

Not all high-risk activities present coverage challenges. However, this does not mean those activities are advisable. School districts need to consider whether the activity presents an unreasonable exposure to injury for students and staff. In addition, consideration should be given to whether the activity has reasonable and documentable educational objectives. In the event of a loss, the school district staff and administrators may have to convince a jury that the activity was reasonable, precautions were taken, and there were definable educational objectives.

The WSRMP Coverage Agreement provides broad coverage that protects the district in most school-sponsored activities. However, there are important exclusions to consider when planning any outdoor activity, especially those that fall into the high-risk area:

- Aircraft and flight activities. There will not be any coverage for flight-related losses.
- Motorized racing, speed, demolition contest, and stunt activity, whether in practice or preparation, for any such contest or activity. (This exclusion does not apply to electric-powered endurance activities or low-speed district-sponsored tractor races.)
- White water rafting, canoeing, kayaking, tubing, or boating while on any body of water designated Class I through Class VI under the international whitewater classification system.
- Jet Skis or other similar motorized personal watercrafts.

This list of excluded activities is not meant to be exhaustive and should not be construed as the only limits on coverage. Please contact WSRMP's Claims or Risk Services staff for any needed clarification before the activity.

WSRMP recommends against:

- Scuba diving
- Water skiing
- Bungee jumping
- Dunk tanks
- Water activities lacking close controls. (Call your Risk Services Consultant for guidelines and recommendations for water activities such as canoeing, kayaking, sailing, wind and water surfing, private swimming pools, and lake and river activities)
- Animal activities such as donkey basketball, equestrian jumping, fox hunts, or dressage
- Athletics that are not approved by the Washington Interscholastic Activity Association (WIAA), such as high-impact aerobics, martial arts, boxing, rugby, lacrosse, water polo, and mud or Jell-O wrestling
- Wilderness activities—mountain climbing, rock climbing, spelunking (cave exploring), rappelling, wilderness survival, orienteering, and search and rescue
- Paintball
- Running on or near public roads or on wilderness trails
- Use of trampolines
- Unicycling
- Scooters
- Ropes courses
- Bungee jumping
- Free running
- Mosh pits

- Snow tubing

Not all high-risk activities involve athletic endeavors. These may include:

- Petting zoos, especially for preschool and kindergarten-aged students (E-coli exposure)
- Bonfires
- Building houses, boats or cars
- Model rocketry
- Glass blowing
- Haunted houses
- Car wash
- Mixing chemicals (except in an approved chemistry class)
- After-school open gym programs
- Having students cook (except as part of home economics or vocational educational programs)
- Home-cooked foods
- Fireworks
- Use of firearms
- Use of explosives, including signal cannons
- Private parties
- Catapults

Please note that this list is not meant to be exhaustive. If you have questions regarding the level of risk of an activity, please contact your Risk Services Consultant.

The educational value of activities should be balanced with the potential risk of loss and injury. While some high-risk activities can be taught relatively safely, they present a greater danger of catastrophic injury, illness, or death. Consider alternative means of attaining any educational objectives included in these activities before placing students and staff in these positions.

The planning stages for higher-risk activities include:

- Develop a district field trip review plan and require more than one person to review the activity for risks before approval is granted. Identify precautions to help avoid injury.
- Creating a formalized emergency plan for minor or catastrophic injuries.
- Requiring student guardians to sign an Informed Consent Form that specifically describes the inherent risks of the proposed activity.

OTHER CONSIDERATIONS:

If outside organizations using district facilities or advertising on district property, wish to sponsor such high-risk activities, protect the district from the liability involved by taking precautions:

- Ensure that any registration form, flyer, or announcement includes a disclaimer stating that the school district is not sponsoring the activity and will not be supervising the event.
- Require the outside group to have at least \$2 million limits of general liability insurance and name the district as an additional insured by endorsement to the group's insurance policy.
- Do not sign any hold harmless and indemnity agreements that obligate the school district to accept liability for the acts of the sponsoring organization. WSRMP will be glad to review any agreements your district signs with organizations overseeing the activities.

For questions about recommendations or issues addressed in this article, don't hesitate to contact our Risk Services Department at 206.394.9737 or riskservices@wsrmp.com.