



RISK NOTE

SUBJECT: Volunteers in Schools

School Districts (SDs) may be found liable for the conduct of their volunteers, even if the SD is not at fault for negligent or criminal conduct of those volunteers. SDs may also be found liable in the selection, training and monitoring of their volunteers. It is important for SDs to strike a balance between staff using volunteers to enhance the experiences of students, and avoiding inappropriate or harmful interactions and experiences when using volunteers.

Who is a volunteer?

An individual who assists school personnel and supports school programs, supplementing employee responsibilities, without receiving payment or the expectation of receiving payment. Volunteers are typically, but not always, adults. They may be parents, other family members, community members, older students, or SD employees volunteering in roles apart from their jobs.

SDs and schools should be more vigilant about assessing risk in situations where a volunteer is not a parent, guardian or immediate family member of a student who attends the school.

Screening and acceptance of volunteers

While the goal of using volunteers is to enhance student experiences, SDs may be found liable for the actions of volunteers, and the use of volunteers may increase the legal liability of the SD.

SDs are not required to use volunteers to support school programs, and they are not required to accept any particular individual as a volunteer. Legal advice should be sought if the SD is uncertain of the implications of declining a volunteer.

Consideration should be given to whether there is a need for volunteers in any given situation or whether the program/activity in question can reasonably be delivered without using volunteers.

It is recommended that SDs and schools have a clear standardized screening and approval process for adult volunteers, including criminal record and reference checks. Screening should be done even when a volunteer may be well-known to the school or the SD. Documents obtained or created during the screening and approval of volunteers should be retained according to the SDs policy for document retention. Certain claims, such as those alleging sexual abuse, are not subject to limitation periods and may not be initiated for many years after the fact. SDs should therefore consider developing policies for long-term document retention.

Training, Orientation and Supervision

SDs and schools should have clear written guidelines about the specific duties and responsibilities of volunteers. Such guidelines should include expectations as to conduct with students, and what is considered to be acceptable and unacceptable behaviour with students. In particular, there should be guidelines, with examples, relating to boundaries with students. Guidelines should address what volunteers should do in the event of inappropriate conduct by students or concerning interactions with students.

Adult volunteers may be considered to be in positions of trust and authority in relationship to students. Volunteers are not peers of the students. It is usually not appropriate for volunteers to have personal communications with students, including telephone/social media communications, nor should volunteers be communicating with students outside of the activity for which they are volunteering, or after the volunteering has come to an end.

Volunteers should not, in most instances, be involved in providing counseling or emotional support to students.

Volunteers may be relied on to support a variety of activities, including travel and field trips. Particular attention should be paid to volunteer use, supervision, training and expectations where volunteers may be alone with students, involved in off-site activities, or in informal settings such as school trips or similar activities. When considering activities for which there is no previously established structure, close attention should be paid to the use, supervision, and expectations of volunteers as well as boundary issues.

Concerns

Any complaints or allegations of inappropriate conduct by a volunteer towards a student should be immediately reported to the Principal or designate to be addressed in accordance with school district procedures.