

Risk Management

FOR CAMPUS RECREATION

VOLUME 8

ISSUE 3

FEBRUARY 2014

FEATURE TOPIC:
QUIDDITCH



Risk Management in Intramural Quidditch



Eating Disorders – Understanding and Identifying

New Year's Resolution and Spring Break Extremes. How many times have you been to the gym since January 1st? [FULL STORY >](#)



Waivers 101

THERE is perhaps no greater issue in the sport, recreation and health club industries than the use and interpretation of waivers. Considering how important waivers are, [FULL STORY >](#)



When Things Don't Go As Planned

Let's face it, as often as we practice EAPs, train staff, and prepare for the worst, things rarely go as planned. Equipment breaks, staff panic, [FULL STORY >](#)



Ball is in your court – Event Security Planning

Security planning has recently been highly publicized in relation to the Super Bowl and the Olympic Games in Sochi. [FULL STORY](#)

In the pages of J.K. Rowling's Harry Potter series, Quidditch is a sport played by wizards and witches whizzing about on magical flying brooms. "Muggles" quidditch is a version of the game played without the aforementioned and impossible magical equipment. [FULL STORY >](#)

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Introduction

Watching the Olympics and the incredible amount of time, effort and (big) money being spent on event security serves as a reminder that some of the events we organize require security (albeit on a much smaller scale!). Check out Katharine Nohr's take on this important issue in 'It's in your Court'.

As students already look forward to spring break, the article on 'eating disorders' provides an informative review of some of the disturbing practices and trends that fuel our (post holiday) obsession with losing weight – and getting ready for those Florida beaches.

Note: the follow-up article on 'Hazing Strategies' will now appear in the April 2014 issue of the Newsletter.

Ian McGregor
Publisher

Risk Management in Intramural Quidditch

Jack Butler, Director of Intramural Sports, Northeastern University
Ryan Garcia Townzen, Intramural Coordinator, University of Minnesota

Muggles quidditch is a version of the game played without the magical equipment.

In the pages of J.K. Rowling's Harry Potter series, Quidditch is a sport played by wizards and witches whizzing about on magical flying brooms. "Muggles" quidditch is a version of the game played without the aforementioned and impossible magical equipment. Since its invention, the sport has grown in popularity across the globe. The sport's governing body, the International Quidditch Association (IQA), boasts that the sport is now played at "over 300 universities and high schools throughout North America, Australia, and Europe" (IQA, 2013). However, the majority of these schools only offer it as a club sport. This article examines the rule and policy changes that need to be made in order to offer a safe, yet fun version of intramural quidditch.



Risk Management in Intramural Quidditch

continued page 2

What makes club quidditch potentially too unsafe to offer as an intramural sport?

But just as the traditional rules of football, hockey and soccer can be modified to create a safer playing environment, so can “club” quidditch be tamed enough to make it an intramural sport.

The first and most obvious step was to eliminate tackling entirely from the sport.

What makes club quidditch potentially too unsafe to offer as an intramural sport? To begin with the rules allow for players to tackle one another as a means of playing defense. There can also be full speed collisions between “chasers” and “keepers.” Another problem is that the “snitch” and the “seekers” area of play is technically unlimited and can be well out of the officials range of vision. But just as the traditional rules of football, hockey and soccer can be modified to create a safer playing environment, so can “club” quidditch be tamed enough to make it an intramural sport.

In bringing quidditch to Northeastern University, these modifications fell under three headings: (1) rules changes, (2) changes to the area of play and roles of each player position, and (3) revamping the IQA’s officiating system to meet the basic standards associated with an intramural sport.

(1) Rule changes

The first and most obvious step was to eliminate tackling entirely from the sport. This mirrors the change from traditional football to intramural flag football. Additionally, just as in flag football, a rule was created banning any attempts at stripping or punching the ball away from an opponent. In some instances the penalties for an IQA rule infraction were increased to create a further deterrent to a specified infraction. For example, rather than awarding merely a direct throw to the offended team, a two minute penalty was added for all fouls. This alteration combines familiar rules from soccer (free kick) and ice hockey (penalty minutes) to create safer game play for the intramural participants. Additionally, cards are used for fouls that are reckless or dangerous in nature.

Another risk that exists in IQA or club quidditch is the potential for full speed collisions between the chasers and the keeper. To eliminate this potential risk, a “keeper’s box” was created to separate the keeper from chasers. The keepers are forbidden from leaving their box and the offensive players cannot enter it. This rule discouraged keepers from attacking the chasers in one-on-one situations to cut off the attacker’s angle. The rule is very similar to the attacker and goalie rules implemented in team handball to avoid player collisions.



