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Introduction

This document is a guide to assist faculty and staff with assessing the most appropriate strategies to manage the risk of their non-classroom activities. This guide may not apply to every situation. It was prepared by Risk Management and the definitions provided are only for the purpose of this document.

Please note that SFU Policy GP17 Appendix B states "Instructors must inform students enrolled in their courses that include off-campus activities of the reasonably predicted risks that might be associated with a field activity. This should take the form of an entry in a course outline and a field-trip orientation in class time prior to the field trip”. Therefore, non-classroom activities not identified in the calendar have been deemed as voluntary activities in this document.

The University’s safety and risk processes are evolving to support University instructors in leading their class on non-classroom activities. Not every activity is the same; they differ regarding the risk and risk mitigation of the activity, the familiarity of the participants with the activity, and whether the activity is voluntary or a required course component.

Please note that assessing activity risks and employing the use of waivers or assumption of risk forms is not tacit approval that the event is deemed acceptable to the University. In general, a waiver and assumption of risk form are identical except that the waiver also requires the participant to “waive” their rights to sue the University.

This document can be viewed in association with the EHRS Guidelines for Safety in Field Research.

For samples of risk identification, please see:
1. Non-Classroom Activity Supplement
2. EHRS Guidelines for Safety in Research – Appendix A
Non-Classroom Activity Process – Flow Chart

Step 1

A Non-Classroom Activity is desired

Were students advised of the activity before registering for the class?

YES

NO

Step 2

Is this a required activity?

NO

YES

Step 3

This is a voluntary activity.

Will this activity be organized by SFU faculty or staff?

YES

NO

Step 4

Category A

Required SFU Activity

The student is expected to attend as if the activity were a regular class.

Are the risks high (serious, hidden, or reasonably unknown to the group)?

NO

YES

Step 5

Category B

Voluntary SFU Activity

An activity organized by and arranged by SFU faculty or staff where the students generally attend as a group, but are not required to attend.

Are the risks high (serious, hidden, or reasonably unknown to the group)?

NO

YES

Assumption of Risk Form

Waiver Form

Provide Notice of Risks

Category C

Voluntary Personal Activity

An activity that may be recommended by SFU faculty or staff, but there is no formal arrangement and students choose to attend on their own accord and make their own transportation arrangements.
Non-Classroom Activity Process – Documentation and Notification

**Step 1 – A Non-Classroom Activity is Being Pursued**
A potential non-classroom activity has been identified that relates to the course content.

**Step 2 – Prior Notification**
Does the calendar description for the course include non-classroom activities and/or were students advised before registering for the class that there would be a non-classroom component? **YES or NO**

**Step 3 – Choosing an Activity Category**
If **YES** to the question in step 2:
The instructor assigns the activity as **Category A, B or C**.

If **NO** to the question in step 2:
The instructor assigns the activity as **Category B or C** only.

**Step 4 – Identify the Risk Level**
- **High Risk**
  - Risks that are serious, hidden, or reasonably unknown to the group and may result in broken bones, head injuries, or financial loss over $100.
- **Medium & Low Risk**
  - Risks which are likely to be less serious such as insect bites, torn clothing, scrapes, scratches, or a financial loss under $100.

**Step 5 – Required Form**

<table>
<thead>
<tr>
<th>Activity Category</th>
<th>Risk Level</th>
<th>Form Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Category A – Required SFU Activity</td>
<td>High Risk</td>
<td>Assumption of Risks Form</td>
</tr>
<tr>
<td></td>
<td>Medium &amp; Low</td>
<td>Notice of Risks</td>
</tr>
<tr>
<td>Category B – Voluntary SFU Activity</td>
<td>High Risk</td>
<td>Waiver Form</td>
</tr>
<tr>
<td></td>
<td>Medium &amp; Low</td>
<td>Notice of Risks</td>
</tr>
<tr>
<td>Category C – Voluntary Personal Activity</td>
<td>All Risk Levels</td>
<td>Notice of Risks</td>
</tr>
</tbody>
</table>
Waivers & Assumption of Risk Forms

How to Obtain a Waiver or Assumption of Risk Form

- Once you prepare a list of the potential risks, please contact Risk Management. At this time, there is no automated process to generate your own documents.

- Each waiver or assumption of risk form must include a contact person or title of person from whom the person signing the document can obtain more information about the activity risks.

How to Administer a Waiver or Assumption or Risk Form

- Print the document in colour and on legal size paper.

- Part of the efficacy of a waiver or assumption of risk form is the manner in which it is administered. The document must be brought to the attention of the participants with as much time as possible to ensure the participants have time to clearly understand what the document says.

- Please do not interpret any legal meaning for the participant or deem the documents as a mere formality or diminish their importance; participants are welcome to consult with whoever they like about the wording.

- In addition to the signature boxes at the bottom, waivers also have an initial box on the top right (drawing attention to the section where the student “waives” their rights). If using a waiver, please ensure the top box is initialed.

- These documents do not prevent law suits, they simply become one of many documents the University would rely on along with other planning documents showing that the instructor was duly diligent in leading or arranging the activity.

Completed Form Storage

- Please forward completed waivers and assumption of risk forms to Risk Management in the Discovery One building at the Burnaby campus for storage of at least three years.

Notice of Risk

Notice of risk is only appropriate for low to moderate risk levels. The instructor should identify these risks and any appropriate cautions or preparations the students should attend to. Notice of risk can be by any means of communication that the instructor feels is most appropriate to reach the students. Examples include email, paper hand-outs, webpage notices, or verbal announcements.
**Identifying the Risks**
To be duly diligent, the instructor must identify potential risks of the activity to the students. The instructor should be clear to note any hazards of the activity and any required preparations such as clothing or necessities. For example, for a hike, there may be hazards associated with heights, falling, insects, weather, wildlife, disorientation, becoming separated from the group, fast running water, or slippery surfaces.

