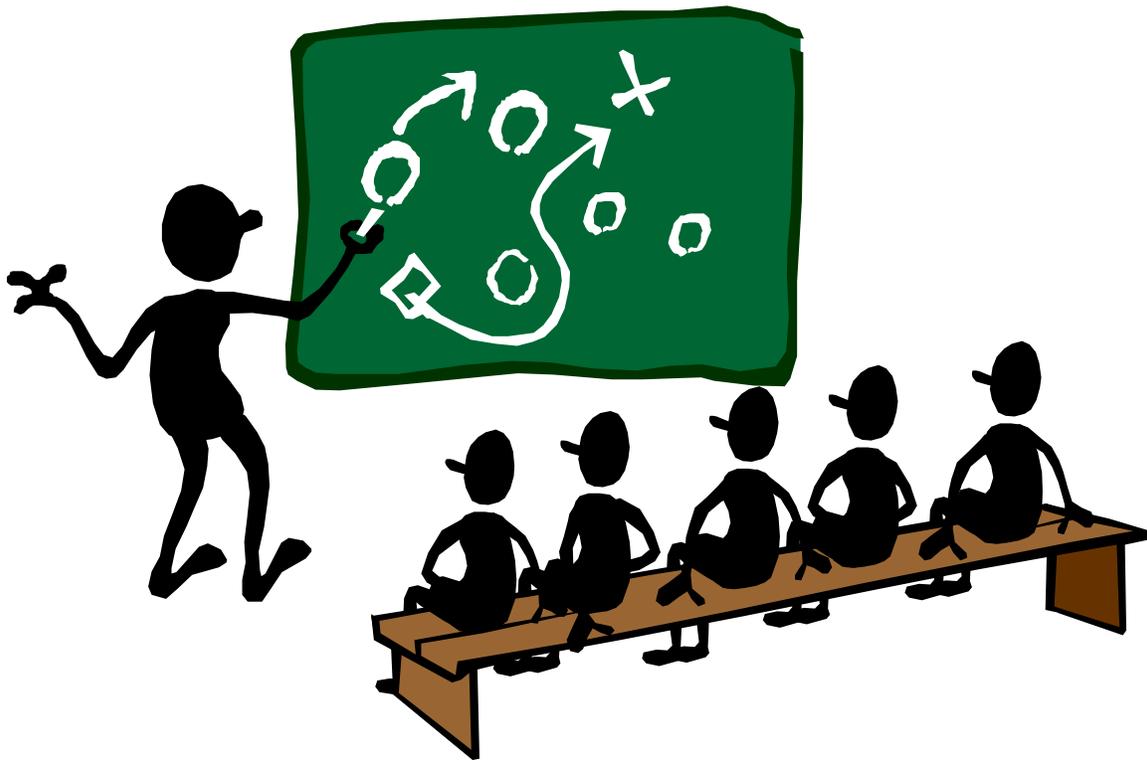


Risk Management Handbook



For Coaches and Sponsors

Thompson School District R2-J

Overview

The purpose of this handbook is to provide coaches and sponsors with risk management and liability insurance information, student transportation guidelines and accident reporting procedures (in accordance with Thompson School District board policy and Colorado Department of Education regulations) for extracurricular or cocurricular activities or events. This is one resource, of which there are many, e.g., coaches or sponsor handbooks and checklists, Day Field Trip and Overnight Trip Procedures notebook, CHSAA, state and national charter organizations, school principals and athletic/activities directors, etc.

Student Transportation

Student transportation to extracurricular or cocurricular activities or events is one of many issues that require your attention and compliance as a coach or sponsor. Please take a few minutes to review and familiarize yourself with this material. If you have questions, please ask your supervisor, principal, district athletic and activities office (613-5030) or risk management office (613-5006).

Thompson School District (TSD) generally provides district transportation for students to and from a great many activities and events. However, the district is unable to provide district transportation in all circumstances and to all events or activities.

