



# College of The Albemarle Procedure

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**Title: Volunteers/Unpaid Student Interns**

**Related Policy: Policy 3.4.10 Volunteers/Unpaid Student Interns; 3.1.3.3 Full-Time Instructional Working Hours and Workload**

**Division of Responsibility: Human Resources**

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## I. Definitions

- A. **Occasional Service Volunteer:** Any **volunteer** who provides a one-time or short-term volunteer service not exceeding five (5) days in a rolling twelve (12) month period and whose duties are limited to event-based or short-duration activities. Examples include, but not limited to:
  - 1. Graduation ceremony volunteer
  - 2. Fundraiser volunteer
  - 3. Performing Arts Center (PAC) volunteer; and
  - 4. Event volunteers (e.g. STAR Party, NC Science Olympiad Competition, Trunk or Treat, etc.)
- B. **Regular Service Volunteer:** Any volunteer who engages in specific volunteer service activities for a period greater than that of an Occasional Service Volunteer. Examples include:
  - 1. Tutoring or mentoring College students;
  - 2. Assisting instructors with classroom activities (e.g., studio help, facilitating small group work, etc.); and
  - 3. Assisting in the library.
- C. **Unpaid Student Intern:** Any person who, without promise, expectation, or receipt of compensation for services rendered, is involved in a supervised educational program with the College or another educational institution that offers opportunities for the person to gain practical work experience and/or academic credit concurrently over the course of a regular semester, summer term, or combination thereof.

Pursuant to federal law, for an Unpaid Student Intern to exist, the Unpaid Intern must be the primary beneficiary of the relationship. Factors to determine the primary beneficiary include:

- 1. The extent to which the intern and the employer clearly understand that there is no expectation of compensation. Any promise of compensation, express or implied, suggests that the intern is an employee—and vice versa;
- 2. The extent to which the internship provides training that would be similar to that which would be given in an educational environment, including the clinical and other hands-on training provided by educational institutions;
- 3. The extent to which the internship is tied to the intern's formal education program by integrated coursework or the receipt of academic credit;



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4. The extent to which the internship accommodates the intern's academic commitments by corresponding to the academic calendar;
5. The extent to which the internship's duration is limited to the period in which the internship provides the intern with beneficial learning;
6. The extent to which the intern's work complements, rather than displaces, the work of paid employees while providing significant educational benefits to the intern; and
7. The extent to which the intern and the employer understand that the internship is conducted without entitlement to a paid job at the conclusion of the internship.

An Unpaid Student Intern is not eligible for College leave or benefits, including unemployment or workers' compensation.

- D. **Supervisor:** The College faculty or staff member responsible for supervising the Volunteer or Unpaid Student Intern.
- E. **Volunteer:** Any person who performs hours of service to the College without promise, expectation or receipt of compensation for services rendered. A person is not a Volunteer if the person is employed by the College to perform the same type of services (i.e., similar or identical services) as those for which the individual proposes to volunteer. For purposes of these Procedures, a Volunteer shall either be considered an Occasional Service Volunteer or a Regular Service Volunteer. Volunteers are not eligible for College leave or benefits, including unemployment or workers' compensation.

## II. ELIGIBILITY

- A. Volunteers between the ages of fourteen (14) and seventeen (17) must have written consent from a parent or guardian before performing volunteer services and must comply with all appropriate laws and regulations on child labor. Volunteers who are under the age of fourteen (14) must have written consent and be under the supervision of their parent or guardian at all times while performing volunteer services. Supervisors must consult with Human Resources before engaging minors for volunteer services.
- B. If the volunteer is a current non-exempt college employee, the volunteer services performed may not be the same type for which the College employs the individual. Non-exempt employees may not volunteer to complete their normal duties in lieu of overtime, and may not volunteer to complete their normal duties if either the employee or the position has been terminated. Non-exempt employees must be compensated for all hours worked in accordance with the Fair Labor Standards Act. See Procedure 3.1.3.3 Full and Part-Time Non-instructional Working Hours for information on non-exempt employees. Employees should consult with human resources to determine if their position is considered non-exempt. Student volunteers may not displace paid positions or fulfill required academic, clinical, or employment obligations.
- C. COA Board of Trustees, COA Foundation Board of Directors, COA Alumni Association Board, guest lecturers/presenters, and individuals serving on committees, task forces, advisory panels, and academic-related committees who are acting in the capacity of



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their appointment are not considered volunteering for the purpose of these guidelines. Additionally, these procedures do not apply to persons contracted to provide services for the College.

- D. All Unpaid Student Interns must be at least eighteen (18) years old and must be involved in a supervised program with the College or another educational institution.

### **III. SCREENING OF VOLUNTEERS**

- A. All volunteers and unpaid student interns aged eighteen (18) or older are subject to background checks. Volunteer service may not begin until approval is granted by Human Resources.

### **IV. REQUIRED FORMS**

- A. All volunteers must complete the Volunteer/Unpaid Student Intern Service Agreement prior to beginning volunteer/intern service. All volunteer/intern duties, supervision requirements, acknowledgments, consent forms, and approval status, as required, must be approved by the Human Resources Department.
- B. If an individual is a returning volunteer/unpaid student intern, and the break in service is greater than six (6) months, all applicable forms and processes must be completed again.

### **V. RESPONSIBILITIES OF SUPERVISOR**

- A. Develop appropriate and meaningful opportunities for volunteers/interns involved in their programs and services;
- B. Take actions necessary to ensure that volunteers and staff understand their respective duties and responsibilities, their relationship to each other, and their respective roles in fulfilling the objectives of the department;
- C. Submit all required documentation and Volunteer/Unpaid Student Intern Service Agreement (s) to Human Resources for approval.
- D. Ensure volunteers/unpaid student interns do not displace paid employees or perform prohibited duties.
- E. Immediately notify Human Resources of any change in volunteer/intern scope, duration, or conduct concerns.
- F. Retain all Occasional Service Volunteer sign-in sheets and all Volunteer/Unpaid Student Intern Service Agreements for three (3) years.

### **VI. RESPONSIBILITIES OF VOLUNTEER/INTERN SERVICES**



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- A. All volunteers/interns must sign the Volunteer Service Agreement before beginning any volunteer/intern service.
- B. All volunteers/interns agree to abide by all college policies, procedures, and external laws and regulations that govern their actions while completing any volunteer/intern service.
- C. Report safety or conduct concerns to the supervisor or Human Resources.

#### VII. RESPONSIBILITIES OF HUMAN RESOURCES

- A. After receipt of all volunteer/intern documents, determine whether a background check is required for proposed volunteers/interns.
- B. Arrange for the background check to be completed.
- C. Notify the supervisor when the background check has been completed and the volunteer has been approved to begin services.
- D. Maintain volunteer/intern records for three (3) years.

#### VIII. DISCONTINUATION OF VOLUNTEER SERVICES

- A. Volunteers/Interns have the right to end their services at any time while providing as much advance notice as possible. The College may terminate the services of volunteers/interns at any time without prior notice.

June 13, 2023

February 16, 2026

February 16, 2026

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**Date Approved by President's Leadership Team**

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**Date of Last Review**

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**Date of Last Revision**