Risk Management in Intramural Quidditch

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The playing area for the snitch and both teams' seekers ensures that players are always within the sight of the officials.

We felt that in order to regulate player contact better, all officials needed a whistle.

The beauty of running an intramural sports program is that you are allowed to modify any of a traditional sport's existing rules in the name of participant safety.

(2) Playing area and playing rules

The playing area for the snitch and both teams' seekers ensures that players are always within the sight of the officials. In the IQA rules, these players can roam virtually anywhere, but at Northeastern those boundaries were shrunk down to the size of a regular intramural playing field. This ensured that all game play was adjudicated by an official, and that any potential injuries could be quickly attended to by an intramural staff member. In another tweak, the snitch runner is an intramural staff member. This ensures the snitch is impartial and allows the officials to concentrate on the other players.

(3) Revamping officiating

The final group of major changes that were made for safety purposes involved reworking the IQA's approved officiating system. In the IQA mechanics, there is only one head referee who utilizes a whistle. While there are a number of assistant referees (such as goal referees, the bludger referee, and the snitch referee), none of the assistant referees use whistles. Rather, they give hand signals to the head official who makes the final decision regarding a foul, knockout, or goal. We felt that in order to regulate player contact better, all officials needed a whistle. This was meant to assist officials in controlling the game and player conduct and to give each official equal power and respect. Also, rather than giving each official specific duties as the IQA does, Northeastern assigns that the head referee follow the quaffle (main scoring ball) much like the center referee would in soccer. The additional four officials are designated as sideline officials. They split the field into quadrants, which allows double coverage on the quaffle at all times. This system was created to define set coverage areas to ensure that the entire playing area is covered.



The IQA rulebook presents a number of concerns for intramural programmers across the country. The beauty of running an intramural sports program is that you are allowed to modify any of a traditional sport's existing rules in the name of participant safety. As a profession, we transition from tackles to flag belts; we penalize slide tackles and ban cleats. If a program does not have the facilities for a regulation field – the field of play is altered to what is available. The list goes on and on. This type of flexibility allowed us to take the version of quidditch played by the IQA and at the club level and transform it into a safe enough version to be offered as an intramural sport.

Risk Management in Intramural Quidditch

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Practical Suggestions for Transitioning from Club to IM Quidditch

- Goals can be put together using a soccer goal, hula hoops, and rope.
- For brooms, broomball sticks or mini-lacrosse sticks can be used. If available, different colors or types should be used to designate teams.
- Jerseys can be used to designate player positions. In the club version, bandanas are used, however, jerseys may be more readily available for intramural programs.
- The snitch runner wears all gold and must be an impartial participant, such as a staff member. The snitch can be a tennis ball inside a tube sock. Or a flag belt can be used as well. Otherwise, snitch uniforms can be purchased at <http://quiyk.com/>.
- A clear, designated playing area should be defined for the snitch runner and seekers, and they must be within sight of an official at all times.
- For the quaffle, a deflated volleyball should be used such that players can hold the ball with one hand.
- For bludgers, dodgeballs can be used.
- Beaters cannot hinder their opponent's ability to possess a bludger (dodgeball) by throwing it far from the playing field (like icing in hockey). Additionally, officials are given the jurisdiction to penalize beaters who unfairly prevent opponents from possessing at least one bludger."
- To aid officials, participants who dismount their brooms should raise one hand over their head while they tag up at their starting line.
- Diving or sliding for a loose, grounded ball should be disallowed for additional safety, however, players may dive to catch a ball that has not hit the ground. Keepers in the box are exempt from this rule.
- Officials have final jurisdiction to make rulings not addressed based on the spirit of the game.



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 **BACK TO COVER**

Eating Disorders – Understanding and Identifying

New Year's Resolution and Spring Break Extremes

Alison Epperson, Ph.D.
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How many times have you been to the gym since January 1st?



Since most colleges/universities traditionally have spring break somewhere during the month of March, this leaves approximately 6-8 weeks from the start of the New Year for college students to get 'beach ready'.

How many times have you been to the gym since January 1st? As a regular patron of our wellness center, I get cracked up every year at the large volume of patrons coming into the facility eager to shed some additional weight gained during the "eating season" (what I refer to the time between Halloween and New Year's), and attempt yet another New Year's resolution.