When it comes to transporting students, district vehicles with district drivers is always the first choice; if that option isn't possible, the next choice is for district staff to arrange transportation in private vehicles, utilizing volunteer drivers over the age of 21; as a last resort and hopefully, rarely, will student participants and parents or guardians have to provide or arrange for their own transportation to and from an activity or event. When this situation arises, you are telling parents and guardians that the district (or you) will not be making arrangements or providing transportation to and from the activity or event. Give thoughtful consideration of the impact that alternative transportation might have on students whose transportation options are limited due to family, financial, or legal situations. Additionally, changes in Colorado driving laws restrict newly licensed minors from carrying any passenger for six months, restrict carrying more than one passenger in the first year and restrict cell phone use (talking and texting) except if in an emergency situation.

Transportation in private vehicles is not intended to replace district transportation of students but rather to allow for the unusual or special situations that may arise from time to time.

There is a cost associated with district transportation, but the value is significant when considering the fact that:

- District vehicles are equipped with first aid and emergency equipment and are subject to routine, documented maintenance;
- District drivers have received additional training and hold a CDL license and/or small vehicle permit;
- Insurance coverage and governmental immunity issues are unambiguous.

If students will be transported in district vehicles, driven by district staff, no additional paperwork is required (other than the paperwork that is collected at the start of the year, term or season and before participation can begin, e.g., athletic packet, permission slip, agreement to participate, etc.).

Children of Employees and Volunteers

Children of coaches, sponsors or parent volunteers, who are not directly involved in the field trip or activity, may not ride with or accompany the adult employee or volunteer to the event. The reasons for this include:

- The adult is being asked to serve in a nonparent role, either as a coach, teacher or volunteer. His or her role is to provide leadership, supervision, instruction and safety for a specific purpose and to the benefit of the students involved in a particular activity or class.
- Athletics, activities and field trips are extensions of the classroom or school setting, are curriculum based, are age appropriate and within the abilities of the specific group and not designed as family outings.
- District liability is expanded beyond the scope required by the state and in the case of an accident, increases the financial obligation of the district and ultimately, may reduce the individuals' level of financial recovery.

Operation of School Transportation Vehicles

Colorado Code of Regulations 301-26

202.02 Activity trip operator: Activity trip operators transport students on events sanctioned by the school district other than route operation as defined in 202.01.

202.02 (a) Small vehicle (15 or less capacity) activity trip operators shall meet or exceed the following requirements before transporting students:

1. Possess a valid operator's license.
2. Be a minimum of 21 years of age.
3. Annual motor vehicle record (MVR) check (refer to 207.02).
4. Pre-service operator training for type of vehicle (refer to 207.04).
5. Annual CDE small vehicle written test [refer to 207.06(b)].
6. Shall meet qualification standards and insurance coverage as adopted by the local board of education/service provider.
7. Medical history shall be provided annually on a CDE approved form. Any yes annotations shall require a doctor's qualification.
8. A driving performance test shall be part of initial certification (refer to 207.07).
9. Documentation of activity trip operator qualifications shall be maintained by the district/service provider.
10. Training topics, date, and duration shall be documented.

Small Vehicle Permit and Activity Vehicle Training Information

The small vehicle operator (9 passenger vehicle) training class is offered by reservation from transportation services. The classes are generally offered four times per year. Occasionally, an unscheduled class will be planned determined by driver needs. The classes are held at transportation services (please call 613-5191 for a current schedule). Items covered during the training consist includes:

- Defensive driving skills
- Review of CDE rules and regulations
- CDE written test
- Vehicle inspection
- Use of emergency equipment
- Video review of seatbelt use
- Forms and procedures

A current small vehicle operator (SVO) permit is required in order to obtain an activity vehicle operator (14 passenger vehicle) permit. Classes for the activity vehicle operator are conducted in one on one sessions with a transportation trainer, are by reservation only, include a video review of the "Dangerous Blind Spot" (inherent in these vehicles) and an on the road driving test (includes right and left turns, backing and parking reviews). For more information on either type of permit, the training schedule or to make a reservation, please contact the transportation trainers at 613-5190 or 613-5196.

