



Dr. Kirk Nicholas
Superintendent

Governing Board Members

Mr. David Pombo, President – Mr. Matthew D. Balzarini, Clerk
Ms. Sharon Lampel – Mr. Shane Nielson – Mrs. Micaela Vergara

December 1, 2014

To: All Lammersville Unified Volunteers

From: Dr. Kirk Nicholas, Superintendent

Regarding: Volunteering in our Schools

Dear Parents and Community Members:

Our community is special because we have great students, a wonderful staff, and dedicated parents. A huge contributor in making LUSD such a wonderful place is the involvement of our community in our schools. Volunteers are a very important partnership in our District. We have to build and provide successful opportunities for our community members who want to give back to our students. Our success in doing this together enables us to prepare students with the 21st century skills needed for their future. The LUSD Governing Board adopted a revised policy and administrative regulation for volunteers (BP/AR/E 1240 Volunteer Assistance). We are committed to provide volunteer opportunities to all that are interested and eligible. In addition, our Board Policy helps to ensure the safety of our students by providing a structure that supports the safest learning environment.

This new policy streamlines our volunteer screening districtwide. All volunteers will need to complete the Volunteer Application Request Form Exhibit 1240; this also includes a statement of confidentiality for School Volunteers. There are two levels of volunteer clearance: Level A - Help in parent workroom, office, library, classroom or fieldtrip with presence of district staff, no direct work with students; Level B – Field trip, event chaperone, help on playground, lunch area, or parking lot (May be left alone with students, or pull student out in a separate place). Both levels of clearance require a recent clear Tuberculosis Test and National Registry check. Level B also includes a fingerprint clearance with the Department of Justice, which will require volunteers to pay a one-time fee.

We are currently operating under this new regulation and process for volunteers and will require all volunteers to have a Level A or Level B clearance by January 1, 2015.

We understand that this change will require some additional steps and costs for you. If you have any questions regarding this process, please contact your school secretary. Included with this letter are the updated policy, regulation, and forms. Please let us know what we could do to ensure a smooth transition for our valued volunteers.

Sincerely,

Dr. Kirk Nicholas
Superintendent

Lammersville USD

Board Policy

Volunteer Assistance

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. 5148 - Child Care and Development)

(cf. 5148.2 - Before/After School Programs)

(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)

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.

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

Qualifications

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.

Prior to assuming a volunteer position to work with students in a district-sponsored student activity program, a volunteer shall obtain both a Department of Justice and Federal Bureau of Investigation criminal background check through the district. (Education Code 49024)

A volunteer who possesses a current Activity Supervisor Clearance Certificate from the Commission on Teacher Credentialing, issued prior to July 9, 2010, shall have satisfied district requirements for the criminal background check. (Education Code 49024)

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

45125.01 Interagency agreements for criminal record information

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:

COMMISSION ON TEACHER CREDENTIALING CODED CORRESPONDENCE

10-11 Information on Assembly Bill 346 Concerning the Activity Supervisor Clearance Certificate (ASCC), July 20, 2010

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>

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

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

Policy LAMMERSVILLE UNIFIED SCHOOL DISTRICT

adopted: September 22, 2010 Mountain House, California

revised: October 1, 2014 Mountain House, California

Lammersville USD

Administrative Regulation

Volunteer Assistance

AR 1240

Community Relations

Duties of Volunteers

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) (cf. 4222 - Teacher Aides/Paraprofessionals) (cf. 5148 - Child Care and Development) (cf. 5148.2 - Before/After School Programs)

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."

Process

All persons interested in becoming a volunteer must begin by completing the Volunteer Application Request Form and Confidentiality Agreement, E 1240.

Basic Skills Proficiency

Volunteers providing supervision or instruction of students pursuant to Education Code 45349 shall give evidence of basic skills proficiency. (Education Code 45344.5, 45349) (cf. 4212 - Appointment and Conditions of Employment)

Fingerprinting

Volunteer classroom helpers shall undergo fingerprinting pursuant to Education Code 45125. All volunteers in the "B" category need fingerprint clearance, at their own expense, prior to any volunteer activities.

Any volunteer working with students in a district-sponsored student activity program shall obtain an Activity Supervisor Clearance Certificate or criminal background check in accordance with Board policy. The Superintendent or designee shall determine which volunteer positions in the district are subject to this requirement.

(cf. 4212.5 - Criminal Background Check)

"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, including parents/guardians volunteering in a classroom or on a field trip or community members providing noninstructional services. (Education Code 49024)

(cf. 4127/4227/4327 - Temporary Athletic Team Coaches)

(cf. 6145 - Extracurricular and Cocurricular Activities)

Sex Offender Checks

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)

(cf. 3515.5 - Sex Offender Notification)

The Superintendent or designee may require all volunteers to disclose their status as a registered sex offender and/or provide the district with sufficient information in order to allow verification of this status on the Department of Justice's Megan's Law web site.

Tuberculosis Testing

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)

(cf. 4112.4/4212.4/4312.4 - Health Examinations)

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

All volunteer facilities projects shall have approximate start and completion dates and shall be approved by the principal in advance. Projects also shall be approved in advance by the Superintendent or designee if they involve the following types of work:

1. Alterations, additions, or repairs to buildings and grounds

2. Construction involving wall or roof penetration, drilling, or nailing
3. Structural modifications
4. Electrical, electronic, plumbing, or heating and cooling work
5. Painting
6. Installation of carpet, playground equipment, benches, sprinkler systems, marquees or signs
7. Paving
8. Tree planting, pruning, or removal

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.

