

CSBA Sample Board Policy Volunteer Assistance

Use CSBA Sample As Is

BP 1240
Community Relations

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. 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. 6020 - Parent Involvement)
- (cf. 6171 - Title I Programs)

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 to students and/or make appropriate referrals to community organizations.

- (cf. 1020 - Youth Services)
- (cf. 1400 - Relations Between Other Governmental Agencies and the Schools)

***Note: Government Code 12940, as amended by AB 1443 (Ch. 302, Statutes of 2014), prohibits harassment of a volunteer on the basis of the characteristics listed below. Also see BP 0410 - Nondiscrimination in District Programs and Activities. ***

Comment [WT1]: Revision to law

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)

- (cf. 0410 - Nondiscrimination in District Programs and Activities)

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 work shall be limited to those projects that do not replace the normal 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 and comply with employee negotiated agreements.

(cf. 4141/4241 - Collective Bargaining Agreement)

***Note: 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. ***

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.

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.

(cf. 3515.2 - Disruptions)

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

(cf. 1150 - Commendations and Awards)

The Superintendent or designee shall periodically report to the Board regarding the district's volunteer assistance program.

(cf. 0500 - Accountability)

Workers' Compensation Insurance

***Note: The following optional section is for use by districts that choose to extend workers' compensation insurance to volunteers as authorized, but not required, pursuant to Labor Code 3352 and 3364.5. Labor Code 3364.5 requires that the Board adopt a resolution to provide such insurance to volunteers. ***

The Board desires to provide a safe environment for volunteers and minimize the district's exposure to liability.

Upon the adoption of a resolution by the Board, volunteers shall be entitled to workers' compensation benefits for any injury sustained while engaged in the performance of service for the district. (Labor Code 3364.5)

(cf. 3530 - Risk Management/Insurance)
(cf. 4157.1/4257.1/4357.1 - Work-Related Injuries)

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
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
45360-45367 Teacher aides
48981 Parental notifications
49024 Activity Supervisor Clearance Certificate
49406 Examination for tuberculosis

GOVERNMENT CODE

3543.5 Prohibited interference with employees' rights
12940 Prohibited discrimination and harassment

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
3352 Workers' compensation; definitions
3364.5 Authority to provide workers' compensation insurance for volunteers

PENAL CODE

290 Registration of sex offenders
290.4 Information re: sex offenders
290.95 Disclosure by person required to register as sex offender
626.81 Sex offender; permission to volunteer at school

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

PUBLIC EMPLOYMENT RELATIONS BOARD 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>

Commission on Teacher Credentialing: <http://www.ctc.ca.gov>

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