

AP 7500 Volunteers

References:

Education Code Sections 72401, 87010, 87011, and 88249;
Government Code Section 3119.5

Purpose and Scope

The purpose of this procedure is to outline the District policy on volunteers. Each volunteer is subject to the screening process set forth in this policy, with the following exceptions:

1. Volunteers serving in single day college events.
2. Individuals serving as volunteers in Associated Student Organization officer positions at the colleges. ASO officers are not entitled to defense and indemnity by the District.

The Superintendent/President may authorize suspension of the screening process when he/she believes that this process is not necessary for the volunteers serving in the particular event.

General

The District may enter into agreements with outside organizations to provide volunteers to the District to work at college locations. Such agreements will contain appropriate defense and indemnification language to protect the district from liability in connection with the volunteer services. All agreements for volunteers require approval of Superintendent/President. No person may enter into an agreement for volunteer service without expressed consent of Superintendent/President.

Volunteers serve the District in an "at will" capacity. The District may terminate a volunteer's services for any reason or no reason at all.

Pursuant to Government Code Section 3119.5, no person aged 60 years or older may be excluded from volunteer service if the person is physically, mentally and professionally capable of performing the services involved. A person shall be deemed "professionally capable" if he/she can demonstrate reasonable proficiency or relevant certification and performs his/her professional duties in accordance with laws, regulations or the technical standards that govern his/her area of volunteer responsibility.

Volunteers may not be used in lieu of classified employees. The District may not refuse to employ a person in a vacant classified position and use volunteers instead, nor may it abolish any classified positions and use volunteers instead.

Approval

All volunteer requests must be submitted to the Superintendent/President by the supporting administrator of the area for approval. No volunteer is authorized to perform services without consent of Superintendent/President.

Screening

The District shall use a written application form that requires, at a minimum, the volunteer's name, address, phone number and history of convictions.

A volunteer's service record shall be maintained by the District.

Subject to the limitations of this policy, employees assigned to other positions within the District may serve as volunteers during off-hours.

Fingerprints of each volunteer are required. Volunteers with on-going assignments and volunteers who interact with minors shall be required to provide a complete set of fingerprints for the purpose of running a criminal background check.

No person may serve as a volunteer in the District if:

1. He/she has been convicted of or if he/she has charges pending which pertains to any sex offense (as defined in Education Code Section 87010), or controlled substance offense (as defined in Education Code Section 87011).
2. He/she has been convicted of a crime and the Superintendent/President or designee determines that: the nature of the crime is too serious to serve as a volunteer; the crime was too recent; and/or the crime is inconsistent with obligations in performing assigned duties as a volunteer.
3. He/she is unable to satisfactorily performing essential duties of the position.
4. He/she makes a false statement or omits a statement as to any material fact on the application form.

Incidental Expenses

Persons serving without pay as volunteers may receive reimbursement for incidental expenses.

Benefits

Volunteers are employees of the District only for the purpose of worker's compensation benefits for injuries sustained while engaged in the performance of any service under the direction and control of the District. With the exception of worker's compensation (Education Code Section 72401), volunteers shall serve without any type of compensation or any other benefits granted to district employees. Volunteers shall not be entitled to defense and indemnity from the District.