

KNOW YOUR RIGHTS

Ed Code!

**CSEA
CHAPTER 788 OTBS**

RE: VOLUNTEERS In Lieu of Layoffs

CALIFORNIA Education Code

35021. (a) Notwithstanding any other law, any person, except a person required to register as a sex offender pursuant to Section 290 of the Penal Code, may be permitted by the governing board of any school district to perform the duties specified in Section 44814 or 44815, or to serve as a non-teaching volunteer aide under the immediate supervision and direction of the certificated personnel of the district to perform non-instructional work which serves to assist the certificated personnel in performance of teaching and administrative responsibilities. With respect to this non-instructional work, the non-teaching volunteer aide shall serve without compensation of any type or other benefits accorded to employees of the district, except as provided in Section 3364.5 of the Labor Code.

(b) No district may abolish any of its classified positions and utilize volunteer aides, as authorized herein, in lieu of classified employees who are laid off as a result of the abolition of a position. A district shall not refuse to employ a person in a vacant classified position and use volunteer aides in lieu of filling the classified position.

(c) It is the intent of the Legislature to permit school districts to use volunteer aides to enhance its educational program but not to permit displacement of classified employees nor to allow districts to utilize volunteers in lieu of normal employee requirements.

OTBS Members Contact:

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If you have any questions or concerns about any of your rights, [contact](#) your job stewards, chapter officers or CSEA LRR Dave Fernandez at 858-202-2611.



CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION
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