

Safety & Liability: Guidelines



Risk Management and Liability

Risk management is an important component of culminating projects that encourage or require students to work with the community. Thoughtfully developed policies and procedures can help teachers and administrators manage risks effectively. Because "documents of agreement," which attempt to reduce and/or transfer responsibility for harm are governed by state law, it makes good practice to review written consent and/or liability forms with the administration's risk manager and/or legal counsel.

Work-study policies which guide off-site career placements can be applied to culminating projects as well. The following recommendations should guide projects which involve a large number of students in service-learning.

1. Utilize school district's risk management professionals and/or legal department to review policies, procedures, and forms; articulate and publish service learning policies, procedures, goals, and benefits for students, parents, staff, agencies, and service recipients. Be sure to adjust and modify as needed.
2. Identify risks and liabilities and develop policies, procedures, and training for students and staff, and develop goals, objectives, and curriculum for the community project.
3. Require parental/guardian permission (in writing) for student involvement. The permission form needs to thoroughly describe the community activity and any potential dangers.
4. Become familiar with Washington State child labor laws and Labor and Industry employment standards to insure that students are not engaging prohibited activities. (For example students may not use power tools; youth must be adequately trained for any on-site tasks.)
You may also visit the Washington State L&I Help for Teen Workers web site: www.LNI.wa.gov/workstandards/teenworker.htm
For more information on federal law, contact the U.S. Department of Labor, Wage and Hour division at 206-398-8039 or visit their web site: www.dol.gov/dol/esa/public/summer/sw-sk.htm
5. Be sure there are supervisors at each service placement site.
6. Develop training and handbooks that cover health, safety and emergency crisis plans. Training should include information about inherent risks. Include this information in the student handbook and service site procedures handbook.
7. Be sure transportation policies for students traveling to and from service-learning sites follow all school district requirements and state laws governing student drivers and school transportation safety laws.
8. Students traveling off campus during school hours should have medical release forms signed by parents available on site.

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9. Student medical and mental conditions that might impact the students' safety and/or abilities must be known by students, community coordinator and school coordinator. This information is covered by FERPA and cannot be released without a signed parental medical release.

While most of the risk management issues are common to all civic projects, there are some guidelines and recommendations that should guide program planning.

Guidelines for teacher-guided and supervised service-learning projects

In addition to the above guidelines the following recommendations can guide planning for teacher-supported service-learning:

1. Require all participants to wear identification badges and to sign in and out with each visit. Student I.D. cards are helpful when placing students out in the community.
2. Provide adult supervision based on your district's field trip adult-student ratio (1 adult/8 students). Some districts may allow parents, substitutes, AmeriCorps and community volunteers to help provide supervision. Note that most general liability insurance requires direct supervision of volunteers by an employee in order to provide coverage. *Any adults who are supervising students alone must have successfully complete Washington State Patrol Background Checks or fingerprinting.
3. Include health, safety, first aid and emergency crisis plans in project orientation.
4. Require that the teacher or service sites have a first aid kit, copies of the student's medical release form, and clear instructions on what to do if the student is injured.

Good Judgment

Good judgment and common sense often dictate what safe and appropriate activity is. What is safe in one set of circumstances may not be classified as safe in another set of circumstances. For example, changing weather conditions call for you to assess a situation and possibly discontinue an activity. If you are uncertain about the safety of an activity give the district full details and don't proceed without district approval.

The safety of the students is your most important consideration. Because of their youth and inexperience, children need guidance and support from adults. Adults must determine the degree of care required according to the child's age and skill and the nature of the activity. Err on the side of caution when considering whether to proceed with an activity.

Recommended items to include in program planning and safety orientations

Student Orientation-*At the community site students should be instructed to:*

- Never do anything they have not been trained to do.
- Follow their gut instinct if they are uncomfortable and get help.
- Ask questions.
- Never use power tools.
- Find out where they can get help if they need it.

- Know emergency exits and procedures
- Understand the educational purpose, expectations and value of the service-learning project.

