**Superintendent’s Policies and Procedures Manual SP 1240.00**

***Yolo County Office of Education* Page 1 of 3**

**Series 1000: Community Relations**

**Volunteer Assistance**

**Classroom Volunteers**

The Yolo County Superintendent of Schools (“Superintendent”) recognizes the wealth of experience available in the community which can benefit educational programs. Community volunteers are a resource that should be used in appropriate ways to enrich the educational program offered by the Yolo County Office of Education (“YCOE”) and to strengthen relationships with families, businesses, public agencies, and private institutions. Volunteers can make school environments safer by assisting in supervision and richer by participating in a full range of activities. The Superintendent encourages parents/guardians and other members of the community to share their time, knowledge, and abilities with students.

The Superintendent authorizes the use of volunteers following established procedure to ensure the safety of both students and volunteers and directs that volunteers act in accordance with YCOE policies and procedures. Appropriate department administrators shall establish and oversee the use of volunteers in the YCOE programs under their discretion.

The YCOE 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.) This shall also include a prohibition of harassment on the basis of immigration status. (Cal. Code Regs. tit. 2 § 11028.)

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. (Education Code 35021.) The YCOE nevertheless encourages volunteers to work on short-term projects to the extent they enhance the classroom or school and comply with employee negotiated agreements.

All volunteers that work with students in a YCOE-sponsored activity program, with the exceptions listed below, must clear a Department of Justice (“DOJ”) and Federal Bureau of Investigation (“FBI”) criminal background check and tuberculosis testing prior to beginning the volunteer duties. (Education Code 45347, 45349, 35021.)

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.

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 aid 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 they 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.)

The Superintendent or designee may require all volunteers to disclose their status as a registered sex offender and/or provide the YCOE with sufficient information in order to allow verification of their status on the DOJ’s Megan’s Law website.

No volunteer shall be assigned to supervise or instruct students unless they have submitted evidence of an examination within the past 60 days to determine that they are 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.)

The Superintendent or designee may exempt those volunteers from tuberculosis testing requirements who serve less than a school year and whose functions do not require frequent or prolonged contact with students. (Education Code 49406.)**Volunteers for Special Activities**

Individuals who volunteer for the Academic Decathlon, spelling bees, and/or other limited-term activities are exempt from many of the mandated requirements, such as security checks and tuberculin testing. (Education Code 35021, 45349; Health and Safety Code 1596.871.) Moreover, unless the Superintendent or designee decides otherwise in a specific instance, the following categories of individuals when serving as volunteers under the direct supervision of a credentialed employee are not required to be fingerprinted or obtain tuberculin testing: non-teaching volunteer aides (Education Code 49024); parents volunteering in a classroom or on a field trip; community members providing non-instructional services; volunteer supervisors for breakfast, lunch, or other specified nutritional periods (Education code 44814 and 44815); and students who are enrolled in a YCOE program or in a cooperating district in the case of after school programs. Private or public employers providing internships are also exempt from fingerprint requirements unless required by the Superintendent or designee.

**Workers’ Compensation Insurance**

The YCOE desires to provide a safe environment for volunteers and minimize the YCOE’s exposure to liability.

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

**Annual Recognition**

Volunteers will be recognized in June at the YCOE Meeting.

**Legal References:**

Education Code, 35021, 44814, 44815, 45106, 45347, 45349, 49024, 49406

Government Code, 12940

Health and Safety Code, 1596.871

Labor Code, 3364.5

Penal Code, 290.95

California Code of Regulations. Title 2, 11028

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