VOLUNTEER ASSISTANCE
Policy of the Board of Education

The Governing Board 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.

(cf. BP 300.48 - Parent Rights and Responsibilities)
(cf. BP 400.36 - Parent Involvement)
(cf. BP 602.9.36 - After School Programs)
(cf. BP 400.46 - Title I Programs)

The Superintendent or designee shall develop and implement a plan for 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.

(cf. BP 300.50 - Relations Between Other Governmental Agencies and the Schools)

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.

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 in accordance with Education Code Section 35021.

Volunteers shall act in accordance with district policies, regulations, school rules, and/or instructions provided by the site administrator. At their discretion, volunteers may be asked to leave the campus by the site administrator for any lawful reason including but not limited to a violation of school rules. Employees responsible for supervising a volunteer also may confer with the principal or designee regarding any such volunteers. The Superintendent or designee shall be responsible for investigating and resolving complaints regarding volunteers.

(cf. BP 300.27 - Nondiscrimination)
(cf. BP 300.45 - Disruptions of District Service)

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

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 (Education Code 49024).

A volunteer who possesses a current Activity Supervisor Clearance Certificate from the Commission on Teacher Credentialing 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
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

EDUCATION CODE
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
VOLUNTEER ASSISTANCE
Policy of the Board of Education

Legal Reference: (Cont.)

CODE OF REGULATIONS, TITLE 22
101170 Criminal record clearance
101216 Health screening, volunteers in child care centers

UNITED STATES CODE, TITLE 20
1119 Qualifications and duties of paraprofessionals, Title I programs

Other References:
Whisman Elementary School District, 15 Public Employee Reporter for California, 22043
Commission on Teacher Credentialing Coded Correspondence
10-11 Information on Assembly Bill 346 Concerning the Activity Supervisor Clearance
Certificate (ASCC), July 20, 2010
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
National PTA: http://www.pta.org
National Coalition for Parent Involvement in Education: http://www.ncpie.org

Policy Adopted June 26, 1990
Revision Approved June 24, 2003
Revision Approved December 7, 2010
VOLUNTEER ASSISTANCE

Administrative Regulation

Supervision, as used in this administrative regulation, includes the acts of managing, directing, or overseeing students or projects. Instruction, as used in this administrative regulation, means teaching and training.

Duties of Volunteers

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 Section 45343, 45344, 45349).

(cf. BP 602.9.36 – 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).

An employee may not delegate to a volunteer responsibilities including, but not limited to: (a) evaluation activities; (b) the responsibility for the conduct and safety of students during school hours and school-sponsored activities and while students are using district transportation to and from school; and (c) the responsibilities to maintain the confidentiality/privileged status of information.

(cf. BP 400.12 - Reports to Parents of Student Progress)
(cf. BP 300.53 - Safety)
(cf. BP 601.1 - Conduct of Pupils)
(cf. BP 300.49 - Unauthorized Release of Confidential/Privileged Information)
VOLUNTEER ASSISTANCE
Administrative Regulation

Qualifications of Volunteers

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

(cf. BP 400.35 – Extracurricular/Cocurricular Activities)

The Superintendent or designee shall not assign any person required to register as a sex offender pursuant to Penal Code 290 as a volunteer in any capacity including as an instructional aide or as a volunteer nonteaching aide under the direct supervision of a certificated employee (Education Code Section 35021, 45349; Penal Code 290.95).

The Superintendent or designee shall require persons serving as volunteer instructional aides and nonteaching volunteer aides to certify they are not required to register as a sex offender pursuant to Penal Code 290.

(cf. BP 300.43 - Registered Sex Offender)

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 skin test negative shall thereafter be required to take a tuberculosis test every four years in accordance with Education Code Section 49406 (Education Code Section 45106, 45347, 45349 and 49406).

(cf. BP 500.12 - Health Examinations)
VOLUNTEER ASSISTANCE

Administrative Regulation

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 Section 49406).

Adopted June 26, 1990
Revision Approved June 24, 2003
Revision Approved December 7, 2010
Volunteer Assistance Form:
Instructional and Nonteaching Volunteers

Name: _______________________________ DOB: ___________________

Last       Middle       First

AKA (if any): ________________________________________________
Home Address: _______________________________________________
Home Phone: ___________________  Cell Phone: ___________________

Proof of Identity: ________________________________________________

I am willing to serve as a volunteer at the following school site(s):

________________________________________________________________________

I certify I am not required to register as a sex offender pursuant to California Penal Code 290.

If accepted to provide volunteer services, I pledge to act in accordance with district policies, regulations, and school rules.

I have read and understand the attached Notice to Volunteer Candidates.

I declare under penalty of perjury under the laws of the State of California that the foregoing information is true and correct.

________________________________________
Signature

Executed this _______ day of _________________________ 20___ at Bakersfield, California.

Staff Only

Received by School Official: ___________________________ Date: ___________________________

May 2003
Updated: December 2010

Exhibit 1, AR 604.11
Notices to Volunteer Candidates

1. The Governing Board and district staff encourage parents/guardians and other members of the community to share their time, knowledge, and abilities with the school and students. We believe that volunteer assistance in schools can enrich the educational program, enhance supervision of students, and contribute to school safety while strengthening the schools' relationships with the community. Volunteer services are provided in the Bakersfield City School District only when such services comply with applicable law, policy, and procedures.

2. Any volunteer working with students in a district-sponsored student activity program shall obtain an Activity Supervisor Clearance Certificate or submit to a criminal background check in accordance with Board Policy and Education Code section 49024. The Superintendent or designee shall determine which volunteer positions in the district are subject to this requirement.

3. 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 (Education Code Section 45106, 45347, 45349 and 49406).

   a. 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 Section 49406).

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

5. A person who is required to register as a sex offender pursuant to Penal Code 290 shall not serve as a volunteer in any capacity.

6. The Superintendent’s designee will screen volunteer candidates for eligibility to serve, will make the final determination of whether a volunteer candidate’s services are needed, and will decide when an acting volunteer’s services are no longer needed.

7. In his/her discretion, the Superintendent and any of the Superintendent’s designees (to include the school principal, and any employees who supervise volunteers) may ask any volunteer for any lawful reason including but not limited to for a violation of district or school rules to leave the campus. Upon receiving such a notice, the volunteer shall promptly and peacefully leave the campus.