COLORADO SCHOOL DISTRICTS SELF INSURANCE POOL (CSDSIP) MOTOR VEHICLE REPORT (MVR) ELIGIBILITY STANDARDS

The Thompson School District takes employees' driving habits seriously. The district and its insurance carrier may be held liable for accidents and related injuries that occur while an employee is operating a district vehicle. Employees whose positions require them to operate a district vehicle (drivers) must possess a valid (not suspended or expired) Colorado license and be considered insurable according to the district insurance carrier's standards. Violations may result in disciplinary action up to and including termination of employment.

These standards are to be applied to MVRs and/or police reports when reviewed by member personnel or CSDSIP. These standards are not meant to replace a member's internal policy, procedure or handling of a driver who is deemed uninsurable under CSDSIP's policy.

Time Period	Violations	Accidents	Combination
One Year	No more than two moving violations	No more than one accident	No more than one moving violation and one accident
One Year	Failed drug or alcohol test		
Three Years	No more than three moving violations	No more than two accidents	No more than two moving violations and one accident
Three Years	DUI, DWAI, reckless driving, drag racing, expressed or implied consent, or any drug or alcohol related violation	Any accident caused by reckless driving or drag racing	
Five Years	Hit & run, vehicular assault or vehicular homicide violation	Any accident involving drugs or alcohol, hit and run, vehicular assault or homicide	Habitual offender regardless of cause

1. Current MVRs are to be requested annually for anyone who will be driving a member's vehicle.
2. We recommend MVRs to be requested for anyone driving their personal vehicles on district business including employees.
3. Volunteers' personal vehicles are excluded from CSDSIP coverage; however, we do recommend that volunteers' MVRs are reviewed by the member.
4. If a driver does not possess a valid Driver's License, the driver is not insurable.
5. Defective and unsafe vehicle violations with points are counted as moving violations. "No insurance in possession" is not counted as a moving violation for eligibility purposes.
6. If a violation and accident are associated, they will be counted as a single offense against the driver.
7. If the above eligibility guidelines are not met, the driver becomes uninsurable and the member must notify CSDSIP immediately. An endorsement will be issued excluding the driver from member's coverage.
8. The eligibility time limit runs from the date of the violation unless the license is revoked, denied or suspended.
9. Any driver who fails a drug or alcohol test, not associated with a moving violation, is uninsurable for one year from the date of the failed test.

Revoked, Denied or Suspended Licenses:

- If a license has been revoked, denied or suspended as a result of any violation shown in the "3 Years" row above, the three year time limit will apply from the date the license is reinstated.
- If a license has been revoked, denied or suspended as a result of any violation shown in the "5 Years" row above, the five year time limit will apply from the date the license is reinstated.
- Licenses suspended due to failure to pay child support or unpaid judgments will not be considered for eligibility purpose.

Student Transportation in Private Vehicles

A staff member may transport a student or group of students in his own car for school related purposes only if there is standing authorization to do so or with special permission covering the specific trip.

The board grants to the superintendent the authority to designate to school administrators, school nurses and other student services personnel standing authority to transport students.

In exceptional cases the school administrator may grant professional staff members, such as coaches, music teachers and activity sponsors, special permission to provide student transportation in small district vehicles. They must have a valid Colorado operator's license, be at least 21 years of age and meet the qualification and insurance coverage adopted by the board of education. If they transport children in this way for 19 or more days per year, they must have a special school bus operator's permit.

Under special conditions, parents who act as activity sponsors or who volunteer to assist activity sponsors may also be granted the authority to transport students. Exceptional cases shall be determined by review of the number of students traveling, relative costs, safety factors, distance, etc.

