

## Sample Intermediate Sports Risk Management Program

Available exclusively for current clients of Sadler Sports and Recreation Insurance

### DISCLAIMER

THIS SAMPLE RISK MANAGEMENT PROGRAM IS MEANT TO PROVIDE BASIC INFORMATION ON SPORTS RISK MANAGEMENT AND IS NOT ALL-ENCOMPASSING. NO SPECIFIC ADVICE IS BEING PROVIDED FOR ANY SPORTS ORGANIZATION. EACH SPORTS ORGANIZATION SHOULD CUSTOMIZE ITS OWN RISK MANAGEMENT PROGRAM BASED ON ITS OWN UNIQUE RISKS AND NEEDS AND SHOULD REVIEW AND UPDATE ON A CONTINUAL BASIS. OTHER RISK MANAGEMENT SOURCES AND EXPERTS SHOULD BE REFERENCED.

NO LEGAL ADVICE IS PROVIDED. THE LAWS PERTAINING TO SPORTS RISK MANAGEMENT VARY FROM STATE TO STATE. ALWAYS CONTACT A LOCAL ATTORNEY FOR APPROPRIATE LEGAL ADVICE IN YOUR STATE.

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**(Note: Remove this disclaimer as part of your customization process.)**

## **Intermediate Sports Risk Management Program for \_\_\_\_\_**

Effective date:

Last updated:

(Note: Customize for your program by filling in all blanks, choosing all options, deleting all references to notes and unselected options, and making all applicable selections for your program.)

### **DISCLAIMER**

DISCLAIMER: THIS IS A VERY BASIC PROGRAM THAT IS NOT ALL-ENCOMPASSING. THE SOLE PURPOSE OF THIS BASIC SPORTS RISK MANAGEMENT PROGRAM IS TO REDUCE THE RISK OF LIABILITY TO THE SPORTS ORGANIZATION, ITS ADMINISTRATORS AND VOLUNTEERS AS WELL AS RELATED INSURANCE CARRIERS. THIS PROGRAM IS BY NO MEANS A SAFETY PROGRAM AND DOES NOT GUARANTEE THE SAFETY OF SPECTATORS, PARTICIPANTS, OR OTHER THIRD PARTIES. THE STEPS OUTLINED IN THIS PROGRAM ARE VOLUNTARY GUIDELINES AND FAILURE TO IMPLEMENT ANY OF THESE STEPS IS NOT AN INDICATION OF NEGLIGENCE.

(Note: Always include this disclaimer as it may provide some protection against a claim that you failed to follow your own rules.)

### **Appoint a Risk Management Officer (RMO)**

For the \_\_\_\_\_ season, our Risk Management Officer is \_\_\_\_\_.

Work phone:

Home phone:

Cell phone:

Email:

Our RMO is responsible for implementing, monitoring, and taking corrective action on all issues related to our risk management program. Our RMO answers to our board of directors, but is empowered to make all day to day decisions on issues related to hazards including the modification, suspension, or halting of practice or play if necessary.

Our staff, including administrators, coaches, assistant coaches, and managers are an extension of the RMO through their presence at every practice, game and other events, and should be in close contact with the RMO should any problems arise such as physical hazards or unsafe acts.

Our RMO shall self-train on the following materials available under the risk management section at [www.sadlersports.com](http://www.sadlersports.com):

*(Note: Choose the reports that apply)*

Free section of website:

- Image Release Form
- Sample Waiver/Release Form – Minors
- Sample Waiver/Release Form – Adults
- Are Waiver/Release Forms Worth The Paper They Are Written On?
- Before You Sign the Facility Lease Agreement
- Collect Certificates of Insurance from Vendors
- 15 Passenger Vans and 12 Passenger Vans
- Child Abuse/Molestation Protection Program – Administrators
- Child Abuse/Molestation Handout for Parents
- Types of Criminal Background Checks
- Criminal Background Check Vendors
- Heat Illness: Avoidance and Prevention
- Lighting Safety
- How to Avoid the 7 Deadly Sins When Buying Sports Insurance
- Horror Stories about What Can Go Wrong
- Sports Organization Insurance Coverage Checklist
- Recreation Department Insurance Coverage Checklist (Rec. Depts. only)

Password protected section of website (contact Sadler Sports & Recreation Insurance for password):

- Video: How to Implement a Risk Management Plan for Your Sports Organization (Administrators only)
- Video: How to Implement an Abuse/Molestation Risk Management Plan for Your Sports Organization (Administrators only)
- Video: Risk Management Awareness Training for Sports Organizations (Administrators and staff)
- Video: Sex Abuse/Molestation Awareness Training for Sports Administrators and Staff (Administrators and staff)

