

	LOS ANGELES COMMUNITY COLLEGES HUMAN RESOURCES GUIDE	HR R-331
		VOLUNTEERS
ISSUE DATE: January 11, 2011	SERVICE: <input type="checkbox"/> ACADEMIC <input type="checkbox"/> CLASSIFIED <input checked="" type="checkbox"/> UNCLASSIFIED	
REPLACES: New	CHANGES: New	

I. POLICY

It is the policy of the District to welcome, at the colleges and the District Office, the services of volunteers willing to serve without pay to assist the personnel of the District.

II. DEFINITIONS:

- An **At-will** employee has no definite term governing the employment relationship; the employer is free to discharge the individual for good cause, or bad cause, or no cause at all, and the employee is equally free to cease work.
- An **Employee** is a person assigned to a specific position for a certain period of time.
- A **Professionally Capable** individual is able to demonstrate reasonable proficiency or relevant certification and to perform professional duties in accordance with laws, regulations or the technical standards which govern his/her area of volunteer responsibility
- **Fingerprinting** is the system used to identify employees in order to ascertain their possible criminal history.
- **Live Scan** is the system used for the electronic submission of applicant fingerprints and the subsequent automated background check and response.
- A **Volunteer** serves in an activity in an “at will” capacity, without the expectation of pay, and is not an employee of the District or college.

III. REQUIREMENTS

The colleges and District welcome the services of volunteers, subject to Los Angeles Community College [Board Rule 101800 et seq.](#) and [Administrative Regulation PS-5.](#)

A. CONDITIONS

1. Each college is authorized to use the services of volunteers willing to serve without pay as non-teaching aides to assist the certificated, administrative, and teaching personnel of the District. No college may use the services of volunteers in lieu of classified employees, and no college may refuse to employ a person in a vacant classified position and use volunteers instead nor may any college abolish any of its classified positions and use volunteers instead.

2. Volunteers may serve the District in an “at will” capacity. The District may terminate a volunteer’s service for any reason or no reason at all, except for the exercise of free speech rights with respect to issues of public concern.
3. Any person serving without compensation as a volunteer must be under the supervision and direction of the certificated administrative or teaching personnel of the District. Subject to the limitations of this policy, employees assigned to other positions within the District may serve as volunteers during off-hours.
4. The District and colleges may look to outside organizations for volunteers. Each volunteer is subject to the screening process set forth in this policy. The District may enter into agreements with outside organizations to provide volunteers to the District to work at either the District Office or college locations. Such agreements will contain appropriate defense and indemnification language to protect the District from liability in connection with the volunteer services.
5. 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 for 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 which govern his/her area of volunteer responsibility.
6. Volunteers serving without pay are not employees of the District and shall not receive any of the rights of benefits accorded to employees of the District, except as provided in this Article.
7. This regulation specifically excludes:
 - a. Those 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.
 - b. This policy does not apply to volunteers serving in single day college “clean up” events.
8. No person may serve as a volunteer in the District if:
 - a. He/she has been convicted of or if he or she has charges pending which pertains to any sex offense, such as child molestation (as defined in Education Code section 87010), or controlled substance offense (as defined in Education Code section 87011).
 - b. He/she has been convicted of a crime and a College President or District Administrator determines:
 - i. the nature of the crime is too serious to serve as a volunteer;
 - ii. the crime was too recent; and/or
 - iii. the crime is inconsistent with obligations in performing assigned duties as a volunteer. This does not limit a College President’s or District Administrator’s ability to hire a volunteer whose conviction is over 10 years old and is not related to his/her duties as a volunteer.
 - iv. He/she has a health condition which would preclude him/her from satisfactorily performing essential duties of the position.
 - v. He she makes a false statement or omits a statement as to any material fact on the application form.

B. PROCEDURE

1. Application and Screening. Each of the colleges in the District and the District Office shall establish and maintain a written procedure for choosing volunteers to serve at the college and District Office locations. The procedures shall include a written application form which requires, at a minimum, the volunteer's name, address, phone number and history of convictions.
 - a. Each volunteer providing service for more than a single day event must complete Parts 1, 3 and 4 of [Form No. HR R-331](#), Application for Volunteer Services, and return the form to the administrator supervising the volunteer's area of service. The supervising administrator will complete Part 2 of the Application and submit the form to Division of Human Resources to check the report on convictions. The original Application for Volunteer Services is retained at Division of Human Resources.
 - b. Fingerprints of each volunteer shall be required by the location where the volunteer is serving. Volunteers with on-going assignments and volunteers who interact with minors are required to provide the Division of Human Resources with a complete set of fingerprints for the purpose of running a criminal background check ([HR Guide P-111, Employee Tip Sheet #9](#)). Those volunteers working in the CDC area or with minors will be subjected to a stringent background check. This requirement does not apply to volunteers serving in single day college "clean-up" events or trustees.
 - c. TB Test. Those volunteers working with minors must furnish evidence of freedom from active tuberculosis. This examination is considered a condition of initial volunteer service under California Education Code Section 87408.6. If the volunteer service involves working with minors, the service cannot begin until this requirement is met ([Employee Tip Sheet #10](#)).
2. Exceptions to Application and Screening procedures:
 - a. Members of the LACCD Board of Trustees are required to complete the Application for Volunteer Services, but are exempt from the fingerprint and TB test requirements.
 - b. Volunteers serving in single day college "clean up" events.
3. Volunteer Service Record. The volunteer's service record shall be maintained by the District/college location where the volunteer served.
4. Benefits. Volunteers are independent contractor and employees of the District only for the purpose of entitlement to worker's compensation benefits for injuries sustained while engaged in the performance of any service under the direction and control of the District. This shall not apply to students participating in student government or activities.
5. Liability. With the exception of workers' compensation, volunteers serve without any type of compensation or benefits granted to District employees. Volunteers shall not be entitled to defense and indemnity from the District.
6. Incidental Expenses. Persons serving without pay as volunteers may receive reimbursement for incidental expenses. ([Board Rule 7500-7507](#) and [Board Rule 10701, 10703, 10704, 10705, 10711, and 10716](#)).

III. **ADDITIONAL SOURCES**

CALIFORNIA EDUCATIONAL CODE

[Section 72401, Volunteer Aides](#)

[Section 87010, Sex Offense](#)

[Section 87011, Controlled Substance Offense](#)

LACCD BOARD RULES

Chapter X, Business and Fiscal Services

[Section 7500 – 7507, Mileage Reimbursement](#)

Chapter X, Human Resources

[Article VIII, Conference Attendance and Travel](#)

[Article XVIII, Volunteers](#)

LACCD ADMINISTRATIVE REGULATIONS

[PS-5, Volunteer Policy](#)

LACCD HUMAN RESOURCES GUIDES

[HR P-111 Fingerprints](#)

EMPLOYEE TIP SHEETS

[Meeting Fingerprint Requirements](#)

[Meeting TB Exam Requirements](#)

FORMS

Administrative

[Application for Volunteer Services \(HR R-331\)](#)