

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:

- A. Volunteers serving in single-day college events.
- B. Individuals serving as volunteers for clubs and organizations affiliated with the Associated Student Government.

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

Definition

A volunteer is a person who:

- A. Performs services for the district.
- B. Serves without compensation of any kind.
- C. Is under direct supervision of a district employee.

Volunteers must complete the required forms and be approved by the superintendent/president or designee.

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.

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 §3119.5, no person aged sixty 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.

Screening

The district shall use a written application form that requires, at a minimum, the volunteer's name, address, and phone number. Volunteers who work with minors are required to read, complete, and sign a statement on the Volunteer Acknowledgement and Notice Amended Education Code §35021 (Form RM-002) that states the volunteer is not a registered sex offender or a person required to register as a sex offender.

A volunteer's service record shall be maintained by the district (Volunteer Register-Form RM-003).

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

No person may serve as a volunteer in the district because of any of the following:

- A. He/she has been convicted of or has charges pending that pertain to any sex offense (as defined in Education Code §87010) or controlled-substance offense (as defined in Education Code §87011).
- B. He/she has been convicted of a crime and the Director of Risk Management determines that:
 - 1. The nature of the crime is too serious to serve as a volunteer.
 - 2. The crime was too recent.
 - 3. The crime is inconsistent with obligations in performing assigned duties as a volunteer.
- C. He/she has a health condition that would preclude him/her from satisfactorily performing essential duties of the position.
- D. 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, i.e. mileage reimbursement. (Administrative Procedure 6530)

Benefits

Volunteers are employees of the district only for the purpose of Workers' 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 Workers' Compensation (Education Code §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. With prior approval, mileage may be reimbursed. (Administrative Procedure 6530)

Instructions

A department chair, manager, or supervisor who identifies an individual to serve as a volunteer aide must submit completed copies of the following to the Risk Management Office, Mail Station 14, for processing and approval of the superintendent/president or designee:

- A. Request/Recommendation for Volunteer Service Form RM-001.
- B. Volunteer Acknowledgement and Notice of Amended Education Code §35021.
- C. Form RM-002 (if assignment involves working with minors).
- D. Employee Notice Workers' Compensation Benefits" Form JPA (06-05).

The volunteer will read and retain Employee Notice Workers' Compensation Benefits Form, JPA Workers' Compensation Benefits 09-07.

All completed forms must be sent to the Risk Management Office, Mail Station 14, for processing and approval.

Upon approval, the Risk Management Department will send back a copy of the completed Form RM-001. Supervisors will record time on the Volunteer Register Form RM-003.

Complete instructions and applicable forms can be found on the Risk Management Web site at: <http://www.miracosta.edu/Administrative/RiskManagement/index.htm>.

If the request is disapproved, the supervisor/manager shall be informed by memo of the rejection and the reasons.

A recommendation should include an assessment of the physical condition of the volunteer aide to perform specified services, as the physical condition must be adequate for the physical stresses of the job.

Volunteer aides must not be recommended to provide services in the handling of cash, stamps, postage meter, ticket merchandise, or food sales, etc., because the district's insurance covers only employees for such duties.

Volunteers may be permitted to operate any district vehicle. They may drive their own vehicle as a volunteer aide provided they meet district requirements for insurance

coverage and have a driving record acceptable to the district. (Administrative Procedure 6530)

Confidentiality of information relating to students and employees in official records must be maintained. The supervisor/manager of such records should ensure that volunteers working in areas where such records are maintained do not obtain access to these records.

Volunteer Driver MVR Program

Volunteer drivers may be students or any other properly licensed person with an acceptable driving record. (Administrative Procedure 6530)

Forms and instructions for the approval of volunteer drivers are available on the Risk Management Web site. The basic requirements of approval are a current valid California driver's license for the type of vehicle to be used and the signature of a MiraCosta College department head or administrator certifying the need for the individual to act as a volunteer driver.

Volunteer drivers must submit the required volunteer authorization forms (available from the Risk Management Department) listed in this section above. The approved volunteer form entitles the volunteer to Workers' Compensation coverage and benefits while acting as a volunteer in performing services for the district. Volunteers driving their own automobiles on field trips or district business must furnish proof that they carry at least the district's required minimum automobile liability insurance and complete a "Volunteer Authorization for Use of Privately Owned Vehicles for District Business" Form B-165 V and provide proof of insurance as required.

The Director of Risk Management will obtain Motor Vehicle Reports (MVR) for volunteers following federal and state laws. Volunteers must also agree not to transport more than the number of persons allowed by the design of their vehicle and their license class as stated in the California Vehicle Code and follow all safety rules.

Because the turnover of volunteers is much higher than for district employees and because the volunteers are primarily recruited at the class or department level, volunteers must renew annually their volunteer authorization forms, driver authorization Form B-165 V for mileage reimbursement, and the required MVR release and authorization form prior to driving on district business.

District staff who arrange field trips or the supervisors of volunteers driving on district business are responsible for seeing that volunteer drivers have been approved to drive their own vehicles and that they have been certified as volunteers through the Risk Management Department. Volunteers may be authorized to drive district vehicles when a district employee accompanies the volunteer on the same road trip.