Our RMO must self-train on the following additional materials outside of [sadlersports.com](http://sadlersports.com):

- \* \_\_\_\_\_
- \* \_\_\_\_\_
- \* \_\_\_\_\_

## Insurance Policies

The following insurance policies shall be in force prior to the start of the first activity of the season as evidenced by proof of coverage documents on file with the appropriate sports organization administrator:

- Accident
- General Liability
- Directors & Officers Liability
- Crime
- Equipment
- Workers' Compensation (optional: depending on if required by state law due to number of employees)
- Business Auto (optional: depending on if title held for vehicles)
- Property (optional: depending on if buildings are owned or if required under lease)

The Accident and General Liability policies must at least meet the minimum standards as specified under the following publications found under the Risk Management section at [www.sadlersports.com](http://www.sadlersports.com):

- Sports Organization Insurance Coverage Checklist
- Recreation Department Insurance Coverage Checklist (only applies if sports organization is a municipal recreation department)

*(Note: Higher limits and standards may be required by your governing body or sanctioning body.)*

## Contractual Transfer of Liability

### Participant Registration Forms

The following participant registration forms found under the Risk Management section at [www.sadlersports.com](http://www.sadlersports.com) shall be required of all registered participants prior to each registration period:

- **Waiver/Release of Liability**
  - To be maintained on file with RMO for at least 7 years or indefinitely if participant has significant injury.
  - See “Are Waiver/Release Agreements Worth the Paper They’re Written On.”
- **Emergency Information and Medical Consent**
  - Copy to be maintained by RMO and original to travel with team coach or manager in locked trunk of auto.
  - Precautions must be taken to keep this information confidential with access to others on a need- to-know basis only.

- **Image Release**

### **Facilities Leased From Others**

Whenever facilities are leased from others:

- Review article under Risk Management section at [www.sadlersport.com](http://www.sadlersport.com) entitled "Before You Sign the Sports Facility Lease Agreement."
- Consult with a local attorney to review lease to make sure indemnification/hold harmless provision is fair per principles in above article.
- Consult with your insurance agent to make sure your insurance policies/coverages are in compliance with lease requirements.

### **Facilities Leased To Others**

Whenever your facilities are leased to others:

- Consult with a local attorney to draft written lease agreement.
- Agreement to have held harmless/indemnification provision in your favor per article under Risk Management section at [www.sadlersport.com](http://www.sadlersport.com) entitled "Before You Sign the Sports Facility Lease Agreement."
- Agreement to require lessee to provide evidence of in force General Liability insurance with an insurance carrier rated at least A-, VII by AM Best. Such policy shall have an each occurrence limit of at least \$1 million and name your sports organization as "additional insured". Furthermore, such policy shall not include an exclusion for "Athletic Participants" if lease is for athletic events.
- Consult with your insurance agent to make sure that the particular type of lease does not void your own General Liability coverages.

### **Visiting Teams and Tournament Hosting**

Whenever you invite teams from outside your sports organization to play at your facilities or host a tournament at your facilities:

- Consult with local attorney to draft a written tournament host agreement.
- Agreement to have hold harmless/indemnification provision in your favor where visiting team assumes all third party liability if they are partially or wholly negligent.
- Agreement to require visiting teams to provide evidence of the following in force policies with carriers rated at least A-, VII by AM Best:
  - Accident Insurance with a medical limit of at least \$25,000.
  - General Liability with an each occurrence limit of at least \$1 million and to name your sports organization as "Additional Insured". Furthermore, such policy shall not include an exclusion for "Athletic Participants".
- Consult with your insurance agent to make sure that hosting a tournament does not void your own General Liability coverage.

## **Use of Service Providers or Vendors**

Whenever you use service providers or vendors (ex: umpire, concession, field maintenance, security, etc.):

- Review the article under Risk Management section of [www.sadlersports.com](http://www.sadlersports.com) entitled "Collect Certificates of Insurance from Vendors."
- Consult with local attorney to draft a written service provider or vendor agreement. Or, if the service provider or vendor provides the agreement form, have it reviewed by your attorney.
- Agreement should include a hold harmless/indemnification provision that is favorable to you where service provider or vendor assumes all third party liability if they are partially or wholly negligent.
- Agreement to require service providers or vendors to provide evidence of the following in force policies with carriers rated by AM Best of at least A-, VII:
  - General Liability with an each occurrence limit of at least \$1million and to name your sports organization as "Additional Insured".
  - Optional: Workers' Compensation insurance to comply with requirements under your state's Workers Compensation laws.