Personnel with standing authorization or with special permission to use their own cars for transporting students must carry liability insurance coverage in compliance with state law. District personnel will notify individuals in writing of their liability under the law and will verify insurance coverage. A record of such coverage shall be placed on file with the appropriate administrative official.

ADOPTED prior to 1985; revised April 5, 1989; revised March, 1991

LEGAL REF: CRS 22-12-113 (4); CRS 22-51-108; CRS 42-1-102 (88); CRS 42-7-101 et seq. (Motor Vehicle Financial Responsibility Act)

Private Vehicles Driven by Employees or Volunteer Drivers Cautions and Considerations

All student transportation to district sponsored events, which involve mountain driving or metropolitan destinations, is to be in district vehicles.

The board of education allows for the private vehicle transportation of students, under special conditions, in its policy EEAG. The following concerns ought to be given serious consideration before transporting students in private vehicles:

- In the event of a collision or incident the adult driver may lack first aid training and be unable to attend to injured students;
- The private vehicle may not be equipped with important safety devices, i.e., a two-way radio or emergency communication system, reflective triangles, flares, a first aid kit, and/or a fire extinguisher;
- The unknown driving habits and driving ability of adult drivers may put students at risk;
- In the event of a collision or incident, the adult driver and his or her insurance company will be held personally and financially liable in accordance with the applicable Colorado Revised Statutes;
- In situations where one adult is transporting one child (not his or her own child), both parties may be vulnerable to allegations or incidences of inappropriate behaviors.

If it is determined that the benefits of the activity outweigh the concerns of private transportation, make sure that all participants and their parents or guardians complete the required paperwork (samples provided on the following pages; current forms available on the district intranet at <http://thompsonstaff.org/>).

Form E - Thompson School District Acknowledgment and Consent Form Transportation of Students to Off-Campus Activities in Private Vehicles is the appropriate form to use for unusual or infrequent occurrences and must be used anytime a student is being transported in a private vehicle to a district sponsored activity. This form is used in conjunction with form D - Thompson School District Student Travel Volunteer Driver Authorization.

Form D - Thompson School District Student Travel Volunteer Driver Authorization is the appropriate form to use whenever an adult (either an employee or volunteer) is using a private vehicle to transport students to a district sponsored activity. Copies of the volunteer driver's license, MVR and proof of insurance (must be sent with form D to the insurance secretary at the district office*).

*Please allow at least one week for the district insurance office staff to review the information, to address and resolve any problems, so as not to impact the trip.

Thompson School District Acknowledgment and Consent For Transportation of Students to Off-Campus Activities in Private Vehicles

While Thompson School District normally provides transportation in district vehicles to approved activities away from the home school site, there are occasions when it is impossible for the district to provide such transportation. When this situation occurs, the student may participate **only** if this consent form has been completed. The driver of a private vehicle, transporting students to an off-campus activity, might not be a school district employee.

Name of Parent/Guardian _____ grants
 permission and gives consent for _____
(Name of student) (Grade)
 to attend or participate in the following off-campus activity in nonschool district
 transportation (private vehicle): _____ on _____.
Activity Destination Date

We acknowledge and understand:

1. That this is a voluntary activity and participation is not mandatory.
2. That the activity will be conducted at a location other than the student's school of attendance.
3. That the school and district will not provide transportation (by bus or otherwise) between the school of attendance and the site of the activity. ***For school to career, club, and some individual class-related activities: transportation to the site is the responsibility of the student and/or parent/guardian, and typically involves transportation in a private vehicle by someone other than a school employee.**
4. That the school and district are unable to supervise private means of transportation between sites (other than guidelines provided by the sponsor/coach to students in the activity/sport).
5. That the district does not carry automobile/liability insurance on privately owned vehicles.
6. That the parent/guardian and student will assume all liability while en route to and from this activity/sport when travel is in non-district vehicles. Our child has adequate medical insurance to cover his/her injuries, in the event of an accident and that the insurance on the vehicle isn't sufficient to cover expenses.
7. That our child is being allowed to participate in this activity with the understanding that we accept the risks involved.
8. That we agree to indemnify and hold the district, their officers, employees, volunteers, and agents harmless from all loss, costs, damage, injury, liability, claims and causes of action whatsoever, arising out of or related to participation in this field trip/activity.

