

BP 6500 VOLUNTEERS

References:

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

The Board of Trustees encourages the use of volunteers throughout the District.

Pursuant to Board Resolution No.41-08/09, certain classes of individuals may be registered as volunteers and designated as employees of the District only for the purpose of workers' compensation and liability coverage while engaged in the performance of any service under the direction and control of the District. 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.

The District may enter into agreements with outside organizations to provide volunteers to the District to work at District locations. Such agreements will contain appropriate defense and indemnification language to protect the District from liability in connection with the volunteer services.

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

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 the person can demonstrate reasonable proficiency or relevant certification and performs the professional duties in accordance with laws, regulations, or the technical standards that govern the volunteer's area of 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.

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

- The person has been convicted of, or 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);
- The person has been convicted of a crime and the Department of Human Resources and Employee Relations 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;
- The person has a health condition that would preclude the person from satisfactorily performing essential duties of the position; and/or
- The person makes a false statement or omits a statement as to any material fact on the registration/application form.

Screening

Each volunteer is subject to a screening process set forth in Administrative Procedure 6500 Volunteers, with the following exceptions:

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

Expenses

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

Termination

The District reserves the right to terminate the services of volunteers for any reason, or no reason at all.

Date Adopted: May 19, 2009

Revised: September 19, 2023

Formerly: 7500

AP 6500 VOLUNTEERS

References:

Education Code Sections 72401, 87010, and 87011;
Government Code Section 3119.5
Labor Code Section 3364.5

Volunteer Registration/Application Form

The volunteer registration/application form shall include, at a minimum, the volunteer's name, address, phone number, history of convictions, the dates of service the volunteer will be utilized, the department/program utilizing the services of the volunteer, and any other applicable information deemed necessary by the District. The form shall also include the group or class of volunteer which qualifies them for designation as an employee, as authorized by Board Resolution No. 41-08/09. Forms are available from DHR.

Volunteer Registration Process

The department/program seeking volunteer status for individuals shall require the volunteer to complete a registration/application form, which shall be submitted to Diversity and Human Resources (DHR) for processing by the Department/program.

Volunteers shall be registered with the District for a maximum period of six (6) months, at which time the registration must be renewed, by having the volunteer complete a new form.

The Board Resolution authorizes the Vice Chancellor, DHR to approve volunteers. All completed volunteer forms shall be maintained by DHR for a period of two years after the volunteer has completed the volunteer service.

Screening

A criminal background check of each volunteer may be required, which may include fingerprinting. Volunteers with on-going assignments, and volunteers who interact with minors, shall be required to provide a complete set of fingerprints.

In instances where it is deemed necessary that a volunteer needs to be fingerprinted, the volunteer will be directed to DHR for fingerprinting. Should the results of the fingerprinting disclose that the volunteer has a conviction record, DHR will review the results to determine whether the crime was too serious to serve as a volunteer; the crime was too recent; or the crime is inconsistent with the obligations in performing

assigned duties as a volunteer. After fingerprinting, DHR will notify the department/program requesting the volunteer status whether the volunteer may serve in the assigned duties.

All volunteers working in Early Childhood Education are required to have a current tuberculosis test to determine that they are free of active tuberculosis.

The Vice Chancellor, Human Resources & Employee Relations, or designee, may authorize suspension of the processing of a volunteer when he/she believes that they do not meet the eligibility requirements or background check for them to serve as a volunteer. The District may terminate a volunteer's services for any reason or no reason at all.

Reimbursement for Incidental Expenses

When it is determined, by the department/program where the volunteer is assigned, that the volunteer is to be reimbursed for incidental expenses, the volunteer shall submit receipts to the department/program, who will complete the necessary paperwork for the reimbursement and process it through the District's accounting department.

Office of Primary Responsibility: Vice Chancellor, Human Resources & Employee Relations

Administrative Approval: June 1, 2009
Formerly: 7500