

COMMUNITY RELATIONS
SCHOOL VOLUNTEER PROGRAM

GKG
(LOCAL)

PURPOSE TSD's volunteer program encourages the use of volunteers in the School to enhance school-based activities and academic learning. The program is also designed to increase communication and positive relationships between the School, parents and the community. In developing the program, TSD considers volunteers a resource that requires advance planning and preparation for effective use. *Gov't Code 2109.003*

APPLICABILITY This policy applies to all volunteers at the School and includes both parent and community volunteers.

PROGRAM REQUIREMENTS AND GUIDELINES The volunteer program includes:

1. An effective training program for prospective volunteers.
2. The use of paid TSD staff to plan and implement the volunteer program.
3. An evaluation mechanism to assess the performance of volunteers, the cooperation of paid staff with the volunteers, and the overall volunteer program.
4. Follow-up studies to ensure the effectiveness of the program.

Gov't Code 2109.004(a)

The volunteer program at TSD addresses two different types of volunteer activities. Each of these will have different requirements to protect children and to maintain a high quality volunteer program:

LEVEL 1- Someone who volunteers occasionally such as with athletics or special events in a public setting with little or no contact with students and who are under constant supervision by TSD personnel will not be required to complete a volunteer application or a criminal background check. A volunteer fitting this example might be someone working at a fundraising event or someone working in the concession stand. A level 1 volunteer does not need to complete any paperwork.

LEVEL 2- All Regular volunteers with student contact under regular supervision of TSD personnel must complete a volunteer application and a confidentiality agreement acknowledging FERPA (student confidentiality) requirements. A volunteer fitting this example might include afterschool, classroom or office assistance. However, at the supervisors discretion they can request that their Level 2 volunteers be fingerprinted for duties that they are fulfilling in their departments or at school events.

CRIMINAL HISTORY RECORD A Level 2 volunteer may not perform any volunteer duties until:
The volunteer has provided to the School a driver's license or another form of identification containing the person's photograph issued by an entity of the United States government; and

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The School has obtained from the Texas Department of Public Safety (DPS) all criminal history record information that relates to the volunteer. The School may obtain a volunteer's criminal history record information from any other law enforcement agency, criminal justice agency, or private consumer reporting agency. The criminal history record review requirements apply to a volunteer or person who has indicated, in writing, an intention to serve as a volunteer with the School.

COSTS

TSD will pay for both criminal history background checks and/or fingerprinting if needed in the engagement of volunteers.

Education Code 22.0835

IMMUNITY

GENERALLY

A Level 2 volunteer who is serving as a direct service volunteer at the School is immune from civil liability to the same extent as a School employee under Education Code 22.0511. However, this section of law does not limit the liability of a person for intentional misconduct or gross negligence.

A "volunteer" is a person rendering services for, or on behalf of the School, on the campus or at a school-sponsored or school-related activity on or off School property who does not receive any compensation for the services rendered for the School.

Education Code 22.053

EXTRACURRICULAR
ACTIVITIES

A person who volunteers to assist with an extracurricular activity is not liable for civil damages arising out of an act or omission relating to the requirements under Education Code 33.205 regarding safety precautions unless the act or omission is willfully or wantonly negligent. *Education Code 33.211*

PHYSICAL
EXAMINATIONS

Subject to Civil Practices and Remedies Code 91.003 (liability insurance requirements), a health-care practitioner who, without compensation or expectation of compensation, conducts a physical examination or medical screening for the purpose of determining the physical health and fitness of the patient to participate in a school-sponsored extracurricular or sporting activity is immune from civil liability for any act or omission resulting in the death of or injury to the patient if:

1. The health care practitioner was acting in good faith and in the course and scope of the health-care practitioner's duties;
2. The health-care practitioner commits the act or omission in the course of conducting the physical examination or medical screening of the patient;
3. The services provided to the patient are within the scope of the license of the health-care practitioner; and

4. Before the health-care practitioner conducts the physical examination or medical screening, the patient signs a written statement that acknowledges:
 - a. That the health-care practitioner is conducting a physical examination or medical screening that is not administered for or in expectation of compensation; and
 - b. The limitations on the recovery of damages from the health-care practitioner in connection with the physical examination or medical screening being performed.

If the patient is a minor or is otherwise legally incompetent, the patient's parent, managing conservator, legal guardian, or other person with legal responsibility for the care of the patient must sign the written statement.

Civil Practice & Remedies Code 91.002

IMMUNITY FOR
SHELTER
WORKERS

A School volunteer is not civilly liable for an act performed in the discharge of duty if the person is performing an activity related to sheltering or housing individuals in connection with the evacuation of an area stricken or threatened by disaster. *Gov't Code 418.006, 431.085*

TRAINING –
CONCUSSION
OVERSIGHT TEAM

A licensed health care professional who serves on a volunteer basis on the School's concussion oversight team must have had training in the evaluation, treatment, and oversight of concussions at the time of appointment or approval as a member of the team. In addition, the professional shall, at least once every two years, take a course in the subject matter of concussions approved by the Texas Department of State Health Services Advisory Board of Athletic Trainers, or the appropriate licensing authority for the profession.

The professional must submit proof of timely completion of an approved course to the Superintendent or designee. A licensed health-care professional who is not in compliance with these training requirements may not serve on a concussion oversight team in any capacity.

Education Code 38.154, .158

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