



Responsibilities of TSC Volunteers

TSC volunteers must abide by all applicable TSC policies and procedures, including but not limited to those relating to safety, confidentiality, use of technology, harassment, and drug and alcohol use.

Volunteers are not covered by the Fair Labor Standards Act and are not considered employees for any purpose. Volunteers receive no compensation or benefits.

The term “volunteer” as used in these guidelines excludes TSC students participating in activities that are part of a course or program in which the student is enrolled.

Definition of “Volunteer”

A volunteer for TSC is a person who performs services and/or engages in activities either: (1) on behalf of TSC; (2) directly related to the business of TSC; (3) or at the request of TSC. A person will only be considered a volunteer for TSC after having received official authorization from the proper departments of TSC. Authorization will only be given in compliance with these guidelines. Volunteers for TSC receive absolutely no compensation or benefit from TSC in return for their actions or services. Examples of persons considered authorized volunteers:

- TSC employees working outside their normal scope and hours of employment who have received authorization to act as volunteers.
- Volunteer coaches and students taking part in volunteer extra-curricular activities.

Who May Volunteer

Anyone, including alumni, students, parents, and retirees, may provide volunteer services to TSC with the following restrictions:

- Parental/guardian consent is required for all volunteers who are under the age of 18. To give consent, a parent/guardian must fill out, sign, and return the TSC Parental Consent Form.
- A current TSC employee who is non-exempt under the Fair Labor Standards Act may not volunteer in any capacity in which he or she is employed at TSC. The employee may not perform any volunteer work that is similar to or related to the individual’s regular work at TSC. Non-exempt employees must receive written approval from the Human Resources Department before engaging in volunteer work for TSC.
- Volunteer positions require a criminal background check. Every prospective volunteer will be required to sign a release form for such a check. If the volunteer work will involve any interaction with minors, a criminal background check and fingerprinting will be performed. TSC’s Human Resources and Risk Management Department may also decide that other volunteer activities require criminal background checks and fingerprinting as well.

Types of Volunteer Activities and Services

Volunteer services are generally limited to humanitarian, educational, or public services. Volunteers shall not be treated as a replacement for employees.

These guidelines recognize three types of volunteer activities that are based on the complexity, duration, and relative risk of injury to both the volunteer and other people and property who may be affected. Category 1 activities are low risk and of short duration. Category 2 activities are of higher risk and longer duration. Category 3 activities are very high risk and are prohibited activities. Volunteers are prohibited from engaging in any Category 3 activities.

The lists that follow are not exhaustive as they are intended to provide guidelines and examples when considering volunteer engagements. Questions regarding these guidelines should be directed to the Department of Risk Management. If an activity could fit in more than one category, it shall be placed in the higher one.

Category 1 Activities

Examples include the following:

- Banquet or graduation ceremony volunteer
- Phone-a-thon or fundraiser volunteer
- Theatrical production volunteer
- Clerical work not of a recurring nature (e.g., envelope-stuffing)
- Student greeters who volunteer at an official TSC function
- Public speakers

Category 2 Activities

Examples include the following:

- Services involving the handling of currency and may require bonding
- Services involving working with or assisting minors, patients, or human research subjects
- Services involving travel of any kind, to any place away from a TSC campus
- Services involving working with animals
- Laboratory work
- Long-term or on-going volunteer services (such as mentoring)

Category 3 Activities

Volunteers are prohibited from performing the following activities:

- Operating heavy equipment including vehicles
- Entering into any contact on behalf of the College
- Working with infectious or potentially infectious agents, including human blood
- Handling firearms or weapons of any kind
- Working in any TSC child-care facility
- Services requiring access to confidential information, including confidential student or employee information, or confidential health information.

Volunteering is limited to the premises on which the activity takes place. Driving on behalf of TSC will never be a volunteer activity and is not required by TSC. This is a true regardless of category in which the core activity falls. TSC's request for driver's license numbers of every employee is for identification purposes only.

Supervisor Responsibilities – Forms Required

All supervisors must comply with the application procedure listed below. They must also provide the volunteer with every form required (see checklist) for the activity so that the volunteer is able to comply with the application procedure.