Parent/Guardian Signature	Date	Student Signature	Date
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Please complete and return to school

**Thompson School District
Student Travel Volunteer Driver Authorization**

This authorization is for driving students to a scheduled district activity in a private vehicle. **All student transportation to district- sponsored events, which involve mountain driving or metropolitan destinations, is to be in district vehicles.** Thompson School District does not insure privately owned vehicles or vehicles owned by other agencies.

Only licensed drivers, 21 years or older, are authorized to drive participating students to scheduled district activities.

Proof of insurance coverage is to be submitted to the school with this form. In the event of a collision or incident, the insurance coverage and associated financial obligation will be the sole responsibility of the vehicle owner; the District’s insurance coverage does not extend to private vehicles.

Student Activity _____ School _____ Destination _____

I have a valid Colorado driver’s license and have provided a copy of it and a copy of my current motor vehicle report, along with this form. (MVR’s can be obtained from a driver’s license office located at 118 E. 29th St., Loveland, 667-7247, 1121 W. Prospect Rd, Ft. Collins, 494-9809 or 917 S. Main Street #600, Longmont, 303-776-4073 or contact your auto insurance agent for assistance.)

I verify that the vehicle used for student travel (as identified above) satisfies the conditions as outlined.

1. The vehicle is in good operating condition.
2. All occupants of the vehicle will use seat belts whenever the vehicle is in motion.
3. The number of passengers being transported will not exceed the capacity of the vehicle.
4. Under no circumstances will vans with a capacity of 12 or more passengers be allowed to transport students; the use of any motorcycles, motor homes, recreational vehicles, and convertibles to transport students is prohibited as well.
5. There is auto liability insurance coverage on the vehicle, which meets the minimum Standards of the Colorado Financial Responsibility Law. The District’s insurance carrier recommends that individuals contact their own auto insurance agent to determine appropriate levels of coverage when transporting students and to insure that this authorization doesn’t violate or void any provisions of their policy.

I agree to follow all traffic laws and district policies while transporting students to and from the designated activity. I will make sure the items in my vehicle would be acceptable in a classroom setting; I will not carry a concealed weapon, even if I’m legally permitted to do so, while transporting or supervising students.

I have included proof of insurance with this form and I understand that the District does not insure my vehicle.

The insurance company providing coverage for this vehicle is _____

Volunteer Driver (Print Name)

Address (including city and zip code)

Volunteer Driver (Signature)

Date

Coaches/Sponsors: Return completed authorization with copies of driver’s license, current motor vehicle report record (MVR) and proof of insurance coverage to insurance office for review prior to the trip. Please allow at least one week for verification of MVR.

Reporting Accidents and Injuries

Reporting accidents and injuries is an important, and necessary, part of your job as a coach or sponsor. The district uses your reports to track student and guest injuries for our insurance provider.

What to Report

Board policy (EBBB-R) requires you to report these student accidents and injuries:

1. Accident/injury that requires a student to leave school or a school activity for medical treatment (physician or hospital).
2. Accident or injury for which the ambulance is called.
3. Accident or injury that may have been caused or contributed to by the condition of a school facility or the equipment therein.
4. Accident or injury occurring on the bus to or from school, or which happened on the way to school that has been brought to staff's attention.
5. Head or spinal injury.
6. Exposures (to body fluids, substances, chemicals, fumes, etc.)
7. Accident in which the parent/guardian expresses concern over the way in which the student was handled.