Oftentimes, a different attitude for spending so much time in the fitness facility (I'm referring to the students) is dedicated to Spring Break (aka bikini week). Since most colleges/universities traditionally have spring break somewhere during the month of March, this leaves approximately 6-8 weeks from the start of the New Year for college students to get 'beach ready.' Since nearly every minute of college life seems to be documented and imaged via social media (Twitter, Facebook, Instagram, etc.) it appears as though both males and females feel extra pressure to appear fit and trim for the ritualistic southern migration to warmer climates.



Eating Disorders – Understanding and Identifying

continued page 2



Diet” is now one of the worst four-letter words in our language because it is often carried to an extreme, not consistently followed, and repeated over and over again with no sustained positive long term effects.



When a person engages in disordered eating, they can fall into one of four categories.

Those who suffer from any form of disorder eating often report they do so as a method of control.

Sadly, as our American culture has become obsessed with weight, we have in turn, created a monster. We chastise our own population for an obesity crisis, while seemingly ignoring the polar opposite, starvation. In my opinion, “diet” is now one of the worst four-letter words in our language because it is often carried to an extreme, not consistently followed, and repeated over and over again with no sustained positive long term effects.

In general, the term ‘eating disorder’ often brings to mind the two most notable terms: anorexia nervosa (calorie restriction) and bulimia nervosa (binge eating followed by purging). In actuality, when a person engages in disordered eating, they can fall into one of four categories as listed by the National Eating Disorders Association (NEDA) webpage www.nationaleatingdisorders.org;

- Anorexia Nervosa
- Bulimia Nervosa
- Binge Eating Disorder
- Eating Disorder Not Otherwise Specified (ED-NOS)

Unfortunately, the list of contributing factors is extensive, so for the purpose of this article I will focus only on the psychological and social factors.

Certainly, encouraging and promoting regular, vigorous physical activities is the core of what we do in Campus Recreation. We understand the value and benefits of maintaining ‘total-wellness’ and strive to offer health-related programs and services which serve to meet those needs: environmental, physical, social, emotional, intellectual and even spiritual.

In the context of those six dimensions of optimal health, colleges/universities understand and recognize the increasing number of students coming to their institutions with mental health concerns and how lifestyle choices can negatively impact one or more of those dimensions, which significantly impacts a student’s academic success.

As noted in the above website, typically those who suffer from any form of disorder eating often report they do so as a method of control, or in the reinforcement of being recognized as looking good (i.e. extremely skinny). When factors/ pressures create chaos and confusion, controlling calories either as a coping mechanism or as an attention seeking behavior becomes a way of feeling in control or successful.

As a female, probably one of the most rewarding or self-esteem boosting comments (either from another female or a male) is “You look great!” I mean really, who doesn’t want to be told they look great? However, not everyone’s criteria for looking ‘great’ is the same.

Eating Disorders – Understanding and Identifying

continued page 3

The 'image' has now extended to female athletes.



In every aspect of American culture, we promote and associate 'looks' as a method of acceptability – actresses and actors, fashion models, popular musicians, and the extremely popular television show, 'The Biggest Loser'. When checking out at the grocery store, convenience store, or gas station, the customer is inundated with print media which either criticizes or praises any well-known cultural icon for how they look in a bathing suit.

Furthermore, the 'image' has now extended to female athletes, especially professionals in competitive sports such as ice skating, tennis, track, volleyball, swimming/diving, gymnastics, running and cheerleaders. When you think about it, some of uniforms leave very little to the imagination. Combined with the old saying "the camera adds 10 pounds," only serves to increase pressure for those athletes to 'fit' in the uniform (or lack thereof).



According to the Ohio High School Athletic Association's webpage <http://www.ohsaa.org/medicine/leating.htm>, "Eighty-six percent those diagnosed with disordered eating report onset of illness before the age of 20, and are significantly higher (15 to 62 percent) in the athletic population than the general population."

The NCAA has attempted to increase awareness among college athletes, coaches and medical staff / athletic trainers of a condition call the "Female Athlete Triad."

The NCAA has attempted to increase awareness among college athletes, coaches and medical staff / athletic trainers of a condition call the "Female Athlete Triad." The triad occurs in this pattern; athlete restricts calories this calorie restriction drains the body of energy (athletes need a higher number of calories / energy to perform) the reproductive system starts to shut down less estrogen is available for the body female stops having a menstrual period and bone density rapidly diminishes leading to early onset of osteoporosis.

Considering the fact that disorder eating leads to detrimental effects to the body such as heart conditions, decreased bone density, deprivation to major organs, and damage to the digestive tract and mouth, they must be taken seriously and identified and treated as soon as possible.