PROCEDURE:

- The supervisor of the department or program for which an individual desires to volunteer shall make the initial determination regarding which category a specific activity falls under by noting the category number on the Description of Volunteer Activity (**Form 1**). When selecting and engaging volunteers, the supervisor must take care to ensure that the individual has adequate experience, qualifications, and training for the task he or she will be required to perform. The supervisor must provide a written description of the primary tasks and duties associated with each volunteer position on the Description of Volunteer Activity Form. The supervisor must send a copy of the form to the TSC Department of Risk Management for review. Both departments shall keep a copy of the form for three (3) years.
- The supervisor of the department or program shall have the volunteer applicant complete the Legal Liability of Volunteers (**Form 2**). The supervisor shall retain this agreement for three (3) years from volunteer separation.
- The supervisor will initiate the criminal background check by having the volunteer applicant complete the Criminal Background Check Authorization (**Form 3**). Criminal Background Check forms should be sent to the Department of Human Resources for processing and filing. The Department of Human Resources will inform the supervisor of the decision via email. The volunteer applicant may not perform any volunteer duties until such time as the Department of Human Resources Department has notified the supervisor that the volunteer applicant has been cleared.
- The supervisor shall assist the volunteer applicant in completing the Volunteer Waiver (**Form 4**). Volunteer Waiver forms should be sent to the Department of Human Resources for processing and filing.
- The supervisor shall have the volunteer applicant read, complete, and sign the Volunteer Agreement (**Form 5**). The supervisor shall retain this agreement for three (3) years from volunteer separation.
- If the volunteer is a minor, the supervisor must obtain written parental/guardian permission for the minor to participate in any volunteer activity. Thus, the supervisor must determine the age of every volunteer. The volunteer's age may be established by driver's license, passport, or birth certificate. If the volunteer is under the age of 18, the parent must sign both the Parental/Guardian Consent (**Form 6**). The supervisor shall retain this agreement for three (3) years from volunteer separation.
- The supervisor is responsible for completing the Non-Employee Computer System Access Request (**Form 7**) if the volunteer will require computer system access. The Non-Employee Computer System Access Request form should be sent to the Department of Human Resources for processing. The Department of Human Resources will submit a copy of the Non-Employee Computer System Access Request form to IT via email.
- The supervisor should use the Volunteer Forms Checklist (**Form 8**) to ensure that all the appropriate forms have been completed. The supervisor should sign the form and retain the form for three (3) years from volunteer separation.



Returning Volunteer

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 TSC is non contractual. TSC may terminate the services of any volunteer at any time without prior notice. Any TSC employee serving as a volunteer who violates any TSC policy or procedure will be subject to disciplinary action up to and including termination.



Description of Volunteer Activity

1. Program/Activity Name: _____

2. Category of Activity: 1-Low Risk 2-Higher Risk 3-Prohibited

3. Department/Location: _____

4. Program/Activity Supervisor: _____

5. Primary tasks or duties performed by Volunteer:
- a. _____

 - b. _____

 - c. _____

 - d. _____

6. Dates of Program and Volunteer Schedule:

Volunteer Signature

Date

Parent/Guardian Signature (if applicable)

Date

Signature of Supervisor

Date



Legal Liability of Volunteers

Under Texas Education Code Section 51.937, individuals who volunteer at institutions of higher education may not be held liable for actions that are incident to or within the scope of the duties of the volunteer's position and that involve the exercise of judgement or discretion on the part of the volunteer. "Volunteer" as used in this statute means a person providing services for or on behalf of an institution of higher education, on the premises of the institution or at an activity related to or sponsored by the institution on or off the property of the institution, who does not receive compensation in excess of reimbursement for expenses.

Section 51.937 does not apply to the operation, use, or maintenance of a motor vehicle. Additionally, it does not limit the liability of a person who engages in intentional misconduct or gross negligence.

Texas Southmost College (TSC) will not indemnify any volunteer for any claims resulting from acts or omissions that constitute intentional misconduct or gross negligence.