Parent Orientation- *Parents should do the following:*

- Thoroughly understand the purpose of the culminating project and expectations of the service-learning project.
- Inform the school supervisor of their child's unique health and behavior needs.
- Provide adequate medical accident insurance. If they don't have insurance they can frequently purchase health coverage for their child through the school. Some examples include: Excel Serve, PTSA Student Accident Insurance, and L and I Volunteer Insurance.
- Review the information sent home regarding the project site and activities and sign off only if they are comfortable with the value and safety of the project.
- Provide their student with appropriate clothing and equipment for activities, or contact the leader before the activity to find sources for the necessary clothing and equipment.
- Assist the leaders when their child has special needs or disabilities.
- Make provisions for their student to get to or from meeting places in a timely manner.

Teacher/Supervisor Orientation- *Educators should do the following:*

- Conduct a hazard mapping of site prior to service activity.
- Make sure there is not unsupervised access to children.
- Be sure students are supervised if they have direct contact with agency clients. (If students will be regularly working with children and elderly State Patrol checks should be completed on the student volunteers.)
- Be sure all parties (student, parent and community) understand the educational purpose, expectations and process of the culminating project.
- Partner with law enforcement to provide background checks and, if necessary, fingerprinting, for community and parent supervisors.
- Be sure students are adequately trained prior to the service-learning projects so they know how to safely complete their tasks and how to respond in case of emergency.
- Create a statement of social, emotional, and physical, barriers for student success for parents to complete (i.e. Need to know information).

Service Site- *Community agencies should:*

- Develop a learning plan for participating students.
- Offer or provide volunteer insurance.
- Complete background checks for staff.

Inform students of safety and emergency procedures before students begin working on their service activities. Model safe behaviors and provide time to answer questions and concerns.

Background Checks

This is required for all adults who will have unsupervised access to children, developmentally disabled persons, or vulnerable adults complete a Criminal Background Check. Acceptable background checks include the Washington State Patrol background check (using Washington State Patrol form 3000-240-430 or WATCH) and FBI fingerprint checks.

You may choose to use the Washington State Patrol WATCH (Washington Access to Criminal History) system to satisfy this requirement. This is a free, on-line, secure system that will allow you instant access to State Patrol background information. It is your responsibility to ensure that background checks comply with the policies of the agencies and schools.

Guidelines for student-directed Culminating Projects

Students make direct contact with community agencies as part of a Culminating Project.

Schools should:

Develop student packets that offer safe guidelines, including an individual student learning plan. Require parents to review and sign these forms.

Conduct a safety survey for any service site they promote.

Make sure there is no unsupervised access to children.

Require parents and students to verify the safety of the site before they begin to serve.

Be sure site complies with Child Labor and L and I regulations

Inform agencies of the purpose, expectations and process for the culminating project.

Be sure students and parents take responsibility for reviewing the safety of the project site. Parent informed consent forms need to be completed and recorded before students go on site.

Establish a list of prohibited activities that might put students in harm's way (i.e. sky diving,, etc.), or the keep your feet on the ground rule

Partner with law enforcement and district attorneys to provide background checks, and if necessary, fingerprinting.

Students should:

Conduct a risk/hazard mapping of the site with parents.

Never do anything you have not been trained to do.

Follow their gut instinct, and get help if they are uncomfortable or afraid.

Ask questions.

- Be sure agencies are fully informed of any special needs, medical issues or potential behaviors which may endanger them.
- Listen to instruction and follow suggestions at the site.
- Learn to “Think Safety” at all times and to “Be Prepared”.
- Know how, when and where to get help when needed.

Parents should:

- Develop an individual student learning plan with their child so everyone fully understands the purpose of the project.
- Be sure they fully understand the purpose, expectations and process of the culminating project.
- Assess the community site with their child prior to service activity.
- Promptly pick up and drop of student at a safe, designated location. Have a back up transportation plan. (Cell phones may be helpful to facilitate communication.)
- Meet with community site supervisor prior to the service activity.
- Provide emergency contact information and get contact information from the service site.
- Provide medical insurance.

Service Site should:

- Develop learning plan for all students/projects.
- Attend a volunteer orientation which covers safety issues.
- Offer/provide volunteer insurance.
- Provide site supervisors and volunteers with background checks, medical accident insurance.

Selected References: Safety and Liability

The following references have been used when developing policies, procedures and responding to specific requests. This is not an exhaustive list of all possible risk management references; however it should provide readers with a starting point with their research.

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