



**While hazardous or “extreme” sports may be very appealing, they do present greater risks for injuries. A severe injury sustained by participation in a hazardous sport can forever change a young person’s life. It can also result in a major financial burden for your organization, as well as a damaged reputation.**

**The fact is, hazardous sports raise important questions about safety and liability.**

## **Safety**

As an independent school, it is your responsibility to ensure the safety and security of your students, staff and volunteers. Therefore, it is essential that you and your Board understand fully the costs

and potential risks of any sports activity being contemplated and that you discuss plans with your insurance broker or insurance provider well before the implementation stage.

Sports activities that are deemed hazardous include, among others :

- Horseback riding ( trail rides, jumping, and racing )
- Climbing ( rock climbing walls both indoor and outdoor, abseiling )
- Mountain biking
- Skiing and snowboarding
- Trekking and mountain hiking

Water sports, including :

- Sailing
- Canoeing and kayaking
- Scuba diving
- Surfing
- Wind-surfing
- White water rafting or tidal rafting
- Parasailing
- Waterskiing, wakeboarding
- Tubing

## Liability

The following are some of the issues your school should take into account to help minimize your risks and exposure.

### Likelihood of Injury

Hazardous activities carry a high risk of injury to participants. So it's important to evaluate the dangers involved and avoid activities that place your students at undue risk, no matter how exciting the opportunity may be.

### Age-Appropriate Activities

Students should only be permitted to sign up for and participate in activities deemed appropriate for their

age and capabilities. Make sure that each student is approved by your athletic program team.

### Supervision

School staff and volunteers who accompany students should have sufficient training in first aid / CPR. To prevent physical altercations among students, there must be supervision before, during and after each activity. Your school can be held liable if an insufficient level of supervision is determined.

## Third party service providers

We strongly recommend contracting experienced and qualified third party service providers for all hazardous sports activities that take place in remote locations — e.g. white-water rafting. Your best chance to mitigate risk is to work with a well respected, specialist in each area. However, no matter how experienced a third party may be, it is still up to your school to :

- make sure that the organization's staff and instructors are appropriately qualified and certified
- verify that the organization consistently reviews its operations and safety procedures
- determine they have the best possible equipment and that it is frequently tested and well maintained

You want to be sure that your service provider has identified the hazards created by the sports activity, evaluated the risks and determined the adequacy of existing safety precautions, and implemented measures to correct areas of concern. Since third party service providers will be working with young people, background or police checks are also necessary.

And finally, third parties should have adequate liability insurance and hold your institution harmless in the event of an accident. Whenever possible, your school should be added as an additional insured to the third party's policy for the services rendered.

## Extreme sports on your premises

Should you decide to build a rock climbing wall or other recreational site on your school property you must, of course, ensure that all coaches and staff

have the appropriate training and certification. Two important issues to consider are:

## On-Site Equipment Maintenance

On-site equipment—for example, rock climbing walls, helmets, ropes, water sport accessories— must be in safe working order at all times. Since your school can be held liable for lack of adequate maintenance, a service contract with the equipment supplier is advisable. If you choose to maintain your equipment in-house, make sure that maintenance staff has the appropriate training and certificates. Staff should also meet regularly with your property manager to discuss any equipment concerns. Maintenance logs should be completed after each inspection and kept on file

## Unauthorized Use

You must take reasonable steps to prevent unauthorized use of equipment and premises. This includes anyone in your school community as well as trespassers. Make sure that all doors to the building are locked after hours; that the gym is locked when there is no supervision; that equipment is locked when not in use; and that there is a fence with a locked gate around outdoor hazardous equipment. Video surveillance will also deter trespassers.

## Acknowledgement of Risk and Parental Waiver forms

While it is impossible to eliminate all liabilities, Acknowledgement of Risk and Parental Waiver forms that explain the nature of the activity along with the inherent hazards can help limit your exposure. The Acknowledgement of Risk form must be reviewed and signed by the student and the Parental Waiver reviewed and signed by the student's guardian prior to engaging in the activity.

Documents should be kept on file for a period of at least six years. In the event that an injury has been reported or is suspected, the form should be retained permanently. Prior to use, have the forms reviewed by legal counsel.

Contact your insurance broker if you have any questions about the development of these forms.

## Conclusion

If you are contemplating the introduction of hazardous sports activities for your school, remember to call upon the resources of your insurance broker and Ecclesiastical Insurance in the early

planning stages. It is vitally important that risk management and insurance recommendations be taken into account.

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