## **Abuse/Molestation Risk Management:**

The sports organization should adopt and implement the sample abuse/molestation plan (see [www.sadlersports.com/riskmanagement](http://www.sadlersports.com/riskmanagement) under password protected section) as part of the overall Risk Management Program.

## **Concussion/Brain Injury**

The sports organization should adopt and implement The Concussion Awareness Risk Management Program (see [www.sadlersports.com/riskmanagement](http://www.sadlersports.com/riskmanagement) under Unrestricted Access Section) as part of the overall Risk Management Program.

## **Avoiding or Mitigating High Risk Activities**

Our sports organization shall avoid and/or mitigate the following high risk activities: (note: select the options that apply)

- **Group Transportation of Participants:**  
(Note: select and/or delete from the following options)
  - All group transportation of participants whether in a single vehicle or multiple vehicles are prohibited.
  - Any group transportation of participants whether in a single vehicle or multiple vehicles must be authorized in writing by the RMO.
  - Prior to authorizing group transportation, the RMO must get written consent from all drivers to run a motor vehicle record check with satisfactory results received.

- Driver disqualification criteria will be as follows:
    - ❖ During past 5 years: Any one of the following major violations: DUI, hit and run accidents, failure to report an accident, operating a vehicle under a suspended or revoked license, homicide/assault/felony arising from operation of a vehicle, reckless driving/speed contest/racing.
    - ❖ Preceding 3 years: two or more at fault accidents, three or more moving violations, or combination of two moving violations and one at fault accident.
  - The use of 12 to 15-passenger vans for group transportation is prohibited and approved vehicles include school buses, 7 passenger mini vans, and private passenger vehicles. (Note: SUV's should be avoided due to tip over propensity.)
  - If 12 to 15-passenger vans are to be used despite the warnings, the risk can be mitigated by taking the following steps:
    - ❖ Use a trained, experienced driver who is at least 21 years of age and not a student.
    - ❖ Although a commercial driver's license (CDL) is not required to drive a 12 - 15 passenger van, it is preferable. If the driver does not have a CDL, he or she should be required to complete driver training which includes a road test.
    - ❖ All occupants including the driver must wear safety belts.
    - ❖ Limit night driving. Driver fatigue is the top cause of accidents.
    - ❖ If possible, move passengers and cargo forward of the rear axle and never place loads on the roof.
    - ❖ Make driver aware that overcorrecting after running off the road is another leading cause of accidents.
    - ❖ Check tires before every trip for both excessive wear and proper inflation per vehicle placard or owner's manual. Many are surprised to learn that the typical recommended pressure for rear tires is much higher than front tires.
  - Authorized drivers driving school buses must comply with all required licensing and regulations including a commercial driver's license.
  - The driver and all passengers must wear seat belts.
  - The use of cell phones or texting by the driver while driving is prohibited.
  - Only travel immediately to and from is permitted. Drivers are not permitted to run errands or make unnecessary stops while in route.
  - Proof of Auto insurance must be provided for all vehicles used for group transportation with liability limits of at least \$500,000 combined single limits or split limit equivalent.
  - The sports organization must carry Non-owned and Hired Auto Liability with a limit of at least \$1 million.
- **Individual Staff Provided Transportation of Participants:**  
(Note: select and/or delete from the following options)
    - Staff provided transportation of participants is prohibited except under emergency situations.
    - Staff provided transportation of participants is not authorized by the sports organization and is a matter between the staff member and the parent/guardian.

- This policy will be communicated to all parents/guardians via written memo prior to the start of the season. It is recommended that the staff member get written permission from the parent/guardian before providing transportation.
- Staff provided transportation of participants is authorized only to the extent that the staff member is designated an approved driver by the RMO pending suitable motor vehicle record check and proof of Personal Auto Liability coverage in the amount of at least \$500,000 combined single limits or its split limit equivalent. Drivers must provide written consent to have motor vehicle record run.
- Driver disqualification criteria will be as follows:
  - ❖ During past 5 years: Any one of the following major violations: DUI, hit and run accidents, failure to report an accident, operating a vehicle under a suspended or revoked license, homicide/assault/felony arising from operation of a vehicle, reckless driving/speed contest/racing.
  - ❖ Preceding 3 years: two or more at fault accidents, three or more moving violations, or combination of two moving violations and one at fault accident.
- The driver and all passengers must wear seat belts.
- Cell phone usage or texting by the driver is not permitted while driving.
- The sports organization must carry Non Owned And Hired Auto Liability with a limit of at least \$1 million.
  