As mentioned in my previous article regarding 'overstepping our boundaries', there is naturally some hesitation to approach patrons with whom we do not have an established relationship but recognize as 'regulars.' It is walking a fine line and trying to determine "At what point should we be concerned about a student's weight or obsessive exercising?"

Eating Disorders – Understanding and Identifying

continued page 4



What are some ways that you can reach out to your patrons without feeling evasive?

Here are some thoughts to consider when trying deciding whether or not you should become involved or express a concern:

- A patron who comes to your facility more than once a day, stays for extended periods of time, or attends multiple fitness/aerobics classes in the same day, or seems to frequent the restroom (this can be for purging or constantly checking the scale).
- Common signs of calorie depletion include – loss of hair, thin skin, blue finger nails and dizziness and bloodshot eyes
- Mood swings and irritability

What are some ways that you can reach out to your patrons without feeling evasive?

Consider the following:

- Post signage above your scales which serve to remind – muscle weighs more than fat so don't obsess over the numbers!
- Utilize the back of the bathroom stall door for posting information and availability of relevant campus services
- Regularly check attendance sheets or take attendance in all fitness classes and look for indications of 'excessive participation'

In conclusion, disorder eating should be taken seriously and most people do not realize it is associated with mental health and causes life-threatening issues. Communicate with your staff the importance of what it is and how it occurs. Consider the statistics that indicate the highest percentage of those with diagnosed disordered eating are your clientele: campus recreation/ intramurals/ club sports/ fitness participants.

And most importantly, do not be afraid to offer help - ultimately our jobs are to assist our students become successful and healthy young adults!

 **BACK TO COVER**

The Road Map to Successful Facility Management

Jimmy Francis
Director, Student Recreation Center
CSU, Northridge

Editors note: This article is the first of a 3-part series. Part 1: Human Resource Management, Part 2: Building and Equipment Management, Part 3: Budget Management.

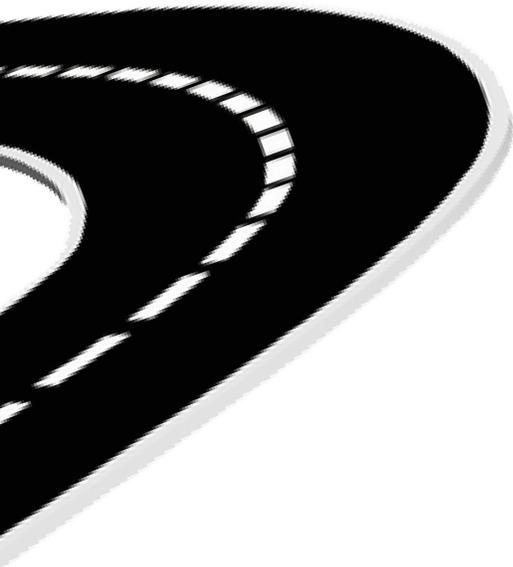
Part 3: Budget Management

In this last major stop on our road map to successful facility management, four aspects of budgeting for a facility will be discussed.

It would be challenging to accomplish all the strategies discussed throughout this series of articles without the proper funding. Whether you are dedicating staff to research questions that were asked in this article or replacing a malfunctioning piece of equipment on your fitness floor, those things cost money. In this last major stop on our road map to successful facility management, four aspects of budgeting for a facility will be discussed. There are many different ways to approach the planning and management of a facility budget and there are a few important core values of a successful budgeter.

A successful budget manager should be organized and analytical. You must spend time both organizing your budget and thinking about it. Don't forget that, ultimately, your boss pays you to not only do things, but to think!

Lastly, in the midst of these tough economic times, entrepreneurial thinking can be one of the best qualities a professional can have. Those that specialize in doing more with less and figuring out additional ways to generate revenue from their facility are the ones moving up the ladder. Now that a few core values have been introduced, four areas of facility management budgeting will be discussed.



The Road Map to Successful Facility Management continued page 2

1. Wage Budget

As discussed earlier, people are what is going to make your facility a success or failure. In order to have a staff on hand there needs to be money to pay them. Determining your staffing level and budget for wages can be done a number of ways. Staffing levels tend to differ from region to region, so it is difficult for professionals to agree on an industry standard. To help guide your decision about the number of people you have on staff and work at various times, consider these two things:

- Design and layout of the facility: Do you have a large facility with open areas? Is your facility partitioned off with several rooms on multiple levels? Does your staff have good sight lines from their workstations? By answering questions like these you will begin to formulate a plan for how many people are needed to safely operate your facility.
- Anticipated participation numbers: When are your users visiting the facility and what are the peak times that you need more staff present to serve and react to facility needs? By researching questions such as these, you can begin to establish when you can save money by having less staff on duty and when you need to have more hands on deck. This is extremely important to find out because you don't want the appearance of being overstaffed and certainly don't want staff standing around idle and draining the budget.

