

CLIENT NEWS BRIEF

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**GOVERNOR SIGNS BILL IMPOSING NEW CERTIFICATION
REQUIREMENTS ON EMPLOYEES AND VOLUNTEERS WHO
SUPERVISE STUDENT ACTIVITIES**

On October 11, 2009 Governor Schwarzenegger signed Assembly Bill 1025 (“AB 1025”) (Ch. 379, Stats. 2009), which imposes new certification requirements for noncertificated school employees and volunteers, including “walk-on” coaches, who supervise specified school activities.

Specifically, AB 1025 adds section 49024 to the Education Code to require that, commencing July 1, 2010, any person who will assume a paid or volunteer position to supervise, direct, or coach a “pupil activity program” sponsored by or affiliated with a school district obtain an Activity Supervisor Clearance Certificate from the California Commission on Teacher Credentialing (“Commission”) prior to assuming such position. AB 1025 defines a “pupil activity program” as including scholastic and interscholastic programs, and extracurricular activities sponsored by a school district or school booster club, such as cheer team, drill team, dance team, and marching band. AB 1025 clarifies that volunteer supervisors for breakfast, lunch or other nutritional periods and nonteaching volunteer aides under the immediate supervision and direction of certificated personnel are not required to obtain the Activity Supervisor Clearance Certificate.

AB 1025 amends section 44258.7 of the Education Code to require the Commission to issue an Activity Supervisor Clearance Certificate to any person who will supervise, direct, or coach a pupil activity program sponsored by or affiliated with a school district upon verification of identity and proof that the candidate meets the professional requirements of the Commission. AB 1025 further provides that the Activity Supervisor Clearance Certificate shall be issued for an initial five year period and may be renewed thereafter.

AB 1025 also adds section 44346.5 to the Education Code requiring the Commission to send fingerprint images and related information to the Department of Justice for any applicant for an Activity Supervisor Clearance Certificate to obtain information related to the applicant’s criminal history.

Thus, AB 1025 imposes a new requirement on volunteers or noncertificated employees of a school district who serve in “walk-on” coach positions and other positions that require supervision or oversight of certain student activities. School districts should review their board policies and regulations governing supervision of student activity programs sponsored by or affiliated with the district, as well as their hiring and screening practices for noncertificated employees and volunteers, to ensure that any volunteer or noncertificated employees of the District who will supervise student activity programs on or after July 1, 2010 possess the requisite Activity Supervisor Clearance Certificate issued by the Commission.

Please contact any of our seven offices statewide with questions related to AB 1025, or for assistance with implementation of its requirements.

As the information contained herein is necessarily general, its application to a particular set of facts and circumstances may vary. For this reason, this News Brief does not constitute legal advice. We recommend that you consult with your counsel prior to acting on the information contained herein.



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