

TIPS FOR CONTROLLING ATHLETIC LIABILITY

With Wisconsin athletic seasons in full swing, get schooled on what you can do to control Athletic Liability on your home field. Below are some helpful tips for reducing your athletic liability exposure.

- **Educate Parents/Guardians:** Prior to the first practice of any sport, parents/guardians must be made aware of the inherent risks and dangers of that sport. A presentation by the coach and athletic director that requires mandatory parent/guardian participation is the best time to review risks, review appropriate safety controls, answer questions and have parents/guardians sign required athletic participation release forms. Make sure that your school documents the date and content of this meeting
- **Medical Background Awareness:** Prior to the first practice of any sport, coaches must be made aware of the student athlete's medical background and any physical limitations they may have. This includes knowledge of health concerns such as asthma, heart disorders, severe allergies, epilepsy, diabetes, etc. Again, ensure that documentation is maintained regarding a student athlete's medical background. For students with identified medical conditions, ensure that:
 - In case of emergency, a medical action plan is in place.
 - Medical support aids are available such as an epinephrine auto injector for severe allergies, a blood testing kit/fast acting sugar for diabetes, or relief medications for allergies.
- **Supervise in proportion to the risk:** Ensure coaches understand that more dangerous sports means greater responsibility of the coaching staff. Coaches have the duty to provide proper supervision, training, and instruction. Your coaches must take measures to ensure that student-athletes follow the rules of the athletic contest to avoid injuries and warn against all known dangers that should have or could have been discovered in the exercise of reasonable care. In addition, coaches must supervise their players in proportion to how dangerous the activity is. Proper supervision and instruction are key components to reduce athletic liability exposure.

Ensure all coaches understand they have a duty to take reasonable precautions. Coaches have a duty to their players and must do everything practical (what a prudent person would do) to minimize the risk of injury to players under their control. A coach may breach their duty to a student-athlete if the coach "intentionally injures the student or engages in conduct that is reckless in the sense that it is 'totally outside the range of the ordinary activity' involved in teaching or coaching the sport."

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- **Coaches Must Provide Proper Protective Equipment:** Coaches may be found liable if an injured player was not provided with the proper protective and safety equipment - the coach must ensure that the athlete was properly instructed as to the appropriate use of this equipment. A coach must also ensure that the equipment is properly maintained so that its effectiveness is maximized.
- **Be Proactive About Safety:** Teach your coaches how to foresee accidents before they occur. Rectify or eliminate dangerous conditions or behaviors immediately. Horseplay, bullying, harassment or the use of unsafe practice drills must be strictly monitored.
- **First Aid Preparedness:** Ensure that all of your coaches understand basic first aid procedures. Having a cell phone with 9-1-1 on speed dial should also be encouraged.
- **Be Mindful of Skill Levels:** Match and select competitors in a reasonable manner. Do not allow mismatched student athletes to compete against each other if there is a chance of injury due to the variance in athletic skills.
- **Avoid Hallway Workouts When Possible:** Strongly discourage the practice of having athletes run/sprint in hallways as part of their training. From the student-athlete's perspective, hallway floors are hard and shin splints commonly occur. The more serious injury exposure exists to those students/teachers/bystanders that may be walking down a hallway, rounding a corner, or exiting a classroom door and are struck by a sprinting student-athlete.
 - It is understood that some northern climate schools have no alternative but to run in the hallways. If this is the case, precautions must be taken to protect both the student-athlete and any bystanders. There are athletic supply companies that manufacturer 'sprint strips' which allow athletes to run indoors with their running spikes. Additionally, various types of protective padding and mats are available to protect student-athletes from hitting the wall or obstacles in the hallway.
 - It is critical that a hallway used for running is shut down to pedestrian traffic. Observers on both ends of the course should be in place. Classroom and other doors leading to the running area should be secured to prevent accidental access to the running area.

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- **Don't Share:** Instruct athletes not to share their water bottles, towels or athletic equipment. When athletic equipment is shared among student-athletes, the risk of infection increases.
- **Spectator Safety:** Develop a policy that addresses spectators who are close to the field, court and athletic event. From a risk management standpoint, there are a number of exposures that the school should address when allowing spectators on the sidelines of the athletic event. Ideas such as:
 - Use extra precautions (and distance) if any spectators are on crutches or use a wheelchair. Besides the obvious injury exposure, athletes could be seriously injured if they were to collide with someone in a wheelchair.

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- Restrict the number of spectators allowed on the sidelines at any one time. Small children should never be allowed on the sidelines.
- Do not allow the spectators to be mobile or moving (with the possible exception of pre-approved photographers).
- The best and safest option is to keep all spectators off of the sidelines.
- If spectators are allowed on the sidelines, the best case scenario is to restrict the spectators to one identified designated area where they would not be allowed to move around, especially up and down the sidelines.
- Ensure adequate distance is maintained between the athletic event and the spectator area. It goes without saying that the spectator area should not be real close to the sidelines where a spectator or athlete could be injured in a collision.

A school will never be free of athletic liability exposure, but by implementing the controls mentioned in this article, your school should be able to greatly reduce your athletic liability exposure.

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