

Procedure III.3006.B.a, Volunteer Service

Associated Policy

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Procedures

A person will only be considered a volunteer for San Jacinto College (the College) after having received official authorization from the hiring leader/organizer and Human Resources. Authorization will only be given in compliance with this procedure.

Types of Volunteer Activities and Service

Some volunteer opportunities are of short duration (*e.g.*, assisting at an awards banquet or fundraising, speaker at an event, or other temporary activity not of a recurring nature). Other opportunities may be more complex, time-consuming or recurring in nature (*e.g.*, athletic coaches, theatrical production, or laboratory work). The examples identified are not meant to be all-inclusive. There are many other volunteer opportunities with the College.

Volunteers are prohibited from operating heavy equipment and machinery, including College-owned vehicles; entering into any contract on behalf of the College; or handling firearms or weapons of any kind. Individuals providing volunteer service at the College child-care facility must follow all state regulations and local procedures applicable to child-care facilities.

The College volunteers must abide by San Jacinto College policies and procedures, including but not limited to those relating to safety, confidentiality, use of technology, harassment-free workplace, and drug/alcohol use.

Volunteers who are not employees of the College, are not covered by the Fair Labor Standards Act, are not considered employees for any purpose, and receive no compensation or benefits from the College in return for their service.

Employees of the College are covered and governed by the Fair Labor Standards Act. Time spent in work for public or charitable purposes at the College's request, or under the College's direction or control, or while the employee is required to be on the premises, is considered compensable working time.

The term "volunteer" as used in this procedure excludes San Jacinto College students participating in activities that are part of a course or program in which the student is enrolled.

Who May Volunteer

Anyone, including alumni, students, parents, spouses, and retirees, may provide volunteer service to the College with the following restrictions:

- Any individual who is 16 years or older may qualify as a volunteer for the College. However, individuals who are 16 or 17 must obtain written consent from a parent/guardian before qualifying to engage in volunteer service for the College. The

leader must determine the age of every volunteer. The volunteer's age must be verified by a driver's license, passport, or birth certificate. To give consent, a parent/guardian must fill out, sign, and return the **San Jacinto College Parental Consent Form**.

- A current College employee who is non-exempt under the Fair Labor Standards Act may not perform any volunteer activity that is similar to or related to the individual's regular work at the College. If the volunteer work being performed is similar to the individual's regular duties, this must be compensated. Non-exempt employees must receive written approval from their leader before engaging in volunteer activities for the College or other entities during scheduled work hours. If an employee works on behalf of the College during normal work hours, the employee will receive compensation.
- Leaders should contact Human Resources – Compensation Office to ensure consistency in pay practices and for guidance to determine if the activity is considered voluntary or a compensable work assignment.
- Volunteer positions require a criminal background check. Every prospective volunteer will be required to sign a release form for the background check.
- Current employees will not need to complete a background release form. A new background check is not necessary since active employees have already been cleared for work using this same background check process when hired.

Volunteers shall not be treated as a replacement for employees.

Responsibilities of the Activity's Organizers

NOTE: While the following process pertains to all volunteers, certain programs, such as athletics and theater, may have supplemental requirements.

All hiring leaders/organizers must comply with the process below. Leaders/organizers must also provide the volunteer with the appropriate forms required for the activity so that the volunteer is able to comply with the process.

- When selecting and engaging volunteers, the hiring leader/organizer must ensure that the individual has adequate experience, qualifications, and training for the task required to perform.
- The hiring leader/organizer for the volunteer program should contact Human Resources – Employment Office to obtain the necessary forms to begin the background check process.
- The leader/organizer must provide the volunteer with, and the volunteer must complete, the forms listed below. **Current College employees only need to complete form number 2, Waiver of Liability and Hold Harmless Agreement.**

1. **Volunteer Profile Form;**
2. **Waiver of Liability and Hold Harmless Agreement;**
3. **Record Release Authorization and DPS Computerized Criminal History (CCH) Verification;**
4. **Volunteer Service Agreement Form; and**
5. **San Jacinto College Parental Consent Form.**

- The completed forms should be returned to Human Resources – Employment Office so that the background check(s) can be initiated no more than thirty (30) days and no less than ten (10) days before the volunteer event is to take place.
- Human Resources – Employment will process three (3) separate background checks on every volunteer. The department/program is responsible for the cost of the background checks.
 - The national background check is completed using a third-party company. This background typically takes no longer than two (2) weeks to process. If the volunteer has lived in multiple counties or states, the background may take longer than two (2) weeks to be completed.
 - Texas DPS: The State background check is processed through the Texas Department of Public Safety. This background generates results immediately.
 - National Sexual Offenders (NSO): The NSO background check is processed through a national database of sexual offenders. This background generates results immediately.
- If results are generated from any of the three background checks on the volunteer(s), the Human Resources Employment Manager, or designee, will review the findings. The decision to allow or deny someone the right to volunteer based on their background is made by the Human Resources Employment Manager, or designee.
 - If any volunteer is denied the ability to volunteer with the College, the hiring leader/organizer of the volunteer program will be notified via phone by Human Resources.
 - The leader/organizer should inform the volunteer(s) that a letter will be emailed to them based on the decision that was made by Human Resources.
 - The volunteer will receive a letter from Human Resources stating that their volunteer opportunity with the College has been denied. The letter will include next steps that can be taken if the volunteer believes the information found on the background is inaccurate.
- The hiring leader/organizer will be notified via email from Human Resources once all three (3) of the background checks have been successfully completed for the volunteers(s). The volunteer applicant may not perform any volunteer duties until the Human Resources Department has notified the relevant parties that the volunteer applicant has been authorized to volunteer.
- It is the responsibility of the hiring leader/organizer to notify the volunteer(s) that they have been cleared to volunteer with the College and to notify the volunteer(s) of their start date.
- All leaders will be informed of the requirements of this Volunteer Service Procedure. All volunteers must be informed that they will receive no compensation or benefits in exchange for their service.
- The department or program must retain all completed lists and forms of volunteers for three (3) years.

- If an individual is a returning volunteer, but the break in service is greater than one (1) year, all applicable forms and processes must be completed again.

Dismissal

Volunteer service at the College is non-contractual. The College may terminate the service of any volunteer at any time without prior notice.

Any College employee serving as a volunteer who violates San Jacinto College policies or procedures will be subject to disciplinary action up to and including termination.

Definitions

Volunteer: A person providing a service for, or on behalf of San Jacinto College. This service may be on the premises of the College, or at an activity related to or sponsored by the College at an off-site location. The volunteer, who is not an employee of the College, does not receive compensation in excess of reimbursement for approved expenses.

Under Texas Education Code Section 51.937, individuals who volunteer at institutions of higher education may not be held liable for actions that are relevant to or within the scope of the duties of the volunteer's position, and that involve the exercise of judgment or discretion on the part of the volunteer.

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Associated Policy	Policy III.3006.B, Volunteer Service
Primary Owner of Policy Associated with the Procedure	Vice Chancellor, Human Resources
Secondary Owner of Policy Associated with the Procedure	Vice President, Human Resources