**University Insurance**
The University has liability insurance to cover faculty, staff, and students for liabilities they create while carrying out their official SFU business or course work. This coverage does not apply to voluntary activities, illegal activities, willful misconduct, or free time.

**Employees, Faculty & Contractors Generally Don’t Sign**
Any SFU faculty, staff, or students who are being paid by SFU as part of their regular SFU duties to participate in the activity (or those contracted to provide specific services) will generally not be required to sign a waiver or assumption of risk form. Their respective supervisors however remain obligated to ensure that these participants are advised of the risks.

**Non-Student Participants**
For ALL high risk activities (regardless of whether it is required or voluntary), any attendee (other than employees or students registered in the course) will be required to complete a waiver. This group includes unpaid volunteers, assistants, friends, family, or students who are not registered in that particular class.

**Activity Start and End Time and Location**
The instructor should clearly identify the time of day and the exact location(s) where the activity starts and ends.

The instructor should not get involved in car-pooling or transportation arrangements. The students’ transportation should be treated as if they were travelling to any other class. If there are particular hazards with transportation such as travelling at night or limited public transportation, then the instructor should identify these to the students.

For longer trips where there is a necessity to rent mini-vans and have students drive as a group, please refer to the SFU VEHICLE USE & INSURANCE GUIDE.

**Medical Coverage**
Students would each rely on their own personal coverages, whether private or through the BC MSP. As for the instructor, if the activity is part of their official SFU business, then they are likely covered through WCB.
Definitions

Assumption of Risk Form (AOR)
A document outlining the risks of participating in an activity and requiring the participants to acknowledge those risks and agree to indemnify (compensate) the University for losses they cause to other people or other people’s property.

Non-Classroom Activity
Generally includes activities outside of class time or during class time which tend to require vehicle, bus, or skytrain transportation to other parts of the city. These may start or end at a location other than the classroom or normal meeting location. This can also include overnight activities. Please note however that even for short “non-field trip” activities outside the classroom, instructors remain responsible for identifying potential risks.

Minor
For British Columbia, a minor is a person who is under 19 years of age. A minor cannot waive their rights and has until two years passed the age of 19 to make a claim for negligence against the University.

Notice of Risks
An indication to class participants (either written or verbal) of the low to moderate hazards that participants will be exposed to during an activity and the potential risks of injury or other losses from participating.

Paid Personnel
Those who are SFU employees or employees of SFU faculty who are being paid a regular SFU wage and whose participation in an activity is deemed by their supervisor to be part of their official SFU duties.

Required Activity (Category A)
Written in the course calendar or known before registration in the course. The student is expected to attend as if the activity were a regular class. As a required component, SFU cannot make students waive their rights so a waiver would not be used. The instructor would however be required to be duly diligent and ensure the students are aware of the risks.

Risk – High Risk
Examples include overnight activities, contact sports, winter hiking, out-of-country travel, canoeing or rafting, propelling, and situations that may result in broken bones or head injuries.

Risk – Low Risk
Examples include site visits to museums or industries where location, time of day, or weather do not appear to introduce a potential for injury greater than what could be reasonably expected in a typical day on campus.
**Voluntary Personal Activity (Category C)**
An activity that may be recommended by SFU faculty or staff but there is no formal arrangement and students choose to attend on their own accord and make their own transportation arrangements. The event will generally be deemed as not associated with SFU and therefore neither waivers nor assumption of risk forms will be needed. However, it would be prudent and recommended that the course instructor recommending the activity also outline the risks and cautions of the activity. The instructor should be clear in noting that the recommendation to participate in an activity does not make it an official SFU activity.

**Voluntary SFU Activity (Category B)**
An activity organized by and arranged by SFU faculty or staff where the students generally attend as an SFU group and represent SFU.

**Waiver**
A document outlining the risks or participating in an activity and requiring the participants to acknowledge those risks and agree to indemnify (compensate) the university for losses they cause to other people or other people’s property and to waive their right to make a claim against SFU for injuries to themselves or losses to their own property.

### Waiver / Assumption of Risk (AOR) Guidance Table

<table>
<thead>
<tr>
<th>Category</th>
<th>Activity Type</th>
<th>Personnel Type</th>
<th>Risk Level</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>High</td>
</tr>
<tr>
<td>A</td>
<td>Required</td>
<td>students registered in class</td>
<td>aor</td>
</tr>
<tr>
<td></td>
<td></td>
<td>SFU faculty, employees, or contractors paid to participate</td>
<td>none</td>
</tr>
<tr>
<td></td>
<td></td>
<td>all other attendees</td>
<td>waiver</td>
</tr>
<tr>
<td>B</td>
<td>Voluntary</td>
<td>students registered in class</td>
<td>waiver</td>
</tr>
<tr>
<td></td>
<td></td>
<td>SFU faculty, employees, or contractors paid to participate</td>
<td>none</td>
</tr>
<tr>
<td></td>
<td></td>
<td>all other attendees</td>
<td>waiver</td>
</tr>
<tr>
<td>C</td>
<td>Voluntary Personal</td>
<td>students registered in class</td>
<td>notice</td>
</tr>
<tr>
<td></td>
<td></td>
<td>SFU faculty, employees, or contractors paid to participate</td>
<td>none</td>
</tr>
<tr>
<td></td>
<td></td>
<td>all other attendees</td>
<td>notice</td>
</tr>
</tbody>
</table>