If the accident or injury is a result of a condition of the facility or equipment, include a description in your report. Inform the school custodian that a particular condition or a specific piece of equipment is in need of immediate attention.

If a parent/guardian expresses concern about an incident, include a brief statement of the concern in your report.

You do not need to report minor scrapes, bumps, or bruises that are handled directly at the school.

How to Report

There are separate reporting forms for students and for guests/visitors. The most current online form can be located on the TSD website and the district intranet. To find the form go either www.thompsonschoools.org or <http://thompsonstaff.org/>. Follow this process for reporting:

1. Within 24 hours of the incident, complete a student incident report or guest/visitor incident report and send to the individuals listed on the form. Complete all sections of the form before submitting it. (It is in the "form" format so you simply fill in the gray area or click on a box. You move around by using the "tab" key. In the "part of body injured" section, use the "other" line/space to indicate right or left. If you need space for additional information, you can add it in the email. Contact Robbi Stokovaz if you need step-by-step computer instructions.)
2. Send an email with the report attached to Deb Huffsmith, Athletics/Activities Specialist (huffsmithd@thompson.k12.co.us). Print out a copy for your records.
3. If the injury requires a call to 911 or ambulance transport, please call district athletic office (613-5030) or Barb Swanson (613-5006) or Robbi Stokovaz (613-5774) as soon as possible. Leave a message if it happens after regular business hours or if there is no answer.

District Sponsored versus Non-District Sponsored Activities and Organizations

There are two areas in which the question of district sponsorship is raised, i.e., student activities (cocurricular and extracurricular activities, including field trips and clubs) and student organizations.

District Sponsorship

In order for a student activity or student organizations to be considered district sponsored, the following essential components must relate to or be:

- Subject matter covered by, or an outgrowth of, established district curriculum (and bears a clear relationship to the regular school curriculum);
- An enhancement to the participant's educational experience;
- Educational goals of the of the district; and

It must adhere to the following requirements:

- Be approved, prior to formation or conducting activity, by building principal, and/or district activities and athletics director and board of education.
- Have one or more faculty advisors, who supervise, direct and attend all meetings or activities; non curriculum related clubs do not have a faculty sponsor, but rather a licensed staff member serves as a monitor for purposes of general supervision and attends in a non-participatory capacity only.
- Comply with and are subject to all board policies, CHSAA guidelines, laws and regulations under the equal opportunity commission, office of civil rights and other governing agencies.
- Be carefully controlled for the best interest of the students and district.
- Be open to all interested and/or eligible students.
- General guidelines or rules are developed and enforced by the principal and/or faculty advisor/sponsor.
- Subject to student conduct and discipline policies.

District sponsored student activities or organizations might include:

Athletics and Intramurals
National Honor Society
Plays and Musicals
Student Council

Class based clubs, Forensics, Speech, etc.
Pep clubs
School Yearbook, School Newspaper
Vocational education clubs

An activity might be considered district sponsored if:

- **The sponsor and the specifics of the activity (i.e., supervision, venue, nature of activity and student transportation) are subject to district policies and procedures, e.g., fingerprinting, training or licensing requirements, financial controls, disciplinary action, etc. and;**
- **The sponsor is either a district employee or a volunteer, who is under the direction and supervision of a district employee.**

Non-District Sponsorship

There are times when either other organizations or individuals (including employees of the district) want to provide activities or opportunities to students, e.g., club or recreational sports, service or specific interests, etc. While the activities or opportunities are not district sponsored, by board policy, there are specific ways in which these are to be handled:

- All written material about a non-district sponsored trip or activity must contain the following disclaimer:

This trip/activity is not sponsored or approved by the district. The district is not responsible in any way for any injuries, losses or damages associated with, caused by, or related to the trip or participation in the activity.

- Sponsors are not considered district employees for these types of non-district sponsored activities and would have to rely on their own personal insurance coverage(s) as a remedy for any injuries, losses or damages suffered personally or any claims brought against them by others as a result of their involvement and/or participation in the particular trip or activity.
- If the activity is to take place in one of the district locations, a facility use agreement is to be executed and a permit issued.

