCOE-sponsored student activity program, a volunteer shall obtain fingerprint clearance through the Department of Justice 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 YCOE or a school booster club, such as cheer team, drill team, dance team, and marching band. (Education Code 49024)

The Superintendent or designee shall determine which volunteer positions in YCOE programs 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 YCOE with sufficient information in order to allow verification of this status on the Department of Justice's Megan's Law web site.

No person who is required to register as a sex offender pursuant to Penal Code 290 shall be assigned as a volunteer to assist certificated personnel in the performance of their duties; supervise students during lunch, breakfast, or other nutritional period; or serve 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)

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)

The Superintendent or designee may exempt from the tuberculosis risk assessment and/or examination those volunteers 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 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:

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. YCOE shall provide on-site assistance and supervision for such projects as necessary.

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

Management Resources

Website
Website
Website

Description

[California State Parent Teacher Association](#)
[California Department of Justice, Megan's Law](#)
[California Department of Education, Parents/Family and Community](#)

State

22 CCR 101170
22 CCR 101216
Ed. Code 35021

Description

[Criminal record clearance](#)
[Health screening, volunteers in child care centers](#)
Volunteer aides

Ed. Code 35021.1	Automated records check
Ed. Code 35021.3	Registry of volunteers for before/after school programs
Ed. Code 44010	Sex offense; definition
Ed. Code 44814-44815	Supervision of students during lunch and other nutrition periods
Ed. Code 45125	Fingerprinting requirements
Ed. Code 45125.01	Interagency agreements for criminal record information
Ed. Code 45340-45349	Instructional aides
Ed. Code 45360-45367	Teacher aides
Ed. Code 48981	Parental notifications
Ed. Code 49024	Activity Supervisor Clearance Certificate
Ed. Code 49406	Examination for tuberculosis
Ed. Code 8482-8484.6	After School Education and Safety Program
Ed. Code 8484.7-8484.9	21st Century Community Learning Center program
Gov. Code 12940	Unlawful discriminatory employment practices
Gov. Code 3543.5	Prohibited interference with employees' rights
H&S Code 1596.7995	Immunization requirements for volunteers in child care center or preschool
H&S Code 1596.871	Fingerprints of individuals in contact with child day care facility clients
Lab. Code 1720.4	Public works; exclusion of volunteers from prevailing wage law
Lab. Code 3352	Workers' compensation; definitions
Lab. Code 3364.5	Authority to provide workers' compensation insurance for volunteers
Pen. Code 290	Registration of sex offenders
Pen. Code 290.4	Information re: sex offenders
Pen. Code 290.95	Disclosure by person required to register as sex offender
Pen. Code 626.81	Sex offender; permission to volunteer at school
PERB Decision	Whisman Elementary School District, (1991) PERB Decision No. 868

Cross References

Code

0430

0430

Description

[Comprehensive Local Plan For Special Education](#)

[Comprehensive Local Plan For Special Education](#)