- **Overnight Sleepovers:** (note: select and/or delete from the following options)
  - Staff is prohibited from conducting overnight sleepovers.
  - Overnight sleepovers are only allowed during out of town competitions with the following precautions taken:
    - ❖ Parents are encouraged to attend with their children.
    - ❖ Each child must be supervised by at least two adults who are in each other's presence at all times.
  - Criminal background checks must be run on all staff sleeping on same premises as participants.
  
- **Serving or Use of Alcoholic Beverages:** The use of alcoholic beverages is prohibited at all sports organization events.
  
- **Certain Fundraisers:**  
 (Note: select and/or delete from the following options)
  - Youth participants are prohibited from engaging in fundraising activities that are not adult supervised.
  - Dunk tanks, inflatables, and similar devices can only be provided and run by outside vendors that can show evidence of General Liability insurance with a limit of at least \$1million and naming the sports organization as "Additional Insured".
  
- **Swimming Events:**  
 (Note: select and/or delete from the following options)
  - Swimming events sponsored by the sports organization are prohibited.



- Swimming events sponsored by the sports organization are allowed only if conducted in the presence of a trained and certified life guard who is employed by an outside organization.
- Swimming events at the home of staff are prohibited.

## **Mandatory Administrator/Staff Meeting to Review Basic Risk Management Instructions**

Review the following instructions in a mandatory meeting and require sign off by all administrators and staff in attendance:

*(Note: select and/or delete from the following options)*

- Physical, mental, verbal, or sexual abuse of any program participants is prohibited.
- Never be alone with a single, unrelated child where you cannot be observed by others.
- More than one adult shall be present at every activity.
- Avoid inappropriate touch of child. Limit touches to head or shoulders in appropriate situations.
- Administrators and staff should avoid socializing with participants outside of sponsored activities.
- Inappropriate comments, jokes, vulgarity, and profanity in the presence of children are prohibited.
- Administrators and staff are required to report known or suspected instances of child abuse and understand that failure to do so may be a violation of law.
- Smoking or the use of tobacco products in the presence of children is prohibited.
- Using, possessing, or being under the influence of alcohol, illegal drugs, or unauthorized prescription drugs during any sports organization activity is prohibited.
- Transportation of participants is prohibited except under emergency situations.
- Staff provided transportation of participants is not authorized by the sports organization and is a matter between the staff member and parent/guardian. This policy is to be communicated to all parents/guardians via written memo prior to the start of the season. It's recommended that staff members get written permission from the parent/guardian before providing any transportation.
- Staff provided transportation of participants is authorized only to the extent that the staff member is designated an approved driver pending suitable motor vehicle record check and proof of Personal Auto Liability insurance in the amount of at least \$500,000 combined single limits or the split limit equivalent.
- Never leave a child unattended or unsupervised before, during, or after a practice, game, or any other activity.
- Never release children to anyone other than an authorized parent or guardian or other authorized adult (with written permission on file with sports organization.)
- Have a cell phone for 911 and access to first aid kit.

- Immediately report all injuries to RMO.
- Immediately report all complaints to appropriate supervisor.
- Inspect facilities/equipment prior to each practice and game.
- Immediately inform RMO of all physical hazards and unsafe acts.
- Modify or halt practice or game if necessary to work around physical hazards.
- Closely supervise children.
- Always follow all sports organization rules.
- Provide other sport and facility specific instructions.
- Other: \_\_\_\_\_
- Other: \_\_\_\_\_

## **Awareness Training For Administrators and Staff**

*(Note: Choose Option 1 or Option 2)*

Awareness training can assist administrators and staff in recognizing physical hazards and unsafe acts as well as understanding the standards of care that are required under the law.

The awareness training videos and handouts are available under the Risk Management section at [www.sadlersports.com](http://www.sadlersports.com).

### **Option 1:**

All administrators and staff shall view the following web videos upon initial assignment of duties and every three years thereafter and shall sign a statement of completion:

1. Risk Management Awareness Training For Sports Organizations  
(For Administrators and Staff)
2. Abuse/Molestation Awareness Training For Sports Organizations  
(For Administrators and Staff)

### **Option 2:**

All administrators and staff shall read the following paper handouts upon initial assignment of duties and every three years thereafter and shall sign a statement of completion:

1. Risk Management Awareness Training For Sports Organizations  
(For Administrators and Staff)
2. Abuse/Molestation Awareness Training For Sports Organizations  
(For Administrators and Staff)

## **Distribution and Sign Off**

A copy of this risk management program should be distributed to each administrator prior to the start of every season. Each must sign a form indicating that they have received a copy and have carefully reviewed the entire program.