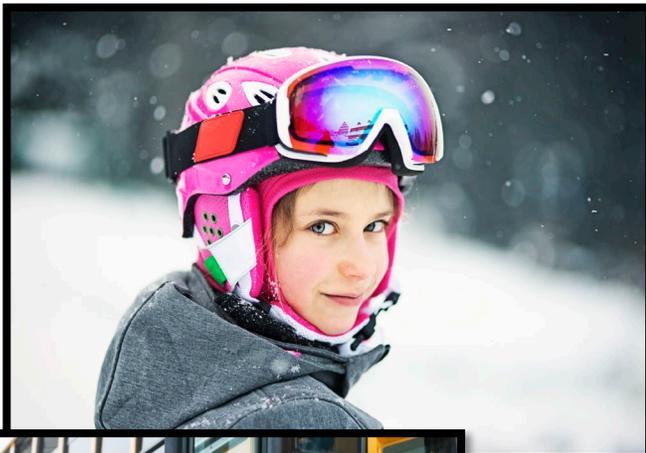




Youth**Safe**
Outdoors

Parent / Guardian Resource



Contents

Introduction to YouthSafe Outdoors.....	1
Purpose	1
Objectives.....	1
Resource Aim	1
Notes to Teachers/Leaders	2
School Off-site Programs, Activities and Trips.....	3
Objectives of Off-site Programs, Activities and Trips	3
Why Some School Programs Involve Risk.....	4
The School’s Role in Programs Involving Risk.....	4
Home and Community Roles in Activities Involving Risk.....	5
Parent/Guardian Top 10 Rights and Responsibilities	6
Parent/Guardian Top 10 Rights.....	6
Parent/Guardian Top 10 Responsibilities.....	7
Informed Consent.....	8
Information/Acknowledgements/Consents Sought from Parents/Guardians.....	9
Health/Medical Information Sought	9
Acknowledgements Sought.....	9
Consents.....	10
Who May Provide Consent.....	11
How Often Should Permissions be Sought.....	11
Informed Consent vs. Waiver Forms	12
Volunteering in School Programs.....	14
Volunteer Skills.....	14
Screening.....	14
Volunteer Briefing	15
Volunteer Acknowledgement of Risk and Consent.....	15
Injuries to Volunteers.....	16
Volunteer Liability	16
Using Your Personal Vehicle.....	16

Appendix A. Preparing Your Child for a Higher Care Program/Activity/Event	17
Gearing Up	17
Clothing.....	17
Equipment	18
Food and Drink.....	18
Packing a Safety Mindset	19
Discussing Risks.....	19
Discussing Potential Fears	19
Discussing Attitudes and Behaviours.....	20
Appendix B. Following up After a Higher Care Program/Activity/Event	21
Cleaning up	21
Supporting Learning from the Experience	21
Discussing Risks.....	21
Discussing Fears.....	22
Discussing Attitudes and Behaviours.....	22
General Learning Reinforcement.....	22

Introduction to YouthSafe Outdoors

A balance must be struck between the meticulous supervision of children every moment... and the desirable objective of encouraging sturdy independence as they grow up. – Justice McNair (1954)

Purpose

YouthSafe Outdoors (YSO) resources are designed to help reduce the occurrence of preventable accidents/incidents related to school, sport, outdoor pursuits/aquatics, arts and culture, and travel experiences. We also wish to establish, in youth, key knowledge, attitudes and skills for safe, lifelong involvement in such activities.

Objectives

YouthSafe Outdoors resources support schools and school authorities in the planning and delivery of safe programs, activities, and events by:

- Helping students develop greater self-reliance outdoors;
- Helping parents/guardians prepare and support their children/wards in this area;
- Assisting schools and school authorities in developing relevant policies and procedures; and
- Building community confidence in the priority schools place on safety.

Resource Aim

Parents/guardians often have questions regarding school off-site programs. The aim of this resource is to help teachers/leaders and/or others in the school district or authority answer some of the more common questions that arise here, including:

- Why does the school include activities with elements of risk in its programs and events?
- Why does the school want to take my child/ward on an outing involving outdoor pursuits, aquatics or travel?
- What are my rights and responsibilities regarding school off-site programs?
- What is “informed consent” and how is it applied?
- What should I know if I am volunteering to help supervise an activity or outing?
- How can I help support my child/ward’s participation and learning before and after an activity or outing?
- What kinds of forms and information might I expect to see coming home in relation to an activity or outing?

By providing information to help support the vital roles of parents/guardians with respect to school off-site experiences, it is hoped that a higher level of mutual respect, understanding, and confidence can be fostered between school and community in this area. Parents/guardians recognize that schools are not guarantors of safety; that not every accident is foreseeable and preventable. But, by promoting and supporting safe

experiences through their involvements at home and in the community, parents/guardians will be doing their part to help minimize the potential for accidents and incidents that may jeopardize their children/wards' health and safety, as well as their future learning and leisure opportunities.

Notes to Teachers/Leaders

The intent of this resource is to help you – the teacher, leader, instructor, or coach – help parents/guardians support their children/wards participating in school-based programs, activities, and events. You may use any or all the content in this resource, as reference or as handouts. It is recommended you use elements of this resource only a little at a time, as needed/appropriate to the context, to avoid overloading parents/guardians.

Recognizing the value of experiential education approaches, connecting program content to real personal experiences, the resources include tools specifically designed for use before, during and following an activity or off-site experience.

This resource is student-focused. Parents/guardians utilizing the materials need not be experts in recreation or risk management. They are designed to help parents/guardians support their child/ward's learning and participation. The most important thing is that parents/guardians show a sincere interest in a school experience and that they discuss it with their child/ward, e.g., the purpose, program, expectations, and safety concerns.

This resource can be applied to almost any school off-site program. It may serve regular annual or seasonal programs, camps or special events (e.g., Downhill Ski/Snowboard Day, sports travel, performance tour, cultural exchange).

The term **“parent/guardian”** refers to individuals acting in partnership or alone to provide home support of and for the student's benefit.

School Off-site Programs, Activities and Trips

*... risks must be taken because the greatest hazard in life is to risk nothing,
the person who risks nothing does nothing, has nothing, is nothing.*

They may avoid suffering and sorry,

But they cannot learn, feel, change, grow, love or live.

Chained by their certainties, they are slaves,

They have forfeited their freedom.

Only a person who risks is free.” – Author Unknown

Objectives of Off-site Programs, Activities and Trips

Learning how to have a healthy, active lifestyle and be a full and vital member of the community requires personal, purposeful engagement. While not a required element of most school curricula, off-site programs and activities are not frivolous supplements to school.

They can provide valuable opportunities for students develop the health, fitness, knowledge, skills, and attitudes to enjoy an active engaged life, during and following youth. Well-planned and conducted school-based off-site programs and activities, may:

- Provide concrete, meaningful experiences and problem-solving opportunities;
- Place academic material in a relevant setting;
- Stimulate interest and discussion;
- Provide ideas, proof, data and conceptual illustrations and generalizations;
- Offer opportunities for integrating school disciplines;
- Provide opportunities for demonstrating responsible citizenship;
- Develop positive attitudes in students;
- Develop social interaction skills in group situations;
- Promote new understandings between teachers and students as people;
- Introduce students to positive role models in the community;
- Foster positive relationships between the school and community;
- Promote awareness and understanding of cultural values and traditions;
- Foster social perspective-taking and empathy;
- Increase awareness, understanding and advocacy for the environment;
- Facilitate application of previously learned skills and acquisition of new ones;
- Provide physical activity and experiential-based learning;
- Improve health and fitness, and foster commitment to active, healthy lifestyles;

- Develop impulse control and mature risk-taking behavior in different contexts;
- Connect students with their authentic selves and the potential for personal growth;
- Provide a supportive community for youth rites of passage (e.g., camping overnight);
- Develop self-confidence and self-determination;
- Challenge the spirit of initiative, creativity and improvisation;
- Encourage students to achieve their individual potential while managing their limitations;
- Help create a culture of mutual care, safety and security;
- Promote regard for learning as enjoyable, continuous and lifelong;
- Inspire a sense of wonder; and
- Provide opportunities for fun, re-creation and energizing.

To achieve any of these objectives and others specific to the program, each school activity must be grade-appropriate and carefully planned in relation to the needs and readiness of the students, and relevant health and safety factors. Many of the objectives may be achieved through more than one program or activity. Each parent/guardian has a role to play in helping their child optimize learning opportunities available, on or off-site of the school.

Why Some School Programs Involve Risk

Activities like camping, hiking, paddling and skiing are very attractive to youth and they can form an important part of a healthy, active lifestyle. They can also help youth understand and connect with themselves, others and nature in essential ways. They offer a very valuable *high-touch* complement to the time youth spend in their *high-tech* world.

However, there are very real risks of injury and even, rarely, death associated with participation in outdoor pursuits, aquatics, and travel ventures. While very rare, the majority of fatalities in recreation and sport in BC annually involve outdoor pursuits activities. Particularly tragic, according to the Chief Medical Examiner, is the fact that a dominant age group represented in these incidents is adolescents, 13-19 years of age. Youth need training to learn how to assess and manage risks for lifelong, safe recreation and sport involvement.

Some risk-taking is developmentally and socially appropriate for youth. Learning skills and testing one's limits are crucial to forming one's personal identity, self-esteem, and sense of belonging. The challenge lies in helping our young people learn to select recreational behaviors that are health-enhancing while avoiding those that may be health-compromising.

Some parents/guardians may think that if there are real physical risks involved, we just shouldn't expose our kids to it. Unfortunately, that approach will not serve to protect our youth in the long run. Adolescents see these and other activities, often taken to extremes in the media and on their computers and are highly attracted to them. If we fail to provide youth with some basic skills for good decision-making in a variety of settings, many will try the activities on their own, and more may suffer tragic consequences.

The School's Role in Programs Involving Risk

Successful training for developing appropriate recreational risk-taking attitudes and behaviors has many parts, settings and goals. It is important for young people to receive consistent messages at home, school and

in the community in this area. While youth are often trying to exert their independence from their families, most do still take in these vital messages from home.

Exposure to a range of activities and settings is important, including a focus on understanding and appreciating activity risks and learning to manage them. Due to their training and ability to provide structured learning experiences, teachers/leaders, coaches and service providers (e.g., camp staff) are potentially in a very good position to help youth lay a solid foundation for appropriate risk-taking.

Through safety education, students can gain:

- Awareness of risks; both natural environmental risks and those humans bring/create,
- Knowledge and skills relevant to assessing risks and managing one's activities,
- Appreciation of the need for more training and appropriate equipment, and
- Potential lifelong learning and enjoyment of healthful outdoor activities.

Home and Community Roles in Activities Involving Risk

The materials included in this parent/guardian resource package are designed to help you, the parent or guardian, support your child/ward in developing such understandings and skills. This package recognizes that school exposure to most activities (not all) occurs primarily at the awareness and basic skill-building level. If children and youth are to develop competence and confidence in an activity and/or environment, they will need additional training and supervision, such as that available through:

- family recreational experiences,
- Joining local clubs,
- Taking academic, non-academic or community-based courses,
- Going to a camp,
- Connecting with provincial and national sport/recreation associations,
- Taking leadership development or certification courses,
- Checking out relevant websites,
- Watching videos, listening to podcasts and other audio-visual media,
- Reading books and magazines (on-line or print), and
- Other appropriate sources.

See *Appendix A* for information to help you prepare your child/ward for an activity involving risk, particularly outdoor pursuits related outings. See *Appendix B* for information to help you support your child/ward's learning following an activity involving risk, again particularly focused on outdoor adventure pursuits related outings.

Parent/Guardian Top 10 Rights and Responsibilities

Parents and guardians of minor students have many rights and responsibilities related to school off-site experiences. YouthSafe Outdoors research of board/school authority policies and procedures and parent/guardian surveys has led to the following two top ten lists.

Parent/Guardian Top 10 Rights

Parents/guardians have the right to:

1. Assurance, if and as relevant (e.g., optional course, course element or school activity, particularly if activity(ies) of a higher care nature is involved) that participation is voluntary and that the student will not be penalized academically if not granted parental/ guardian permission to attend. An alternative activity/assignment will be provided in the school or other arrangements made for those not attending the off-site activity.
2. Receive enough information related to an activity or outing to make an informed decision regarding whether the outing is appropriate for their child/ward (see *Informed Consent*). This includes the right to good written information about the outing (including an outline of inherent risks), a pre-trip meeting for higher care activities/trips (e.g., of extended duration, occurring in more remote environments), and to having follow-up questions handled. This includes the right to seek additional information about a program or activity from sources outside the school.
3. Limit the types and/or levels of participation their child/ward may have in the offerings related to an activity or outing (within the limits of the group and itinerary).
4. Assurance that their child/ward's safety and security will be a top priority.
5. Within the scope of what is a practical accommodation of any special needs, assurance that their child/ward has an equal opportunity to participate and be successful.
6. Be informed well in advance of estimated costs and options available to facilitate participation by students who might otherwise be excluded due to financial hardship.
7. Be contacted as soon as is practicable in the event of a serious illness, accident or incident involving their child/ward.
8. Seek and receive support from the organization in contacting their child/ward and/or having him or her removed from an activity or trip, by whatever means are appropriate, in the event of a family emergency.
9. Have any concerns they have about the safety of an activity or trip (whether based on information received before, during and/or following it) heard and responded to by the appropriate individuals in the school system.
10. Where parent/guardian volunteers are needed to assist on an activity or outing, to be invited in a timely way, including receiving specific information about any types of knowledge, skills, experience, and/or background checks required of volunteers. Where accepted to volunteer, to be appropriately guided and supported over the duration of the volunteer experience.

Parent/Guardian Top 10 Responsibilities

Parents/Guardians have a responsibility to:

1. Read activity or trip-related information sent home and seek out whatever additional information they need in order to have a good understanding of the nature of the program, activity or trip prior to consenting to their child/ward's participation. Attend a pre-trip meeting if one is held regarding an activity or outing or make alternative arrangements to secure the information that is to be shared there.
2. Preclude their child/ward from participating if the activity or outing does not appear sufficiently safe for that child. This may also include limiting their child/ward's participation to certain aspects of the activity or outing that are appropriate (i.e., restrict those elements that are not deemed safe for the child).
3. Return consent forms and required information promptly. The teachers/leaders should not have to chase this paperwork down from you or the student.
4. Provide thorough and accurate health/medical information to the organization, as requested, to ensure the staff and volunteers are prepared to deal with any related contingencies.
5. Ensure that their child/ward arrives on time for the activity or trip, and properly prepared with respect to their clothing, personal equipment and water/food as per information sent home.
6. Help ensure that their child/ward is well-apprised of the behavioural expectations during the activity or trip and consequences of failing to meet these expectations (both organization and home).
7. Help ensure that their child/ward is aware of some of the common risks likely to be encountered on the activity or trip and strategies for managing these as a participant (see Appendix A for some sample questions/discussion topics).
8. Travel to the site, a pick-up point or a medical facility identified by the school to meet their child/ward (or make mutually acceptable alternative arrangements) if the child has become ill, injured, or precluded from continuing the activity or trip as a result of unacceptable behaviour. Such travel is at the parent/guardian's expense.
9. Raise any questions and/or concerns about an activity or trip (whether based on information received before, during or following it) in an appropriate manner to the correct person and seek assurance that the issue will be handled.
10. Recognize that school off-site experiences sometimes depend on adequate support from parent/guardian volunteers; volunteer when asked if you can. If not, please express your appreciation of the volunteers who help enrich the students' lives.

A general related responsibility that parents/guardians have, independent of any activity or excursion, is the duty to encourage, support and enforce safe practices in the child's recreational endeavours, whenever with the family or out on independent ventures. A priority on safety (e.g., "No helmet, no bike"), appropriate role modeling (e.g., parent/guardian wearing a personal flotation device on the family boating trip), and consistent application of consequences for unsafe behaviours are all vital aspects of this home education.

Informed Consent

BC school boards generally require that parents/guardians be provided sufficient, pertinent information about an activity or experience to make an informed decision about its appropriateness and safety for their child/ward, and that they submit written permission for the child to attend. Parents/guardians should receive information in a brief, concise outline, presented in plain language. If a lot of information must be shared and/or discussed (e.g., extended trip, out-of-province trip), then a pre-trip parent/guardians' meeting should be held.

The type and depth of information provided will vary depending on the length and complexity of the activity or outing. Some of the types of relevant information that you may expect to receive for **most activities or outings** offered:

- School and class(es) or group(s) involved;
- Destination location, including address or nearest locatable centre/site;
- Purpose and objectives of the activity/outing;
- Departure and return date(s) and times;
- Transportation/travel arrangements, if relevant;
- Supervision arrangements (e.g., ratio or number of supervisors anticipated);
- Key activity(ies) involved;
- Known potential risks of the activities, environment;
- Notification specifically of activities that are of a higher care nature and/or that involve travel off-site more than .5 km/3 blocks;
- Notification of the existence of a safety plan to manage identified risks;
- Notification of the existence of an emergency plan in the event of injury, illness, etc.;
- Notification that the organization will secure emergency transport to medical services if necessary and that the parents/guardians will be responsible for any associated costs;
- Student conduct expectations and consequences;
- What to bring (e.g., types of clothing, footwear) and whether to bring water and food;
- Financial arrangements if any (i.e., cost to the student, when fee is due);
- Request to volunteer if volunteers are needed (and any special requirements of volunteers);
- School contact name and number/email for more information; and
- Other relevant information.

and for **higher care activities** (e.g., adventure pursuits, overnight travel):

- Supervision arrangements (e.g., number of supervisors or ratio, grouping);
- Meal and accommodations arrangements (if overnight or longer);

- Any specific clothing and equipment related responsibilities (e.g., providing or renting a helmet, getting personal ski bindings adjusted by a technician prior to the trip);
- Outline of the safety plan;
- Outline of the emergency plan in the event of injury, illness or other problem;
- Any requirement for consents related to securing emergency medical services and agreement to assume any related costs of such services (e.g., international travel);
- Contingency plan(s) (e.g., email/text/phone tree message to inform parents/guardians quickly of changes in activities, significant delays or destination changes);
- Any requirements for health/medical or ability screening;
- Any requirements for additional insurance;
- Invitation to parent/guardian meeting, if one is to be held; and
- Any other relevant information unique to the trip or board's expectations which may influence the parent/guardian's decision to provide consent.

Information/Acknowledgements/Consents Sought from Parents/Guardians

Most schools try to ensure that appropriate, pertinent information, acknowledgements and consents are sought and secured from parents/guardians so that a) the staff and volunteers may make an informed decision about the program/activity/trips' appropriateness and safety for the student (e.g., considering health/medical information), and b) the board's legal requirements are met. Generally, this requirement is addressed by seeking information from parents/guardians and then obtaining related acknowledgements and consents.

Health/Medical Information Sought

The types of information most often sought from parents/guardians include:

- Current **medical history** of the student; e.g., allergies, chronic or recent acute illnesses, injuries or disabilities, phobias, etc. that could affect participation, and health care and/or dietary requirements;
- **Medications** the student will need to take over the activity, including the name of each medication, reason for taking it, dosage and times taken, administration method, duration of the treatment, storage requirements, potential side-effects, first aid treatment for side-effects and physician contact information. Note which medications the student will carry and administer him or herself as needed (e.g., inhaler, Epi-pen);
- **BC Medical Services Plan Personal Health Number** (with more mature students, may simply require them to carry their cards);
- Any **specific restrictions** on the level or types of activity(ies) the parents/guardians wish to impose with respect to their child/ward's involvement; and
- **Emergency contact** name, phone number, and relationship to student.

Acknowledgements Sought

Most school boards/authorities require that parents/guardians acknowledge their awareness and acceptance of inherent physical risks related to the activity or outing. It is important to understand that an

acknowledgement of risk does **not** constitute a waiver of any legal rights of the minor student, but it does demonstrate significant awareness and acceptance of the common, known risks of the activity (e.g., falling while learning to skate) and environment. The acknowledgements require parents/guardians to specifically consider whether an activity is appropriate for their child/ward and encourage them to discuss activity/trip safety with the child. It helps define “informed consent”. The following types of acknowledgements are most often required:

- Acknowledgement of awareness of the specific program, activity or trip, including the date(s), times, location and activities involved;
- Acknowledgement of the known potential inherent risks of participation in the activity by their child/ward, and recognition that these risks may lead to serious injury;
- Acknowledgement of awareness, understanding and acceptance of identified unusual factors/special risks presented by the group, activity and/or environment;
- Acknowledgement that the activity is suitable for their child/ward;
- Confirmation by the parent/guardian that the child has been informed that he/she is to abide by the rules and regulations of the school and supervisors and to meet all prerequisites;
- Confirmation that the student will wear suitable clothing and safety equipment;
- Acknowledgement of understanding and acceptance of the consequences of the student failing to abide by the rules and regulations (e.g., participation in program terminated, parent/guardian to pick up the student from the activity or trip at personal cost);
- Acknowledgement of parent/guardian’s responsibility to disclose relevant medical or health information that could affect the student’s safe participation in the activity;
- Acknowledgement of acceptance of transportation mode to be used, especially if other than parent/guardian driven or by public or chartered transport;
- Confirmed attendance at a pre-trip parent/guardian meeting, if one was held, or agreement to become sufficiently knowledgeable about the activity or trip to make an informed decision about their child/ward’s participation; and
- Acknowledgement that their child/ward’s participation in the activity or trip is voluntarily undertaken.

The above should be complemented by the board’s identification of its own responsibilities in relation to the activity or outing; e.g., ensuring qualified instructors/teachers/leaders, providing sufficient supervision, appropriate site/route, appropriate group equipment. The board is also responsible for ensuring that parents/guardians receive a list of potential known hazards associated with the activity or trip.

Consents

Most school boards/authorities require that proper authorization be secured from a parent/ guardian prior to taking a student off-site. Forms with consent clauses ensure that the school has the parent/ guardian’s permission for the student to participate in the activity(ies) in question. The following specific items commonly require written consent of the parent/guardian:

- Authority for trip supervisors to seek necessary medical treatment for the student at the parent/guardian’s expense (for anything not covered by health care insurance);

- Authorization for supervisors to dispense prescription medication(s) the student will need help taking over the activity period;
- Consent for mode of transportation, if other than parent/guardian driven or using public or chartered transport (i.e., a commercial carrier). This is relevant in programs, activities or trips where the board or authority has assumed responsibility for arranging or coordinating transportation. The process generally includes separate consents for situations where the student will be:
 - a passenger in a private vehicle with a volunteer driver,
 - a passenger in a private vehicle driven by another student, or
 - the student personally driving a vehicle and, if relevant, driving other students to, from and/or at the site; and
- Consent for the student to participate in the program, activity, or event.

Who May Provide Consent

In general, a valid signatory of a school program permission form includes:

- The biological parent (unless a court order denies custody),
- A parent the child lives with,
- A custodial parent,
- The legal guardian, or
- A person who has been delegated day-to-day care and control of the child by a parent (e.g., a step parent, grandparent, custodian of an international student), for activities and off-site experiences that do not include higher care activities.

When one parent/guardian signs, the organization assumes that any and all adults responsible for the child are in agreement. An independent minor who has declared him or herself as such may personally sign the form. For some higher care outings such as extended wilderness travel or international travel, a board may require all parents/legal guardians of the students involved to sign.

In every case, parents/guardians should work with the child to ensure they get consent forms returned on time. This is only fair as the teacher/leader needs to prepare the trip for the number of participants to be expected. In the **rare** event that a signed consent form (returned slip, faxed copy, email note) cannot be submitted on time, for a valid reason, a parent/ guardian **may** (if board policy permits such), be allowed to give verbal consent over the phone. In such exceptional cases, the parent/guardian and teacher/leader should go through the trip information and consent form together, line-by-line. If the parent/guardian wishes to provide their oral consent, it is acceptable for the teacher/leader to sign “for (parent/guardian’s name)” and to have a witness listen in to hear the parent/guardian’s consent given and then to sign off that they witnessed that consent. **Note:** this practice is highly inconvenient to school staff and is **not** universally accepted (i.e., some boards simply prohibit any students from participating who have failed to submit their forms on time).

How Often Should Permissions be Sought

Most boards/authorities allow the parents/guardians to sign a single permission form at the beginning of the school year to authorize a student’s participation in scheduled and unscheduled activities conducted near the

school and of a wholly low-risk nature. Typically, a single permission form is also considered acceptable for a planned seasonal series of off-site trips involving a single activity, such as a sports team's competition/event schedule, if the permission form includes information about the activity and ideally, dates and locations. If some dates or locations aren't known (e.g., playoffs), parents/guardians should be notified of the dates and locations in a timely way when this information is available. They should also at least be informed of, if not provide additional permissions for, any major deviations from the planned program. Generally, whenever an activity or trip involves a unique higher care activity (vs. a series of outings involving the same activity) or an overnight stay, particularly if the parent/guardian will not be attending with the child, a separate permission form is required.

Informed Consent vs. Waiver Forms

Waivers are contracts intended to remove or eliminate the benefit of a right to seek compensation through the courts in the event of injury. They are used to endeavor to put the financial burden of an accident/incident on the participant or on another person such as a minor's (under 19 in BC) parent/guardians, sometimes even where there may have been negligence by the party providing the activity, its staff, volunteers or contractors.

Examples of waivers are quite common in recreation: adult skiers, boaters and climbers are all accustomed to being asked to sign waiver forms before they are provided with their lift ticket, boat rental, access to a climbing wall, etc. It is a common misconception that such waivers are "not worth the paper they are written on." Courts (up to and including the Supreme Court of Canada) have upheld these contracts when they have been signed by and for **adult** participants and are clear and voluntarily entered into.

While written waivers are used in the adult recreation context, there are problems with them in the school or youth program context. In general, Canadian law does not support contracts signed by or for minors that are prejudicial to their legal rights. In BC, the law is provided in clear legislation in the *Infants Act*. This law applies to all negligence waivers for minors and related indemnity clauses; e.g., where the parent/guardian is asked to agree to compensate the provider for any damages, legal costs, expenses, etc. that that party has to pay out to the child due to the injury(ies), including those caused by the party's negligence. The courts see these as simply another way for the program provider to leave the family bearing the costs of its negligence with respect to the minor.

There are many societal and personal benefits to children and youth participating in education, recreation, sport, outdoor pursuits, aquatics, arts and culture, and travel experiences, and many parents/guardians feel compelled to sign any form presented them by the school because they see few if any other options for their child/ward to participate in the activity except through the school. They want their kids to be happy in school and field trips contribute to making fond memories of school days. Parents/guardians signing waivers on behalf of their children/wards are, in essence, declaring that they have a power to do this that they simply do not have in Canadian law. All parents/guardians are obliged, under the United Nations Convention on the Rights of the Child, to do what is right for the child, and signing away a child's rights would not be in the child's best interests. Businesses and organizations carry liability insurance to cover damages caused by their negligence, so there is no need for fraudulent contracting with parents/guardians and/or students.

School boards do retain the right and it is lawful for them to ask or require adults, including parents/guardians of students, to legally waive their own rights in the event their child/ward is injured due to negligence. So, for example, a mother has signed a waiver clause covering negligence causing harm or damages to either the child or the parent and that parent's child is injured on the outing due to the negligence of the school. The mother can still sue on behalf of the child, as the child's 'next friend'. However, even if the mother loses a lot financially because she takes months off work to care for the child during

convalescence, she may not be able to successfully sue for her own lost wages. In this way, some boards endeavour to share the cost of losses related injuries or illnesses sustained by students on trips.

What to do if Presented with a Waiver Form for a Student

If you are asked by a school or service provider (e.g., downhill ski/snowboard resort) to sign a waiver of negligence form on behalf of your child/ward who is a minor, and/or the student is asked to sign a waiver, you have a right to:

- **Discuss the form** with the teacher/leader, principal or designate, or the service provider (if the form originates with a service provider such as a ski resort, climbing wall, etc.), as relevant, and/or to secure legal advice regarding the content and implications of signing the form;
- **Have your child refuse to sign and personally refuse to sign** any form that requires the waiving of the child's legal right to sue in the event of an injury caused by the negligence of the party providing the waiver and/or any other parties covered on the form. Neither the minor nor you can legally waive the child's rights to sue in such situations and should never be asked to do so. Decline to sign. Some parents/guardians merely edit the form to remove the clause(es) related to waiving the student's rights in the event of negligence. Legally, the student cannot be precluded from participation in an activity or event but for him or her and/or the parent/guardian refusing to agree to such conditions a form;
- **Refuse to indemnify** (compensate) a board, service provider or other for damages it may have to pay out to your child/ward if the child/ward is injured due to their negligence; e.g., those related to medical and long-term care of the child; again, the courts of Canada and BC do not support these clauses. Simply edit out the offending clause(es);
- Either **accept or refuse to waive your own legal rights** (as noted, adults, including parents/guardians, can legitimately be asked to waive their own rights to sue for their own personal expenses related to their child/ward's injury or illness, howsoever caused);
- **Request use of an alternative form** that presents the known potential risks of the activity, and the responsibilities of the board and/or service provider, and those of the parent/guardian and student. This form requires the parent/guardian to acknowledge awareness and acceptance of the inherent risks of the activity and other responsibilities of the student and parent/guardian prior to consenting to the student's participation. Such a form does not ask the parent/guardian to waive any of the student's rights, but would provide evidence that the parent/guardian was aware of the inherent risks of their child/ward's participation; i.e., provided informed consent;
- **Raise the issue of ethical contracting by and for minors** with the board (e.g., trustee) or school authority (e.g., superintendent) and/or your school's parent advisory council or the BC Confederation of Parent Advisory Councils; and
- In all cases, do what is right for the child.

Volunteering in School Programs

Without the generous contribution of parents/guardians' time helping lead or chaperone school programs, some activities and trips would not be possible. Parent/guardian volunteers help in school-sponsored activities and outings of all sorts, including those that involve higher care activities. However, while parents/guardians or other volunteers coming along to assist with supervision on a bus trip to the local art gallery may be taken as they come and given sufficient direction regarding their role and responsibilities, such is not the case where an activity or outing involves higher care situations. Here, volunteers can expect to be screened and selected based on their ability to support the teachers/leaders and students (i.e., having enough knowledge, skill, fitness and experience to be a positive factor in the program/activity/event and not a potential hindrance to its success).

Volunteers can expect to be screened when the volunteer position involves:

- Involvement in higher care activities or environments;
- Driving students other than their own children, especially if the driving is to be frequent and/or over long distances;
- Overnight travel;
- Access to individual minors alone;
- Access to confidential records; and/or
- Handling substantial amounts of money or other organization assets.

Volunteer Skills

A teacher/leader seeking volunteer assistants for an activity or trip should specify the any unique types and levels of skill and experience the volunteers need to have. If enough qualified volunteers can't be found for an activity or outing, an appropriate alternative activity/trip should be considered based on the capacity of the volunteers who are available. It is generally not reasonable to expect a parent/guardian volunteer to spend a lot of time developing new skills in order to assist a school outing.

Screening

Schools place a very high priority on the safety and welfare of their students. As a condition of volunteering in a school program, the volunteer candidate may be required to submit to **background** (relevant experience and qualifications), **reference** (character), and/or **security** (criminal records) checks. The information gathered is confidential and used solely for the purpose of determining the appropriateness and fitness of the volunteer candidate for the outing or other volunteer position. Written permission from the volunteer must be secured before a school may contact references or initiate a criminal records check.

Volunteers are screened in a consistent manner, based on the risks related to the volunteer position. Where a criminal records check is included as part of the school's process related to volunteer screening, the screening is specifically conducted as a vulnerable sector check. This type and level of screening is designed to protect vulnerable persons (such as children and youth) from dangerous offenders, by disclosing the existence of a relevant criminal record, adverse contact with police, and/or a pardoned (or record suspension) sexual offence conviction(s).

The presence of a criminal record may or may not preclude an individual from being accepted as a volunteer. The board/school authority may consider factors such as the following:

- The nature of the offence,
- Age at the time of the offence,
- The recency of the offence, and
- The relevance of the offence to the position applied for.

The volunteer has a right to expect that all information secured as part of any screening process (e.g., application form, interview, references, criminal records check) will be treated in the strictest of confidence and used solely for the purpose of determining whether the individual is an appropriate fit for the volunteer position.

Volunteer Briefing

As a volunteer, you should expect to be briefed regarding the following:

- Program, activity and/or trip goals and objectives;
- Itinerary, program and activities;
- Logistics;
- Participant grouping;
- Anticipated roles, responsibilities, duties and assignments of themselves and other teachers/leaders/supervisors on the trip;
- What to bring (e.g. Clothing, equipment) and any related responsibilities;
- Expectations the board/authority has of volunteers (e.g., related to smoking, drinking and/or other activities or behaviours over the activity or trip);
- The safety plan; and
- The emergency plan.

This communication helps ensure that the teachers/leaders and volunteers will operate as a unit and that students will be given consistent role modeling and messages from staff and volunteers. It also allows each volunteer to make an informed choice about whether to participate in the proposed activity or outing. If you do not receive all the information you believe necessary to decide whether to volunteer, or to fulfill your responsibilities as a volunteer, **ask** the teacher/leader organizing the activity, principal or designate.

Volunteer Acknowledgement of Risk and Consent

For overnight or longer trips, or those involving higher care activities, volunteers should also expect to complete a form, very similar to the acknowledgement of risk and consent form filled in for a student, that acknowledges their own awareness and acceptance of the inherent risks present, provides relevant health/medical information (in case the volunteer gets sick or hurt), and provides the individual's agreement to participate as a volunteer.

Injuries to Volunteers

Many boards/school authorities have accident insurance in place that may provide a benefit in the event a volunteer is injured while carrying out his or her duties. If concerned, clarify with the school prior to undertaking the volunteer commitment. In the event you are injured while volunteering, contact the principal or designate or district/authority office as soon as possible.

Volunteer Liability

The board/authority's comprehensive general liability insurance may also cover a volunteer who is named in a lawsuit for allegedly negligently causing or contributing to someone being injured during a sanctioned activity. It will not cover intentional wrongdoing (e.g., assaulting a student, participating or driving while impaired due to alcohol or drugs).

Using Your Personal Vehicle

If a parent/guardian is agreeing, as part of their roles, to serve as a volunteer driver for an activity or trip, he or she should also expect to complete a volunteer driver authorization form or similar document. Generally, the vehicle owner's insurance is primary in the event of a motor vehicle accident. Claims may have implications for the cost of obtaining insurance in the future. If the driver is involved in an accident in which his or her vehicle is damaged, the driver may have to pay a deductible. After application of their own motor vehicle liability insurance, volunteer drivers operating their own licensed vehicle for an approved school activity will generally have excess automobile liability coverage through the board/school authority's insurance program. If concerned, clarify with the district/authority office prior to conducting the driving. In the event of a motor vehicle accident during a school sponsored activity, contact the principal or designate as soon as possible.

Appendix A.

Preparing Your Child for a Higher Care Program/Activity/Event

Parents/guardians have responsibility to help direct and support their child/ward in preparing for safe and enjoyable participation in higher care activities and outings. A student who shows up inadequately dressed for the weather or with a bad attitude puts not only his or her safety and success in question, but that of the entire group. The older, better trained and more experienced the student, the more they will be able to assume these responsibilities themselves; the goal is independence. But, until that level of trust is earned, parents/guardians should at least check things over to ensure nothing's been forgotten.

Gearing Up

Clothing

Most courses, clubs or special events offered by a school that include higher care sports, outdoor pursuits, aquatics or travel activities will require students to bring at least some appropriate clothing and personal equipment. The basic requirements may include some specialized clothing or equipment that parents/guardians or students may own or that they may borrow, rent or purchase. It is the organizing teacher/leader's job to ensure that students and parents/guardians receive a list of items needed and specifications related to the items as appropriate, with sufficient lead time to locate items, as necessary.

Students don't need expensive, high-tech outfits for a camping or ski trip. Functionality is more important than style, but both can be found in the same items. It is rarely necessary to purchase brand new clothing. For example, find an old winter jacket, borrow or rent a sleeping bag or just pack several old blankets (if the group isn't backpacking their gear around, weight doesn't matter as much). If you decide to buy some new clothing, start with synthetic or wool socks and long synthetic underwear designed to wick moisture away from the body.

Choose wool, pile or fleece and polyesters over cotton (e.g., T-shirts, jeans) for outdoor activities. Cotton is fine on a warm, summer day, where its ability to breathe and to retain moisture can be valuable in helping keep the body cool. But, these same qualities cause cotton to lose its insulating abilities, while wool and synthetics retain most of theirs, even when wet. Lots of excellent, lightly used clothing made from appropriate materials is likely available and affordable at the nearest thrift/second hand store. Whether buying new or used, check quality, condition, and, most of all, fit. If trouble is experienced finding appropriate clothing, contact the teacher/leader for advice.

Help the student lay out the items collected, including all layers, head, hand and footwear, and discuss them. Discuss dressing in layers for outdoor activity and have the student tell you the clothes items they have for each layer (**ventilating** – next to skin; **insulating** – one to several light layers to trap air; and **protective** – outer weather shell). Talk about the worst weather the student could anticipate for the activity/trip period. Perhaps you can refer to past family outings (even local strolls) that were made or broken because of the clothing you each had. The season, forecast, length of the activity or trip, and remoteness from buildings and vehicles will be factors in figuring out together whether the student has enough clothing of the right sorts for the demands of the activity or trip. It is always better to over-pack a bit than to under-pack. The student can always take off layers, but if they're cold and/or wet, they won't be learning, they won't be having fun, and they may become a safety risk to themselves and others in the group.

Equipment

Some schools have some class/group and/or individual equipment and the teacher/leader will specify what they are able to provide. Other specialty items may be made available through a service provider (e.g., canoes, paddles and personal floatation devices (PFDs) for a canoe trip or skis, boots, poles and helmets for downhill skiing). The teacher/leader will let you know what is provided/available for rent and what must be secured from home or other sources in order to participate. There may be deposits taken to ensure school or rented gear comes back on time and in the same condition as when it went out and/or other incentives/disincentives to keep the equipment pool available for other groups (e.g., student has to pay cost of renting the replacement gear from a commercial provider if item isn't returned in time for the next group needing it).

Where items are required that are not available through the school, the teacher/leader may be able to provide families with suggestions on where to rent and/or purchase needed items locally. Some sports/outdoor stores keep used-equipment notice boards (in the store and/or on their websites) and local on-line classified ads often have lots of great stuff available at low cost if there is time to drive around to pick it up. If buying used and unsure of what constitutes quality in the item, go for name brand items in at least good condition (essential parts all there and functioning properly). Brand names generally suggest reasonable quality, durability and service.

When bringing personal gear items from home or other friends or family (e.g., sports equipment, tents), check them out at home, if possible. For example, set up the tent to make sure the poles and pegs are all there, the zippers work, and the student knows how to set it up, take it down and store it properly.

Expect something to get misplaced over an activity or outing – the younger the student and/or longer the outing, the more likely something may get lost. Consider the following tips:

- Avoid sending anything along that is expensive or that cannot be replaced,
- Label everything using a permanent marker or sew-on labels,
- Pack a list of what is being brought,
- Have the student pack or at least help pack before the activity/outing so he or she knows what is there and where,
- Pack belongings in an appropriate backpack, duffle, track bag, etc. (avoid packing things solely in plastic bags as they tear easily), and
- Instruct the student on the importance of keeping their things organized and looking for anything that goes missing as soon as they can.

Food and Drink

Read information brought home regarding the amounts and types of food and drink the student is to bring (e.g., water, snacks, lunch). Talk with the student regarding what good choices look like and why.

For overnight or longer trips, have the student consider criteria like: number of people being fed, nutritional value, caloric content (energy), size (weight and bulk), minimal packaging, low odor (so don't attract wildlife), crushability (e.g., hard to make sandwiches with mashed bread), allergies, taste and enjoyment. Support the student in planning the menu, purchasing needed items, repackaging (e.g., using re-sealable baggies) to ensure correct amounts and minimize excess packaging. Help ensure the student knows how to prepare any meals planned (e.g., have them write out directions and put in or tape onto the package for that meal). Lay

all the items out, per meal (e.g., Day 2 Breakfast) and/or category (e.g., Snacks, Condiments, Drinks). Ask the student whether anything's missing. Mistakes are no big deal on short outings (good "natural consequences" learning because no real danger of starvation), but errors can be significant on an extended trip, where people are "traveling on their stomachs". Here, pose more questions if concerned about the quantity or quality of food planned. Again, if their minds are on food, they will not be enjoying the trip nor contributing as much to it as they could. They will be more prone to getting cold and to making mistakes that could affect their safety and that of the group.

Packing a Safety Mindset

Perhaps the toughest thing to help students with in getting ready for a higher care activity or trip, is establishing a positive, safety-oriented attitude. The teacher/leader will assume significant responsibility here, but parents/guardians have a very important support and reinforcement role. Some suggestions, particularly for overnight trips and/or those involving activities of a higher risk nature include:

Discussing Risks

Review the activity/trip information and acknowledgement of risk and consent form that comes home together and discuss:

- *What known potential hazards or risks are noted?* Select one or more to review in more detail as follows:
 - Tell me about this potential hazard or risk.
 - What kinds of accidents or injuries could occur from this hazard?
 - What will you do to stay safe when this hazard is present (i.e., what are your and the group's safety procedures)?
 - Is there anything related to how you make decisions and react to risks like this that might affect your safety or that of others? If so, what's your plan for managing the risks you bring to the trip?
 - If an accident happened involving that hazard, what would you do? What are your or the group's emergency procedures?

Discussing Potential Fears

- Is there anything about the activity/trip that you are anxious or frightened about?
- If yes: Is there something more you need to know to feel more comfortable about that?

If something emerges here: *What's your plan for getting that information?*

- What might you do to deal with that fear or concern?
- Is there anything I can do to help you with that?

Discussing Attitudes and Behaviours

- *Did you do a Student Rights and Responsibilities Contract for this activity/trip or for the program? If no contract was done, refer to the behaviour expectations and consequences the teacher/leader has sent home or the school's Code of Conduct (if they have one) for the following questions.*
 - - Re: the contract or code: What do you like about it?
 - - What will be the easiest responsibility for you to meet over the activity/trip?
 - - Is there anything on it you think will be hard to achieve over the activity/trip for you? Why?
 - - If yes: "What's your plan for ensuring you are successful in meeting that requirement?"
- *What are the potential consequences for you if you are not successful in meeting that or other behaviour requirements? After the student has responded would be an appropriate time to reaffirm some or all of what he or she has said, and then to introduce any additional consequences that would come from home.*

Appendix B.

Following up After a Higher Care Program/Activity/Event

Parents/guardians have some responsibility to help their child/ward learn from their educational and recreational experiences. This includes learning the essential lesson that the activity or trip's not over till everything's all cleaned up! It also includes talking with the child to reinforce and extend their learning from the experience in the field. Below are some considerations and suggestions that may be helpful.

Cleaning up

If on an outdoor pursuits trip, expect your child/ward to arrive home really, really dirty. Generally, this is a good thing; symbolic of the student having had a great time! It remains a good thing if the student isn't expecting you to do the cleaning up. However, children are also likely to arrive home tired, you'll have missed them, and it's often difficult to overcome the urge to step in and take care of them. Avoid this, or at most, offer to do the clean-up **with** them. It'll help reinforce that this is an important part of the experience (i.e., our clothing and gear takes care of us out there and we have to take care of it once we get home).

By age 12 or so, most students should be able to unpack their dirty and wet gear and do their own laundry. They should also know where and how to hang up wet sleeping bags and packs, put wet boots somewhere appropriate, etc., so things dry properly and don't start to mildew. Foodstuffs need to be checked over, and decisions made regarding what to keep and what to discard. Some items will need cleaning and/or repackaging. Finally, encourage and support the student in returning any borrowed equipment as soon as possible, clean, dry, and ready for the next user.

Supporting Learning from the Experience

Adventure programs involving outdoor pursuits activities generally reflect a model of education called "experiential education". Students set goals related to an activity and environment, go out and try to achieve those goals, and then reflect on the experience and learning in relation to their goals and other aspects of the experience. Parents/guardians can have a very important role in the reflection phase, helping the student think about and express what they've learned and how it will influence what they do in the future. Some suggestions, particularly for overnight trips and/or those involving outdoor pursuits or other activities of a higher risk nature include:

Discussing Risks

- Remember the hazard(s) we talked about before the trip? Did you see or experience dealing with it/any of them? Select one or more to review in more detail as follows:
 - Tell me about a situation where you observed or experienced the hazard or risk?
 - How did you feel about it at the time?
 - What did you/the group do to stay safe when this hazard was present? Did it work? Why or why not?
 - Is there anything you would do differently the next time you were in that situation?
 - Were there any other risks present that potentially put you or someone else in the class/group in jeopardy?

- If yes: Tell me about that situation. What did you do? Did it work? Why or why not?
- What did you learn about dealing with risks from your experiences over this activity/ trip that will help you be safe when you go out again?
- Did anything happen where you or someone else in the group had to use emergency procedures?
- If yes: Tell me about that. What happened? Why? What emergency procedures were used? What worked? What, if anything, didn't work? What did you learn from that experience?

Discussing Fears

- Re: fear identified before trip: Were you successful in handling (the concern/fear you had about the activity/trip) that you told me about before participating?
 - Why or why not?
 - What did you learn from that experience?

Discussing Attitudes and Behaviours

- What was the most important contribution you made to the success and safety of the group?
- What is the one thing you would do next time to make things better for the teacher/ leader? For the group? For yourself?

General Learning Reinforcement

- What did you most enjoy about the activity/trip? Least enjoy?
- What, if anything, did you learn that could help us have better, safer family outings?
- Is there anything you'd like to do to follow-up more on your learning in relation to the activity/trip?