

HUMAN RESOURCES

AP 7500 VOLUNTEERS AND INTERNS

References:

- Education Code Sections 72401, 87009-87011, 87405, 88023 and 88249;
- Government Code Section 3119.5;
- Labor Code Section 3364.5

Purpose and Scope

The purpose of this procedure is to outline the District practice involving volunteers and interns. Each volunteer/intern is subject to the screening process set forth below, with the following exceptions:

- Volunteers/interns serving in single day District events and
- Individuals serving as volunteers/interns in the Associated Student Government (ASG) officer positions at the District. ASG officers are not entitled to defense and indemnity by the District.

The Chief Human Resources Officer or designee may authorize suspension of the screening process when he/she believes that this process is not necessary for the volunteers/interns serving in the particular event.

General

The District may enter into agreements with outside organizations to provide volunteers/interns 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's/intern's services.

Volunteers/interns serve the District in an "at will" capacity. The District may terminate a volunteer's/intern's services for any reason or no reason at all.

Pursuant to Government Code Section 3119.5, no person aged 60 years or older may be excluded from volunteer/intern 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/intern responsibility.

Volunteers/interns 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/interns instead, nor may it abolish any classified positions and use volunteers/interns instead.

**35 Screening**

36 The District shall use a written application form that requires, at a minimum, the  
37 volunteer's/intern's name, address, phone number, and history of convictions.

38 A volunteer's/intern's service record shall be maintained by the District.

39 Subject to the limitations of this procedure, employees assigned to other positions within  
40 the District may serve as volunteers/interns during off-hours.

41 Fingerprints of each volunteer/intern may be required (see AP 7337 titled Fingerprinting)  
42 for the purpose of running a criminal background check.

43 No person may serve as a volunteer/intern in the District if:

- 44 • He/she has been convicted of or if he/she has charges pending which pertains to  
45 any sex offense (as defined in Education Code Section 87010), or controlled  
46 substance offense (as defined in Education Code Section 87011)
- 47 • He/she has been convicted of a crime and the Chief Human Resources Officer or  
48 designee determines that: the nature of the crime is too serious to serve as a  
49 volunteer/intern; the crime was too recent; and/or the crime is inconsistent with  
50 obligations in performing assigned duties as a volunteer/intern
- 51 • He/she has a health condition that would preclude him/her from satisfactorily  
52 performing essential duties of the position and/or
- 53 • He/she makes a false statement or omits a statement as to any material fact on  
54 the application form

**55 Expenses**

56 Persons serving without pay as volunteers/interns may receive reimbursement for  
57 incidental expenses.

**58 Benefits**

59 Volunteers/interns are employees of the District only for the purpose of worker's  
60 compensation benefits for injuries sustained while engaged in the performance of any  
61 service under the direction and control of the District. With the exception of worker's  
62 compensation (Education Code Section 72401), volunteers/interns shall serve without  
63 any type of compensation or any other benefits granted to District employees.  
64 Volunteers/interns shall not be entitled to defense and indemnity from the District.

65 Office of Primary Responsibility: Human Resource Services