Non-district sponsored student activities or organizations might include:

Amnesty International	Boy Scouts/Girl Scouts
Club, recreational and extreme sports	Culture clubs
Fellowship of Christian Athletes	GEMS, Science Olympics, etc
Religious clubs	Specific interest/hobby clubs

An activity might be considered non-district sponsored if:

- **The sponsor/activity is subject to another governing agency (with its own governing body, by-laws, constitution, etc.) or:**
- **The sponsor/activity is completely self-directed and independent from any other entity or agency and;**
- **The sponsor is not subject to district procedures, i.e., fingerprinting, training or licensing requirements, financial controls, disciplinary action, etc.**

Insurance Coverage and Non-District Sponsored Summer Activities

The question regarding employment status and summer leagues comes up frequently. The information provided below is an attempt to clarify the answer, i.e., during the summer months coaches and sponsors are not covered by district insurance and are not acting as a district employee. That being said, there are rare and specific cases when the coach or sponsor may be covered as a district employee.

Insurance coverage is based on an employee being engaged in work that the district has stated is within his or her course and scope of employment and the work is conducted in accordance with and is subject to district policies, e.g., supervision, transportation, funding, etc.

Employment status is typically determined by the issuance of either a contract or assignment that states the job and the employment period, offer and receipt of pay (directly from the district) for services rendered, required compliance with district policy and procedures. Limited coverage may be extended to an authorized volunteer whose service complies with the district policy, IJOC School Volunteers.

With the exception of summer school, board approved fundraising camps, preseason or skills camps (1-2 weeks), or contractual agreements, the employee/employer relationship is suspended or inactive (i.e., staff are not working for, or paid by, the district) during the summer and therefore, district insurance coverage, i.e., workers' compensation policy and liability would not be a remedy in the event of a claim or situation involving any of the participants or the coach, sponsor, teacher, etc.

Some general situations (for illustration purposes) that determine when an individual coach/sponsor is not considered a district employee:

- When a coach is involved with another program, i.e., Rage, AABC, NORCO, and other summer leagues or programs;
- When funds are paid, by the participant, to another entity;
- When the program is not endorsed or identified as a specific and particular high school sport;
- When the school administration does not have supervision or oversight responsibility to the program;
- When district forms, physicals, etc. are not required for participation.

There are various individual insurance options for individuals who coach or work outside the school year that may include coverage for personal injury and liability and it may be beneficial for these individuals to discuss coverage options with an insurance agent.

Risk Management and Liability Considerations For Coaches and Sponsors

1. Document, Document, Document
2. Board Policies (including but not limited to)
 - Extracurricular Activity Eligibility JJ
 - Interscholastic Athletics JJIB
 - Student Transportation, EEAC, EEAG
 - Sexual Harassment of a Student By Students Or School Personnel JBBA
 - Risk Management EBB
 - Student Accident Reports EBBB-R
 - Student Fund Raising Activities JJE
3. Paperwork
 - Eligibility
 - Physical exam
 - Confirmation of eligibility
 - Confirmation of insurance coverage
 - Agreement to participate
 - Transportation forms (when a district vehicle is not used for all events and/or practices)
4. Equipment / Facility
 - Inspection
 - Personal fit
 - Adequate and appropriate for the activity
 - Temperature/Ventilation
5. Supervision
 - At all times and in all places - from classrooms, locker and weight rooms to field, course or court (if you can't see them they're not being supervised)
 - Enforcement of safety rules
 - Monitor athlete's physical condition (in practice and competition)
 - Maintain a "level" playing field (among teammates and with the opponent; avoid unequal competition, whenever possible)
6. Instruction
 - Fundamentals
 - Conduct
 - Safety and training rules
 - Skills tests
7. Other
 - Weather conditions (driving and exposure)

