

Fall River Joint Unified School District  
Policy 1240

COMMUNITY RELATIONS  
Volunteer Assistance

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. 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.

Education Code 45347 and 45349 require certain volunteers, depending on the types of duties they will be performing, to meet qualifications pertaining to basic skills proficiency, tuberculosis testing, and/or criminal background checks; see the accompanying administrative regulation. In addition, beginning July 1, 2010, Education Code 49024, added by AB 1025 (Ch. 379, Statutes of 2009), requires any volunteer who supervises, directs, or coaches a student activity program sponsored by or affiliated with the district to submit to a criminal background check and/or obtain an Activity Supervisor Clearance Certificate from the Commission on Teacher Credentialing.

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.

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 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.

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

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

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:

## 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>

National Coalition for Parent Involvement in Education: <http://www.ncpie.org>

National Parent Teacher Association: <http://www.pta.org>

(10/96 7/02) 3/10

Policy adopted: 4/7/80

Revised: 3/1/89, 10/7/98, 5/3/00, 3/24/04, 6/16/2010, 8/11/2010

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## Regulation 1240

### **Duties of Volunteers**

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)

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 of Volunteers**

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

Beginning July 1, 2010, Education Code 49024, added by AB 1025 (Ch 379, Statutes of 2009) and amended by AB 346 states that the requirement to obtain an Activity Supervisor Clearance Certificate is applicable to a paid or volunteer position to work with pupils in a pupil activity

program sponsored by a school district. A parent volunteering in a classroom or on a field trip or a community member providing non-instructional services is a nonteaching volunteer aide and is exempt from obtaining the Activity Supervisor Clearance Certificate. The requirement to obtain the Activity Supervisor Clearance Certificate does not apply to a candidate who is required by the school district to clear a Department of Justice and Federal Bureau of investigation criminal background check prior to beginning the paid or volunteer activities.

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. (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 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)

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)

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**

Pursuant to Labor Code 1720.4, volunteers are exempt from laws requiring workers employed in public works projects (e.g., construction and repair work) to be paid not less than the general prevailing rate of per diem wages.

All volunteer facilities projects shall have approximate start and completion dates and shall be approved by the principal in advance.

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.

Volunteers shall:

1. Be approved by the Governing Board
2. Provided evidence that they are free from active tuberculosis
3. Complete a Volunteer Application
4. File a loyalty oath pursuant to Government Code 3100 et seq
5. Pass DOJ/FBI fingerprint clearance
6. For volunteer / walk on coaches working with students on a consistent basis:  
Pass a physical screening at a facility that is at the discretion of the district / worker's comp.

(10/97 7/02) 3/10, 9/23

Adopted: 6/16/2010, revised 9/13/2023

## VOLUNTEER APPLICATION

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

CHILD'S NAME \_\_\_\_\_

RELATION TO CHILD \_\_\_\_\_

PHONE NUMBER \_\_\_\_\_

DRIVER'S LICENSE NUMBER \_\_\_\_\_

How often would you like to volunteer? \_\_\_\_\_

When are you available? \_\_\_\_\_

Please check areas you are interested in:

- ☐ Working with individuals
- ☐ Working with small groups
- ☐ Clerical tasks
- ☐ Making instructional materials
- ☐ Chaperoning field trips
- ☐ Helping with class parties
- ☐ Making class presentations (your job, travels, hobby....)
- ☐ PTA Room Representative
- ☐ Athletic coach

I am volunteering to serve in the Fall River Joint Unified School District. I give my consent for the Fall River Joint unified School District to conduct a background investigation on me.

\_\_\_\_\_  
Signature of Volunteer

\_\_\_\_\_  
Date