

**POWAY UNIFIED SCHOOL DISTRICT  
ADMINISTRATIVE PROCEDURE**

**Originator:** Superintendent

**Issue No:** 1

**Date:** 5/19/03

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**ARTICLE: 4.0 PERSONNEL SUPPORT SERVICES**  
**4.4 MANAGEMENT PERSONNEL**  
**4.415 VOLUNTEER ASSISTANCE**

**Reference:** EC 35160.1, 32212, 35021,  
35160, 44010, 49406; PC  
290.95, 11105; LC 3364.5

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**SECTION 4.415.1 Volunteer Guidelines**

**Introduction**

The District recognizes and acknowledges the service volunteers and mentors contribute and the additional responsibilities of ensuring the health and safety of the students they serve. They provide an array of services that promote the health and well-being of children. The presence of volunteers and mentors in the classroom and on school grounds enhances supervision of students and contributes to a positive school environment.

Volunteers shall be provided with information about school programs and practices and shall receive an orientation and other training related to their specific responsibilities as appropriate. Employees who supervise volunteers shall ensure that volunteers are assigned meaningful responsibilities that capitalize on their skills and expertise and maximize their contribution to the educational program.

Volunteers and guests shall not pass beyond the principal's office or the school's designated sign-in station unless accompanied by a school representative, or authorized by the principal or his/her designee.

**Definitions**

1. A **visitor** is defined as an individual who, with school district authorization, attends a student performance, special event, festival, open house, back-to-school event, sports event, athletic competition, etc. A visitor may either be accompanied or unaccompanied by school district staff. Designated school district administrative personnel are to make this determination. A visitor is usually not required to sign a registry.
2. A **guest** is defined as an individual who, with school district approval, assists students, schools, and teachers on a non-regular basis or who individually observes a classroom or activity. A guest may also assist with educational programs or with special events on an occasional or infrequent basis. A guest shall immediately report his or her presence at the school office or at the designated school location upon arrival at the school and sign a guest registry.
3. A **volunteer** is defined as an individual who, with school district authorization, voluntarily assists school districts, schools, educational programs, or students on a regular and ongoing basis. A volunteer is required to complete a Volunteer Application and have a Megan's Law Background Check or a State and/or Federal Background Check completed prior to rendering service. Volunteers must also sign the Volunteers' Code of Conduct.

**Guidelines For School Guest Security**

**School Guest Security:** School sites shall require school guests to sign a Guest Registry in the school office or at a designated location before guests can visit classrooms or school grounds. The Guest Registry shall include the first and last name of the guest, the date, the location where they

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will be, the reason they are visiting the school, the time they reported, and the time they checked out. In addition, guests shall provide his or her driver's license number and the State where issued or other form of picture identification.

The following statement shall appear at the top of the guest registry:

"It is possible that as a guest you may have more than occasional or infrequent contact with students. Under Penal Code 290.95 you are required to disclose to school officials if you are a registered sex offender. Your failure to disclose this fact could result in your arrest, prosecution, and likely fine and imprisonment. By placing your name below, you declare under penalty of perjury, that you are not required, pursuant to Penal Code 290.95, to disclose to school officials that you are a registered sex offender, and that you have not suffered convictions for sex or drug related offenses or for crimes of violence, and there are no criminal charges pending against you."

Parent visitations to their children's classroom are to be approved by the principal in consultation and agreement with the classroom teacher(s). This arrangement should be one day in advance at the minimum, to ensure that the visit does not interfere with the learning process or classroom program.

The length and time of visitations must be clearly established by the principal and teacher and should not exceed a single class period.

Parents visiting classrooms should not engage in conversations with the teacher during the lesson, nor should they engage in conversation or questioning of students or examining of student work. This is necessary to protect student and parent rights to privacy as well as the basic need to maintain a learning environment which is not constrained by outside influences.

**Examples of a guest** include individuals who participate in the Read Across America Program; Grandparent's Day; Principal For the Day program; class parties; class or ASB projects such as Grad Night, transporting/chaperoning students, class projects, individually observing a classroom, etc.

**Guidelines For School Volunteer Security****Level I – Volunteer Security**

1. School districts shall require school volunteers to complete a Volunteer Application prior to being allowed to participate as a volunteer. Clearance must be obtained prior to service.
2. A Level I volunteer should have a Megan's Law background check.
3. A Level I volunteer shall have a tuberculosis clearance before being allowed to volunteer.
4. **Examples of Level I Volunteers** include classroom volunteers serving under the supervision of teachers, library volunteers, etc.

**Level II - Volunteer Security**

1. School volunteers, who may have the opportunity for significant unsupervised contact with students, shall complete a Volunteer Application and have a California Department of Justice (DOJ) Background Verification Check conducted. All clearances must be obtained prior to service.
2. Volunteers, who have been in the State of California for more than one (1) year, shall have a California Department of Justice (DOJ) Background Verification Check. Volunteers, who

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have been in the State of California for less than one (1) year, shall have either a National Verification Background Check (to be completed by the Federal Bureau of Investigation) or an individual background reference check conducted by the appropriately designated administrators. The background reference check should include the last school where the individual volunteered.