(cf. 3514 - Environmental Safety)

(cf. 3514.1 - Hazardous Substances)

(cf. 7140 - Architectural and Engineering Services)

Regulation	LAMMERSVILLE UNIFIED SCHOOL DISTRICT
approved:	September 22, 2010 Mountain House, California
revised:	October 1, 2014 Mountain House, California



Volunteer Application Request Form

Exhibit 1240

111 S. De Anza Blvd, Mountain House CA, 95391 • Tel (209) 836-7400 • Fax (209) 836-7402

INSTRUCTIONS:

Please fill out this form completely. Type or print in ink. Sign the form at the bottom. *A current TB test must be attached. This application and any attachments become the property of Lammersville Unified School District.

Name: _____
 Last First Email Address

Address: _____
 Number & Street City Zip Phone Number

Male Female Birthdate: _____ CA Drivers License: _____

List the name of the school(s) in which you plan to volunteer. Make a copy of this form for each site.

School Site(s): _____ Teacher's Name: _____

School Site(s): _____ Teacher's Name: _____

Other: _____

Student's Name(s): _____

List proposed type of volunteering (check all that applies):

- A - Help in parent workroom, office, library, classroom or fieldtrip with presence of district staff, no direct work with students
- B - Fieldtrip, event chaperone, help on playground, lunch area, or parking lot. May be left alone with students, or pull student out in a separate place.

Are you physically able to perform the volunteer functions with or without accommodation? Yes _____ No _____

Prior Experience: Please list below any prior experience in which you have been working as a volunteer:

Have you ever been convicted of a felony or misdemeanor, or do you currently have a felony or misdemeanor charge pending? Convictions include a plea of guilty nolo contendere (no contest) and/or a finding of guilty by a judge or a jury. (Exclude convictions for marijuana-related offenses for more than two years old.) Yes _____ No _____

If "Yes," attach a list of all convictions including, but not limited to convictions for "driving under the influence," and convictions for sex and/or drug offenses listed in California Education Code Sections 44010 and 44011, except for convictions related to marijuana if it is more than two years after the date of the conviction. Include any serious or violent felony conviction in any state or jurisdiction as enumerated in California Penal Code sections 667.6 (c) and 1192.7 (c). (Use a separate sheet of paper to explain details – a conviction will not constitute an automatic bar from selection as a volunteer).

I HEREBY CERTIFY that all statements made hereon are true and correct and authorize investigation of all statements herein recorded. I release from all liability persons and organizations information required by this application.

Signature of Applicant

Date

Obtain Teacher and Principal Signatures

Volunteers shall not be used to displace regularly authorized school personnel (Education Code 35021). Projects assigned to volunteers are those which supplement and enrich the regular school program and which would not be offered without volunteer assistance. Volunteers shall work under the immediate supervision of a regular District employee.

Teacher/Supervisor		Date:		Approved:	Yes	No	
Principal/Administrator		Date:		Approved:	Yes	No	

THIS SECTION IS FOR TRACKING PURPOSES ONLY

Fingerprint Verification (Volunteer B) _____ Megan's Law Verification: _____
 TB results received (Volunteer A & B) _____ TB Results Expire: _____ Entered into database: _____



Volunteer Application Request Form

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Statement of Confidentiality for School Volunteers

I, _____, am willing to be a volunteer at Lammersville Unified School District. Volunteers are vital to the success of our program. All school volunteers are expected to maintain confidentiality while working in the school. All things that are seen and heard at school about children and their families should be considered privileged information. Trust must be established and maintained in order for this volunteer program to be successful. Volunteers can strengthen the bond between themselves and the school by following these guidelines:

- Treat all student information as personal and confidential regardless of source.
- Communicate relevant information about students to the respective classroom teacher or principal.
- Seek clarification of unusual situations that occur in the school from the person(s) involved and avoid discussing such matters with non-school personnel.
- Retain a sense of perspective regarding comments heard and actions observed.
- Understand that not all information can and will be shared with volunteers, due to legal considerations.
- Deal impartially with students regardless of background, intelligence, physical or emotional maturity.
- Do not discuss student progress or behavior **with the parent**. All relevant information should be referred to the teacher or principal. Direct inquiries about students to the professional staff.
- Speak constructively of all school staff; however, report difficulties involving the welfare of students or school to the principal.
- The district has a hands-off policy and physical restraint of students is not allowed unless the safety and health of the student or others is in jeopardy.
- Do not discuss confidential information with anyone. This information includes, but is not limited to:
 - Scholastic and health records
 - Test scores and grades
 - Discipline and classroom behavior
 - Character traits of children
- All volunteers are required to sign a statement of confidentiality

Discipline

Discipline of students is solely the responsibility of the teacher in charge. Volunteers should in no way discipline students. Should students misbehave in your presence, you should report this immediately to the teacher in charge. The teacher will then determine the necessary course of action. Also note that we expect students to treat volunteers with the same level of respect given to other school personnel. If you feel that the students are not being respectful towards you, do not hesitate to discuss the matter with the teacher or principal.

I understand that in the course of my association with the Lammersville Unified School District, I share the responsibility of maintaining the confidentiality of any employee or student information that I may have available to me. I understand that it is my responsibility to assure rights and confidentiality of information both written and verbal.

I further understand that in the performance of my duties, I am not to discuss academic or other confidential information regarding student or employees with anyone. Any breach of confidentiality will be carefully reviewed and if substantiated may result in termination of volunteer involvement with the School District.

I acknowledge that I have read and understand this statement of confidentiality.

Volunteer Signature

Date



Volunteer Application Request Form

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