

Managing Youth Volunteers



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Harry S. Truman

"I have found the best way to give advice to your children is to find out what they want and then advise them to do it."

Community Service and Young People

- 2/3rds of adults began volunteering at a young age
- Volunteer service among high school students has reached record levels
- Those who volunteer as youth donate more time and money to volunteer organizations than those who don't



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Benefits to Young People Who Volunteer


- acquire valuable life skills, such as leadership, that will serve them well as they grow to adulthood.
- improve confidence and self-esteem.
- learn to embrace new challenges and opportunities.
- explore fields for future academic study or employment.
- gain an understanding of their roles and responsibilities as public citizens.
- apply the lessons of an academic experience to real world situations.

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Benefits to Nonprofits

- positively inspire young people outside the nonprofit's client/service-recipient population.
- teach skills that will later be put to use in employment and volunteer positions.
- inspire a life-long appreciation for community service and volunteerism.
- insure that the organization's leadership reflects the population served by the nonprofit.



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Your Legal Responsibility to Young People



By including young participants as volunteers... your nonprofit assumes a duty to exercise a *reasonable degree of care* to protect them from *foreseeable harm*.

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What does this mean?

- This may mean that:
 - you will need to assume a greater duty to protect your young participants than you will to safeguard your adult volunteers.
 - You may be required to exercise **greater supervision** for young people than for adults.
 - In addition, you may be required to **conduct more intensive screening** of those who supervise young people than of those who work with adults.

What determines extent of duty?

- State laws
- Age of young people
- Nature of custodial relationship
- Other factors that may vary by state

A general rule...

- the greater the degree of control you maintain over the activities of young people, the greater your duty to protect them from harm.



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What does this encompass?

- This duty encompasses your need to provide:
 - a safe environment;
 - safe materials;
 - appropriate tasks;
 - proper training; and
 - adequate and appropriate adult supervisory personnel.

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What about contracting with minors?

- Individuals under the age of 18 are believed to lack the capacity to enter into a binding contract.
- Most courts view agreements entered into by minors as "voidable" (subject to disaffirmance).



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What does this mean for your nonprofit?

- A young person may legally enter into the agreement, but may also legally withdraw from that agreement at any time up until (and sometimes after) he or she reaches the age of majority.
- The voidable nature of these contracts will bear upon your organization's ability to require your young participants to sign waivers, releases and other such documents.
- This may also have an impact on the ability of young people to serve in any formal capacity on committees or the board of directors of your organization.

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States that Prohibit Youth from Serving on Boards

- Colorado
- Florida
- Georgia
- Nevada
- New Jersey
- Pennsylvania
- Utah

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States that Restrict Board Service

Michigan, Minnesota and New York

- For example, Minnesota law allows young people to serve on boards if the majority of the members are over 18 years of age (Minn. Stat. Section 317A.205).
- For more information, see: *Your Guide to Youth Involvement and the Law*, www.youthonboard.org.

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Appropriate Supervision = Safety

Consider...

- developing a set of rules and policies that minimize the chance that the harm you envision will materialize.

(e.g. a policy requiring signed permission slips provides evidence that a child has permission to volunteer and reduces the chance that a child whose parent does not want them to volunteer will wind up assigned to a service project.)

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Permission Slip "Do's"

- Must give parents/guardians sufficient detail that will allow them to decide whether or not their child can participate safely in your program.
- Identify the types of harm that could occur to young volunteers
- List the practical steps your agency will take to reduce the chance of harm
- Demonstrate that your agency is prepared to respond if something goes wrong in spite of its efforts.

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Minimizing Risk of Adult Misbehavior

- "Two-deep leadership" - At least two adults should be present for all programs sponsored by the nonprofit, thereby avoiding isolation of a young person with an adult

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- Instruct adult staff and volunteers about inappropriate and appropriate conduct.
 - Under what circumstances is it appropriate to offer or give a hug to a young volunteer?
 - What actions/behaviors are strictly prohibited, such as offering a young volunteer a ride home or striking up a personal relationship with a volunteer outside the bounds of the program?

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- Instruct young volunteers on appropriate and inappropriate conduct with adult staff and volunteers.
 - Explain who they should contact to report misconduct of an adult in the program.



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- Establish a process for checking in with young volunteers to determine their feelings about the program and determine if there are issues or concerns that require follow-up.
 - The person conducting this follow-up should be someone other than the person(s) directly responsible for supervising volunteers on a day-to-day basis.

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Participant Behavior Guidelines

- Communicate your expectations and requirements, and consequences of disregarding the nonprofit's rules




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Your rules

- Don't assume that your rules are self-evident!
- Customize your code of conduct....
 - Unique aspects of your organization
 - Your ability to enforce the code



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About Us

- Nonprofit Risk Management Center
- Free technical assistance to nonprofit leaders, staff and advisors
- www.nonprofitrisk.org
- Free tutorials and fact sheets on the Web site, plus affordable books, conferences, software and consulting help
- Melanie@nonprofitrisk.org

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PRODUCT SPOTLIGHT
The Season of Hope

The Essence of Youth Protection: Rules, Reporting and Consequences
By John C. Patterson

Organizations are obsessed with ferreting out sexual predators and preventing them access to young people. Unfortunately, in their zeal to do this, organizations focus too much on the sexual predator, and not enough on the safety of the children they want to protect.

Nearly every organization that offers services to children and youth has adopted some form of child abuse prevention. In 1993, when the federal National Child Protection Act was adopted, few organizations conducted criminal history record checks. Fifteen years later criminal history record checks have become a best practice. Organizations risk being pilloried in the public eye if a staff member is accused of committing child sexual abuse and the organization has

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Other Resources

- My Risk Management Plan
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- Nonprofit CARES
➤ www.nonprofitcares.org
- Risk Management Classroom
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