

## **Volunteers \***

Community patrons who voluntarily contribute their time and talents to the improvement and enrichment of the public schools' instructional and other programs are valuable assets. The Board encourages constructive participation of groups and individuals in the school to perform appropriate tasks during and after school hours under the direction and supervision of professional personnel.

<sup>1</sup>Any person authorized by the district for volunteer service into a position that allows direct, unsupervised contact with students shall be required to undergo an Oregon criminal records check.

Any volunteer who knowingly makes a false statement, as determined by the district, on a district volunteer application form may be denied the ability to volunteer in the district.

Nonexempt employees<sup>2</sup> may be permitted to volunteer to perform services for the district provided the volunteer activities do not involve the same or similar type of services<sup>3</sup> as the employee's regularly assigned duties. In the event a nonexempt employee volunteers to perform services for the district that are the same or similar as the employee's regularly assigned duties, the Board recognizes that under the Fair Labor Standards Act (FLSA), overtime or compensatory time must be provided.<sup>4</sup>

The administration is responsible for the recruitment, use, coordination and training of volunteers. These assignments will be carried out as directed or delegated by the superintendent. Every effort should be made to use volunteer resources in a manner which will ensure maximum contribution to the welfare and educational growth of students.

END OF POLICY

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### **Legal Reference(s):**

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<sup>1</sup> The district must make a determination on whether volunteer positions will or will not be allowed direct, unsupervised contact with students, and also decide if any of these volunteer positions will be identified by the district to require a nationwide criminal records check through fingerprinting. If the district allows volunteers direct, unsupervised contact with students, this language is required. Choose the appropriate bracketed options and align with bracketed language selections made in GCDA/GDDA and GCDA/GDDA-AR.

<sup>2</sup> There are three types of FLSA exemptions: those for executive, administrative and professional employees. Generally, employees who are exempt under the executive, administrative or professional exceptions must primarily perform executive, administrative or professional duties at least 50 percent of the employee's time.

<sup>3</sup> Instructional assistant duties are generally viewed to be the same type of service, supervising and instructing students, as coaching.

<sup>4</sup> Districts should review the use of non-exempt employees in extracurricular activity positions such as coaching, cheerleading advisors and other district-sponsored activities with legal counsel for FLSA district impact.

[ORS Chapter 243](#)

[ORS 326.607](#)

[ORS 332.107](#)

[OAR 839-020-0005](#)

[OAR 581-021-0502](#)

Fair Labor Standards Act of 1938, 29 U.S.C. §§ 206-207 (2012).