By signing this form, volunteer applicant acknowledges that:

- 1) They have read and understand the above language.
- 2) They waive all claims based in tort against TSC that might accrue during the course of their involvement with TSC to the extent provided by law.
- 3) They are subject to TSC policies and procedures.

Applicant Name (Print): _____

Applicant Signature: _____ Date: _____



Criminal Background Check Authorization Form

Contractor Volunteer Other: _____

Department: _____

An Equal Opportunity/Affirmative Action Employer

Texas Southmost College does not discriminate on any basis prohibited by applicable law including race, color, religion, sex, national origin, disability, age, citizenship status, or veteran’s status in recruitment, employment, promotion, compensation, benefits or training. The information on this form is the property of Texas Southmost College.

Provide legal name as it appears on Social Security Card.

Last Name First Name Middle Initial Date of Birth

Address: Number and Street City State Zip Code

ID/Driver’s License Number Issuing State Expiration Date SSN

Please list all places of residence since the age of 18. Include City, State, County and Country. Attach extra pages if needed. _____

Former names used: _____

Texas Southmost College may obtain background information, including criminal history record. I understand this information will be used only for evaluation of volunteer services with Texas Southmost College.

I hereby authorize the Texas Department of Public Safety or any other entity authorized to access state or federal agency records to furnish Texas Southmost College or its agent, my background records. I do hereby release all agents, servants, and employees of Texas Southmost College, the person in charge of any law enforcement agency or department and all members of such law enforcement agency or department from all liability resulting from the release of this information

With few exceptions, you have the right to request, receive, review and correct information about yourself collected using this form.

The College District prohibits discrimination, including harassment, against any employee on the basis of race, color, religion, gender, national origin, age, disability, or any other basis prohibited by law.

The following are my responses to questions about my criminal history, if any. (Exclude minor traffic offenses punishable only by fine.)

Are you related to an employee of TSC or a member of the Board of Trustees? Yes _____ No _____
 If yes, include name(s), title(s), department(s), and relationship _____

Have you ever pled guilty or 'no contest' to, or been convicted of a felony? If yes, please list below and describe the dates, nature, and circumstances of the crime.	Yes	No
Have you ever been convicted of, plead guilty or 'no contest' to, or received deferred adjudication for, any federal, state or municipal misdemeanor or felony criminal offense (excluding traffic violations)?	Yes	No
Have you ever been convicted of, or received deferred adjudication for, any misdemeanor or felony involving any type of sexual contact with a child or abuse of a child that includes, but is not limited to, indecency with a child, or endangerment of a child?	Yes	No
Have you ever been convicted of any criminal offense in a country outside the jurisdiction of the United States? If yes to any of the questions above, please describe the dates, nature, and circumstances of the crime(s).	Yes	No

If you answered yes to any of these questions, please provide details below. Attach extra pages if needed.

_____ State _____ County _____ Date of Offense (MM/DD/YY)
 Details _____

_____ State _____ County _____ Date of Offense MM/DD/YY
 Details _____

I hereby certify that all information provided by me on this form is true, complete, and correct.
I understand that any false statements made herein may void my application for volunteer services with Texas Southmost College.

_____ Applicant Signature _____ Date _____

Volunteer waiver forms and Criminal Background Check forms should be sent to Human Resources for processing.
 With few exceptions, you have the right to request, receive, review and correct information about yourself collected using this form.

Volunteer Waiver

I certify that I am offering my services to Texas Southmost College on a volunteer basis. I further understand that I will receive no pay, benefits or other privileges of employment of any kind for my services. I further understand that I am not eligible for worker's compensation benefits if I am injured or become ill as a result of my volunteer work, and I am not eligible for unemployment compensation benefits when my volunteer assignment ends. I also certify that I have not been promised and have no expectation that I will receive a paid position as a result of my volunteer work.

I certify that I am (please check one):

Not employed by the Texas Southmost College or any other public entity, and I am performing the proposed volunteer work for civic, charitable or humanitarian reasons.

