

Snow skiing and boarding are popular winter activities in Washington State. Some member school districts have student ski/snowboard clubs to provide these experiences. Others have been approached by for-profit ski/snowboard schools wanting to rent school buses for transportation.

Skiing and snowboarding are high-risk activities that require significant skill and training. It's important to consider the inherent risks of serious injury, which include:

- Cold-related injuries such as frostbite and hypothermia
- Snow immersion suffocation
- Avalanches
- Trees and tree wells
- Slips, trips, and falls
- Tricks, jumps, and terrain features that may exceed the participant's ability
- Sunburn
- Dehydration
- Exhaustion
- The potential for students to become lost or separated from the group

By being aware of these risks, participants can take appropriate precautions to enhance their safety on the slopes.

For more information on avalanches, we recommend contacting the [Northwest Avalanche Center](#) or visiting their [website](#).

Other loss exposures to consider are bodily injury and property damage resulting from bus crashes due to extremely hazardous road conditions and wear and tear on the buses.

Leasing Buses to Private Sponsored Ski Schools

Washington State laws ([RCW 28A.160](#)) prohibit school districts from using school buses for purposes other than student transportation except under particular circumstances. School districts can only lease buses to:

1. Nonprofit organizations to transport children with disabilities and elderly persons, PROVIDED that commercial bus transportation is not reasonably available for such purposes.
2. Governmental agencies in emergencies, such as major forest fires, floods, or other natural disasters.
3. Governmental entities for transportation of public or other non-common school purposes, PROVIDED that public or commercial transportation is not reasonably available.

No provisions allow school districts to lease school buses to privately sponsored ski schools. School districts are advised to be familiar with these statutes to avoid operating outside their insurance coverage.

Ski/Snowboard Programs

The best way to avoid losses associated with ski/snowboard programs is to direct students to a community-sponsored or private ski/snowboard school in your area. However, if no such programs exist, the school district may decide to assume sponsorship for the ski/snowboard program.

To reduce potential injury and liability due to school-sponsored ski/snowboard programs, consider the following risk management recommendations:

PARTICIPANTS

- Restrict participation to students enrolled in the District.
- Develop behavioral expectations for all participants, with clearly defined consequences.
- Determine areas that will be off-limits to students and clearly communicate those. These areas should include:
 - Terrain parks
 - Areas that are out of bounds, beyond gates, or where avalanche mitigation work is not performed.
- Require signed Parental Inherent Sport Specific Inherent Risk/Permission forms for all participants.
- Inform the parents and participants of the inherent risks associated with the activity.
- Require guardians to acknowledge that their student has adequate family medical insurance coverage or student accident insurance.
- Require that parents and students read and sign the Concussion Information Protocol.
- Require that each student receives and signs the Lift Use Guidelines provided by the resort.
- Clearly outline equipment, attire, and safety equipment required for participation.

TRANSPORTATION

- Require all participants to use provided transportation.
- Develop a medical contingency plan for transporting injured students.
- Check weather reports and pass conditions published by DOT.
- Develop an action plan if a student is not on the bus at departure time.
- Develop an emergency plan and stock supplies should the bus become stranded.

SUPERVISION

- Assign a district employee to coordinate the program and supervise volunteers.
- Ensure all volunteer chaperones have completed the district volunteer application process, including a background check.
- Ensure that all volunteers are aware of expectations, including those related to alcohol and tobacco.
- Ensure adequate adult supervision on the bus and the ski slopes.
- Require participants to check in with adult chaperones periodically.
- Implement a “student buddy system,” so no participant is skiing or snowboarding alone.
- Let students know where they can find a trusted adult at any point during the day.
- Provide written supervision plans for all allowed activities (alpine skiing, cross-country skiing, snowboarding, snowshoeing, and tubing). The supervision plan should include students who have an IEP, 504 plan, safety plan, or physical limitations.

EQUIPMENT

- Require all participants to provide their own ski/snowboard equipment.
- Do not allow district-provided equipment or equipment maintenance.
- Do not allow participants to use known defective or damaged equipment.
- Ensure that students are appropriately dressed for the conditions.

- Clearly communicate expectations for attire and equipment when obtaining parent permission.
- Do not allow students to use potentially dangerous equipment, such as ski bindings, that lack appropriate levels of releasability.

INSTRUCTION

- If instruction is to be provided, contract with a reputable firm to provide ski instruction.
- Require general liability insurance with minimum limits of at least \$2 million per occurrence and \$5 million aggregate. If the GL policy is not endorsed to include affirmative coverage for sexual abuse or molestation, require a Sexual Abuse and Molestation Liability policy with a limit of no less than \$1,000,000 per occurrence.
- Require an endorsement naming the District as additional insured.
- Do not allow district employees or volunteers to provide ski instruction.
- Require all instructors to be fully certified – [Professional Ski Instructors of America \(PSIA\)](#).

In conclusion, skiing and snowboarding are inherently dangerous activities that have led to serious injuries, including fatalities. If a district chooses to sponsor a ski program, it must uphold the same stringent standards of care required for all student activities. The district must carefully recognize and plan for all potential hazards. Parents should be fully informed of the specific inherent risks associated with skiing and snowboarding and must be willing to accept these risks. With careful planning and risk management, the district can reduce its potential liability related to snow skiing and snowboarding programs.

For questions about recommendations or issues addressed in this article, please feel free to contact our Risk Services Department at riskservices@wsrmp.com.