

## Administrative Procedure 390

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### VOLUNTEER REQUIREMENTS AND VULNERABLE SECTOR VERIFICATION

#### Background

The Superintendent values the contributions of volunteers in enhancing learning opportunities for students while still recognizing the responsibility to provide a safe and caring environment for staff and students alike.

#### Definitions

Duty of Care: shall mean a legal principle which identifies the obligations of individuals to take reasonable measure to care for and to protect all students to an appropriate level or standard. Students are vulnerable by default, however, if they cannot protect, defend, or assert themselves, permanently or temporarily, because of age, disability, or circumstances, then that duty becomes more intense and the standard higher.

In loco parentis: shall refer to individuals acting in “the place of parents”, who are held to a standard of care requiring that they exercise wise and judicious decision making in the best interests of all students.

Prudent Person Standard: shall mean the standard of care expected in individual circumstances is that of the reasonable or prudent person.

To determine what the standard of care should be in a particular situation, the following questions are to be asked:

- What would a reasonable person of average judgement, skill, and experience, be expected to do – or not do – under these circumstances
- What are the risks involved in a situation, given the nature of the activity, the participants, the setting, the availability of support or assistance, and the other relevant factors?
- What consequences of an action – or lack of action – would a reasonable person of average judgement, skills, memory, and experience be expected to foresee?

Standard of Care: refers to the degree or level of service, attention, care, and protection that one owes another according to the law; usually this is considered with the laws relating to negligence. The required standard varies according to the circumstances of each situation.

Volunteer: shall mean an individual who assists the school and/or students in curricular and/or extra-curricular activities, not including Division employees, guest speakers, presenters, special visitors to the school or School Council members while in their role as School Council members.

Vulnerable Sector Check: shall refer to an enhanced criminal record check. This type of record check was created in 2000 to protect children and vulnerable persons and is governed by Section 6.3(3) of the *Criminal Records Act*.

### Procedures

1. The Principal shall actively encourage and promote community support within the school and for school activities through the process of volunteering, clearly defining both the possibilities and boundaries within the realm of volunteering at school and for school activities.
2. The Principal shall encourage community support by
  - 2.1 Recruiting and screening volunteers;
  - 2.2 Giving prudent consideration of whether or not volunteer activities will add value to the activity;
  - 2.3 Giving prudent consideration of the safety and wellbeing of students and staff, including each individual's duty of care to uphold the standard of care; and
  - 2.4 Giving prudent consideration of the staff members' desire and ability to benefit from volunteers.
3. All volunteers, in accordance with this administrative procedure and with school-based processes, shall be approved by the Principal.
4. The volunteer approval process by the Principal shall include:
  - 4.1 A completed **Annual Volunteer Registration Form 390-1** by each volunteer.
  - 4.2 A current clear Criminal Record Check/Vulnerable Sector Check\* by the volunteer whose service is likely to exceed ten (10) hours of volunteer activity over the course of the current school year will be kept on file at the school.

\*Note: If the RCMP/Local Police Services community in which the school is located does not provide Criminal Record Checks/Vulnerable Sector Checks for volunteers, the Principal has the authority to approve the volunteer or deny the volunteer.

- 4.3 A current Criminal Record Check/Vulnerable Sector Check must be on file at school for those volunteers:
  - 4.3.1 Who will be working individually with one (1) student.
  - 4.3.2 Who will attend an overnight off-site activity.
5. Volunteers who expect to volunteer in more than one school shall indicate “Northern Gateway Public Schools” as the agency on the Vulnerable Sector Check or Criminal Record Check form.
  - 5.1 One vulnerable sector check or criminal record check is sufficient for cross-school volunteering; a copy must be on file at each school.
6. With respect to the validity of the Vulnerable Sector Check, volunteers have a duty to report any charges or convictions to the Principal prior to continuing in any capacity as a volunteer.
7. If a volunteer applicant has a criminal record, the Principal shall review the applicant’s suitability based upon the following factors:
  - 7.1 The type of charge or offence;
  - 7.2 The age of the charge or offence;
  - 7.3 The type of volunteer work for which the applicant is being considered;
  - 7.4 Whether the criminal record impacts on the applicant’s ability to perform the volunteer duties;
  - 7.5 Whether the behavior associated with the offence(s) if repeated, will pose a threat of physical or sexual abuse to children or others; and
  - 7.6 Any other factor(s) which the Principal deems to be relevant.
8. The Principal shall expect and ensure that volunteers, while participating in the activities of schools:
  - 8.1 Share relevant areas of volunteer interest or expertise to assist the school in identifying volunteer assignments;
  - 8.2 Abide by the rules of confidentiality;
  - 8.3 Act in an assisting capacity with teachers;
  - 8.4 Respect the role of the teacher and not assume functions considered responsibilities of the teacher;
  - 8.5 Seek the counsel and take the direction of the teacher, Principal or designate in any decision area(s) which may be unclear to the volunteer; and
  - 8.6 Are clearly identifiable to staff and students through the use of a school-standard volunteer identification that is outwardly displayed on the volunteer’s person.

9. Volunteering in schools shall be considered a privilege and not a right, and therefore the Principal or designate may deny or revoke permission for a volunteer to work in school(s):
  - 9.1 If, in the opinion of the Principal, an individual is not needed in a voluntary capacity;
  - 9.2 If, in the opinion of the Principal, the volunteer is deemed unsuitable for a volunteer position;
  - 9.3 If the volunteer is deemed to be in breach of Board policies or Administrative Procedures; or
  - 9.4 If the volunteer behaves in a way that is contradictory to the Division's mission, vision, principles or values.
10. The Principal has the final authority with respect to individuals serving in a volunteer capacity.

Reference: Education Act 32, 33, 197, 251 Criminal Records Act Screening Handbook 2012 Edition	
	Date Approved:            April 1, 2021
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References shall be updated as required and do not require additional approval.