3. Walk-on coaches shall be required to have a California Department of Justice Background Verification Check and a National Verification Background (Federal Bureau of Investigation) Check.
4. A tuberculosis clearance is required.
5. **Examples of Level II Volunteers** include volunteer walk-on coaches and mentors, safety patrol coordinators, volunteer band instructors, and others who may do volunteer work in isolation with students.

**Volunteer Application**

1. The Volunteer Application shall include:
  - a. Proof of Identification: Driver's license or physical description (if they cannot produce a driver's license).
  - b. If the volunteer has ever been convicted of a serious, violent, or drug crime or if charges are pending.
  - c. If the volunteer has ever been required to register as a sex offender.
2. Required statement on the Volunteer Application:

"It is possible that as a volunteer you may have more than occasional or infrequent contact with students. Under Penal Code 290.95 you are required to disclose to school officials if you are a registered sex offender. Your failure to disclose this fact could result in your arrest, prosecution, and likely fine and imprisonment. By placing your name below, you declare under penalty of perjury, that you are not required, pursuant to Penal Code 290.95, to disclose to school officials that you are a registered sex offender, and that you have not suffered convictions for sex or drug related offenses or for crimes of violence, and there are no criminal charges pending against you."

**Checking Volunteer Backgrounds**

1. The District shall designate and train school district personnel to run Megan's Law checks. This would assist in identifying registered sex offenders in a timely manner prior to individuals serving as school volunteers.
2. The District shall distribute volunteer applications via student information packets at the start of the year to conduct Megan's Law checks. District-trained employees, to better ensure the safety of students, shall run Megan's Law check on volunteers. This will allow volunteers to be used anywhere in the district and will prevent multiple Megan's Law checks on the same individual.
3. The Volunteer Application shall include a statement that criminal background and personal and professional references may be checked. The volunteer applicant should sign a release form releasing the district from liability for checking criminal background and references. The individual or organization providing the references should also be released from liability.
4. Individuals are legally entitled to certain privacy rights. References and background questions should be directly related to the volunteer's work. References need to be

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conducted in the strictest confidence. Due to potential district liability, if background checks are to be conducted, they will be conducted on a limited basis.

**District Guidelines For Approving The Use Of Volunteers**

1. The District shall set up a clearinghouse to confirm volunteer clearance.
2. The district shall determine if an individual volunteer has frequent or infrequent contact with students.
3. Each school shall maintain a Volunteer Registry. The Volunteer Registry shall include the following:
  - a. Volunteer's first and last name
  - b. Driver's license or physical description
  - c. Date volunteered
  - d. Volunteer location
  - e. Time logged in and logged out
4. The Volunteer Application, Volunteer Registry, and Guest Registry shall be declared class three records. The District clearinghouse center shall maintain the records for a minimum of three to five years.
5. The District clearinghouse center shall have the responsibility of informing school site administrators when volunteers are no longer eligible to volunteer.
6. Individuals who transport students on field trips shall be declared guests and the following procedures shall be implemented:
  - a. Guests transporting students on field trips shall register their driver's license and automobile insurance policy with the District.
  - b. The one seatbelt per passenger rule shall be enforced.
  - c. Students shall not be allowed to ride in the front seat with guest drivers, unless the student is the child of the guest driver.
  - d. Guest drivers will be required to depart, travel, arrive, and return as a caravan (except where it has been declared too dangerous to travel as a caravan, and then require guest drivers to follow in close proximity).
  - e. Guest drivers shall not use cell phones while transporting students.
  - f. Two adults shall be assigned to a group of students, whenever possible.

**Tuberculosis Requirements**

The Education Code of the State of California requires that all persons who work with children be tested and found to be free of tuberculosis. School volunteers at Levels I and II should not begin work until they have submitted evidence of an examination within the past sixty (60) days to determine that they are free of active tuberculosis. A tuberculin test is valid for four (4) years. Public health departments can also administer tuberculin tests without cost.

**Superior Court Criminal Records**

Criminal background checks may be done on volunteers through the Superior Court.

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**Restricted Use of Volunteers**

To the extent prohibited by law or contract, volunteers may not be used to replace District personnel who have been reduced in hours or laid off.

**Workers' Compensation and School Volunteers**

1. Pursuant to Education Code Section 35160.1 and Labor Code Section 3364.5, by resolution of the board of trustees, volunteer unsalaried workers may be deemed employees of the district for the purpose of bringing such workers within the Workers' Compensation coverage provided by the district when driving their own vehicle for field trips with students as passengers.
2. To qualify for Workers' Compensation, the director of the program must authorize the volunteer and the volunteer's service. The volunteer must sign a volunteer registry on each date that the volunteer renders service and indicate his/her name, time in, time out, and work location. The director must be aware of and be assured of what the volunteer is doing.

**School Guidelines For Individuals Monitoring Volunteers**

1. Volunteers and guests shall not pass beyond the principal's office or the school's designated sign-in station unless accompanied by a school representative, or authorized by the principal or his/her designee.
2. All school District personnel shall be responsible for reporting to the principal and or his/her designee if they observe a volunteer not following the district-required volunteer code of conduct, or if they believe a volunteer poses a potential threat to students or staff.
3. Administrators and teachers shall be responsible for supervising and directing volunteers whenever they are working with students at school or at a school-sponsored event.
4. Each school shall post highly visible signs stating that volunteers and guests must sign in at the office. This requirement shall be strictly enforced.
5. Volunteers may be required to wear an ID name badge.