I am an employee of the Texas Southmost College. The proposed volunteer work is in a different occupational capacity from that in which I am employed, and I am performing the volunteer work for civic, charitable or humanitarian reasons.

Dates of Volunteer Service: From: _____ To: _____

College/Department utilizing Volunteer Services: _____

College/Department Contact: _____

Name of Volunteer _____

Volunteer signature

Witness signature

Date

Date

Volunteer waiver forms and Criminal Background Check forms should be sent to Human Resources for processing.

With few exceptions, you have the right to request, receive, review and correct information about yourself collected using this form.

Volunteer Agreement

We are pleased that you have decided to volunteer your services to Texas Southmost College (hereinafter referred to as "TSC"). Please affirm your acceptance of the terms of this agreement, stated below, with your signature, also, please accept our sincere thanks for your valuable contribution to TSC.

1. I agree that my participation in the activities outlined in the attached Description of Volunteer Duties is without valuable consideration. I understand and agree that I am not an employee of TSC and that I am not entitled to wages or benefits for my volunteer service.
2. I understand that I do not have a formal work appointment for these particular services. I understand that TSC shall have the right to release me as a volunteer without prior notice.
3. I understand that TSC does not provide me with accident or medical insurance and that TSC is not responsible for any accident or medical expenses incurred by me. Further, I understand that I am not covered by Worker's Compensation Insurance.
4. I agree to act professionally and courteously at all times. I agree to comply with TSC policies and procedures regarding confidentiality, safety, use of technology, harassment, and drug and alcohol use. I understand that copies of the policies and procedures are available at www.tsc.edu and that copies of other policies and procedures pertinent to my volunteer activity may be provided to me by the supervisors of the activity.
5. I am aware of the terms and conditions of this agreement and am signing this agreement of my own free will. Further, by signing this agreement I attest to the fact that I am 18 years of age or older.
6. This agreement is valid for one (1) year from the date indicated below. This agreement may be terminated by me or TSC at any time.
7. I will not consume or participate in TSC activities where alcohol is being served.

Volunteer Name (Print): _____

Home Address: _____

City, State, Zip Code _____

Phone Number: _____

Volunteer Signature: _____ Date: _____

Signature of Authorized TSC Official _____ Date: _____

Volunteer Service
Parental/Guardian Consent

By signing below, I, hereby attest to the following:

- 1) I am the legal guardian of _____, who is under 18 years of age.
- 2) I give my consent for _____ to volunteer his/her services at TSC.
- 3) I understand that, as a volunteer, _____ is not entitled to any employee benefits, including wages, medical or accident insurance, or Worker's Compensation Insurance.
- 4) I take full responsibility for any and all actions of _____ during his/her volunteer service to TSC.
- 5) I have been given a copy of the TSC Description of Volunteer Activities Form indicating the primary tasks or duties that will be performed.

Parent/Guardian Signature

Date

Volunteer Signature

Date

**Non-Employee
Computer System Access Request Form**

Activation

Deactivation

NON-EMPLOYEE INFORMATION (Please print legibly):

Company (if applicable): _____

First Name: _____ Last Name: _____

Effective Date: _____ Colleague ID: _____

Date of Birth: _____ Last 4 of SSN: _____

Contact Phone: _____ Location: _____

Non-Employee access request type:

Dual/ECHS

American Surveillance Co., Inc.

Non-Employee Faculty

Non-Employee Other:

Dynamic Campus

_____ *(Please include program name)*

1st Requestor (Dean or Department Director)	
Signature: _____	
Printed Name: _____	
2nd Requestor (Vice President)	
Signature: _____	
Printed Name: _____	
HR Use Only	
HR Signature: _____	Colleague ID: _____

Volunteer Forms Checklist

Volunteer Name: (Please Print): _____

1. Description of Volunteer Activity Form
2. Legal Liability of Volunteers Form
3. Criminal Background Check Authorization
4. Volunteer Waiver Form
5. Volunteer Agreement
6. Parental/Guardian Consent Form
7. Non-Employee Computer System Access Request Form

I have collected the following forms for this volunteer.

Signature of Authorized TSC Official

Date: