

SERVICE LEARNING

Risk Management Issues



**GRAND VALLEY
STATE UNIVERSITY**

www.gvsu.edu

**Educating students to shape their
lives, their professions, and their
societies.**

“Experiential Learning”

“Learning activities that involve the learner in the process of active engagement with and critical reflection about phenomena being studied⁽¹⁾.”

(1) National Society for Experiential Education (NSEE)

Types of Experiential Learning

- **Volunteerism** – student activities where the primary emphasis is to benefit the service recipient
- **Community Service** – volunteerism that helps make a difference in the lives of the recipients
- **Internships** – service activities to give students hands-on experience to enhance learning in a particular area of study
- **Service Learning** – equally included to benefit the provider, not recipient of the service. Typically have an academic context; designed so that the service enhances the learning and the learning enhances the service

What Can Go Wrong???

Injuries

Students were sent to local theater by professor to help with set decorations

A student amputated his finger using table saw

No health insurance

No contracts

No training

Lawsuit pending against university and theater

What Can Go Wrong???

Illness

Students visit Haiti to assist following a major flood

A Student suffered bleeding ulcers and had to be medically evacuated

No health insurance for overseas repatriation

Not part of study abroad program

Lawsuit pending against university



What Can Go Wrong???

Crime – Robbery Assault

A student service project involved doing a census of homeless people in the community

They normally traveled in pairs, but one student went on his own and he was robbed and beaten up badly resulting in the loss of one month of classes

The student wants all classes to be cancelled and tuition reimbursed



What Can Go Wrong???

Sexual Assault

A Student volunteered in local hospital as part of her healthcare curriculum

Stalked by employee at the hospital

Sexually molested

Lawsuit pending against university and hospital



Liability Issues

- **Students** are not employees and subject the University to liability exposure
- **Causation** - is the law's determination of who is responsible for the damage or why (student, university, or community partners may all be responsible)
- **Foreseeability** – the law imposes liability where there was foreseeable by a reasonable person (student volunteers must be protected from reasonably predictable risks)
- **Contractual agreements** – holding the other harmless if one partner acts negligently (community partners may be able to purchase insurance naming the university as an additional insured)
- **Public policy** – was the student acting within the scope of their duties as a student when the damage occurred

Service Learning Risk Characteristics

- Strategic Initiative
- Crosses all Departments
- Touches many stakeholders
- Difficult to control
- Inconsistent procedures
- Multiple hazard risks
- International risks
- High Profile

Identifying Risks

There are different kinds of risk associated with activity of this type. These can include:

- Physical or emotional harm to the student
- Reputational risk to the University
- Damage to University property
- Damage to student property
- Damage to property of others

Identifying Risks

Risk	Examples
Physical hazards	Unsafe situations that can cause injury or illness to the student or others
Environmental hazards	High or low temperatures, high elevation, dangerous animal, drowning
Equipment hazards	Moving parts, electrical currents, flying particles, heavy objects
Chemical hazards	Use of flammable or corrosive chemicals
Ergonomic injuries	Stress or strain from excessive physical activity or repetitive motion
Biological hazards	Exposure to biological agents or disease, or disease carrying animals
Personal Safety	Working with populations or in areas that are more prone to criminal activity
Transportation	Car accidents, vehicle damage, stranding – see transportation
Intellectual	Data analysis inaccuracies may lead to malpractice or malfeasance claims
Financial	Accidents or injuries may expose students to excessive medical or rescue costs. May be advisable to purchase insurance.
Reputational	Will student misconduct reflect poorly upon the faculty or University
Emotional	Exposure to disturbing situations that may cause lasting emotional harm. 11

Managing Risks

Assess the risks associated with the work to be done and the location in which the work will be done.

- Clearly identify the scope of work to the students. Understand risks when people involved work outside of their intended scope
- Site visits – If possible visit these settings or organizations prior to the visit to gain first-hand knowledge of the situations in which they are serving and learning. Are there inherent risks in the area in which the activity will be done?
- After the activity meet with all involved to discuss the experience from the risk management and liability standpoints for future activity

Managing Risks

Identify procedures, techniques, and policies that mitigate the stated risks.

- What are procedures and policies unique to the place the students will be going?
- What preparation, equipment, or specific training should students have before working in this setting?
- Who is responsible for offering the resources necessary for preparation?
- What are the procedures if an incident or injury should occur?
- Are there contracts or other agreements that are necessary prior to beginning work?

Managing Risks

Standard University Affiliation Agreement:

SAMPLE

1. **BACKGROUND**
2. **LENGTH AND DURATION OF AGREEMENT**
3. **PURPOSE OF THIS AGREEMENT**
4. **CONDITIONS AND GUIDELINES
FOR THE DEVELOPMENT, IMPLEMENTATION
AND EVALUATION OF THE INTERNSHIP
PROGRAM.**

Managing Risks

Track performance during the experiential learning activity

- The University is responsibility for ensuring an beneficial educational program for students. How will you ensure that is occurring?
- What is your agreed upon role in supervision and oversight of the student while they are at their site? How do you execute that role?
- How will you remind students to take necessary precautions each time they are at their site?
- How will you remind agency staff to take necessary precautions each time they host students?

Managing Risks

Communicate plans for a safe experience.

- Safety and liability issues should be covered in an orientation for participating students. This can be conducted either by the faculty or by outside partners, or both.
- The orientation should include a summary handout or handbook with checklists, appropriate forms, and emergency contact information.
- For ongoing independent activities, clear lines of communication are vital to reducing risks. Frequent communication between students, faculty and outside partners should help to identify any issues or concerns and to address them early in the process.

Policies and Procedures

Such activities and projects can pose a physical, emotional, or intellectual risk to the student or university beyond what is typical of the classroom setting.

- The Assumption For Risk And Release For Off Campus Activities must be completed by every participant prior to the activity, and deposited with the department.
- Obtain signed parental permission forms for any minor students (under 18 years of age) participating.
- Develop a plan for emergencies such as theft, illness, vehicle emergency, weather delays, student misconduct or threats to the safety of the student or others, should be completed. This plan should include telephone numbers of supervisors and other appropriate contact personnel (such as police, fire, etc.).
- Bring along a first aid kit and have someone in the group familiar with first aid and/or CPR.
- Consider any special clothing or equipment that may be needed because of weather or other conditions.

Policies and Procedures

Standard GVSU Policies

- Faculty, staff and students must comply with University policies while involved in activities off-campus, just as they would on campus.
- The instructional activities and setting during class time shall conform with institutional policies of the university including those which pertain to alcohol and drug use, vehicle use, student misconduct, smoking, principles of academic freedom, policy on sexual harassment and discrimination.
- University policies, including the Student Code of Conduct are to be enforced during off-campus activities.

Takeaways

- Service Learning is here to stay
- Impact can be great if not managed:
 - ✓ Reputation
 - ✓ Costs of insurance and losses
 - ✓ Cost of future programs and insurance
- GVSU is embracing an Enterprise Risk Management approach, moving from a risk avoidance mentality – “thou shalt not” to a risk management approach – “thou shalt” thoughtfully with advance thinking and planning.
- Remember, we are all Risk Managers as we go about our daily tasks of managing our areas of responsibility.

Resources

- The Legal Affairs, Risk Management and Compliance Website <http://www.gvsu.edu/uco/>
 - Gateway to University Policies and Procedures and Risk Management
- The Risk Management Website <http://www.gvsu.edu/uco/riskmanagement/>
 - Gateway to Student Experiential Learning and the CLAS Risk Reduction Website
<http://www.gvsu.edu/uco/riskmanagement/student-experiential-learning-31.htm>
 - Obtaining Insurance certificates
<http://www.gvsu.edu/uco/riskmanagement/certificates-of-insurance-13.htm>
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