If you have not already done so, establish a way to track your payroll in a manner that allows for easy assessment. The simplest way to do this is to set up a spreadsheet that has the pay period, amount paid, and the annual total. You can add to this document every pay period and then, eventually as the years go on, you can calculate averages and then better predict your wage budget.

Establish a way to track your payroll in a manner that allows for easy assessment.

2. Supplies and Services Budget

As a facility operations' professional, you know as well as anyone that you need to have the necessary supplies on hand to effectively operate. If there is one thing to stress in regards to budget management, it is the importance of tracking what you are buying, when you buy it, and how much you are paying.

Whether you are working in a system that uses a zero-based or incremental budgeting approach, you will still benefit significantly from having a purchase log detailing the goods and services that you have procured.

To successfully manage the overall budget, talk to your staff! They are the "boots on the ground" that will provide valuable information and feedback about the supplies that are needed, what needs fixing, and what your current inventory of expendables is.

To successfully manage the overall budget, talk to your staff! They are the "boots" on the ground.



The Road Map to Successful Facility Management continued page 3

3. Capital Improvements Budget

Often professionals in facility management don't spend the time necessary to adequately prepare a capital improvement budget. This happens for a number of different reasons and in many cases it is because of a lack of time to conduct the research necessary for large scale renovation or replacement projects. An additional reason is that very often the financial resources simply aren't there. However, to be successful you must plan for the future of your facility and realize that systems are going to need to be replaced. Additionally, in order to keep up with the trends in the field, renovations should be planned to accommodate new programs or future equipment.

There is no easy way to create and propose a capital improvement budget; it takes time and effort. To get started you should begin by creating a replacement schedule for all the equipment and systems in your facility. If you develop this tool you will at least be able to visualize and anticipate when you might



Begin by creating a replacement schedule for all the equipment and systems in your facility.

be spending significant dollars. A replacement schedule does not, however, help you prepare for the possibility that a new trend, a change in your campus enrollment, or some other unknown variable will dictate the need to change your space in some way.

The only real way to plan for that situation is to work with your budget department to start accumulating reserves that might be available should you need them. Another tip is to frequently solicit feedback from your users on what they are thinking and desiring. If you are able to accumulate some extra money, you will be one step closer to being able to react to an unforeseen challenge or an opportunity that could be advantageous.

4. Rentals and Income

Income generation has become a part of our jobs as facility managers during these recent economic times. Not only do you have to do more with less, but now you also have to create new ways to generate revenue to support your programs and facility. One tool that has proven effective for many campuses is renting their facility out to other campus departments or even external groups.

The Road Map to Successful Facility Management continued page 4

There are three important questions to ask if you are going to consider renting out your facility:

- **Who?** – Make a list of your stakeholders and prioritize them. Before you open up any spaces for rental you need to make sure that you are serving your primary target audience before you start reserving rooms. This is especially crucial if you are on a campus where students pay a mandatory fee. You will have a very difficult time explaining to students why a non-campus entity is taking time away from them in a space for which they have paid. That is not an easy conversation.
- **What?** – This question is pretty simple; know your spaces. Your facility is designed for recreation and therefore you should stick to hosting events that complement your space. You will create more work for yourself and subject your facility to more wear and tear than necessary if you try to do things for which your space is not designed.
- **When?** – The who and when questions actually closely relate. Answering the when question is also crucial to keeping your stakeholders happy. If you're not already doing so, start tracking your participation numbers in your activity areas. Many institutions keep statistics on when users are accessing the facility, but do you have it drilled down to what areas of the building they are using and when? If not, start collecting this information so you know when you might be able to rent out a space during a non-peak time that will not affect your primary audiences' experience.

Answering the when question is also crucial to keeping your stakeholders happy.

if you can find a way to generate income and not take away from your stakeholders you are being a successful facility manager.

If you work your way through the questions above, the next step is to benchmark facility rental prices in your market. What is everyone else charging? If you are going to rent your facility, you should at least make sure your prices are competitive. It is also recommended that you utilize a tiered approach to your rates with your primary stakeholders receiving the most discounted rate and the public paying a premium. This will pay huge dividends with your primary stakeholders and help you justify renting out parts of the facility.

At the beginning of this section entrepreneurial thinking was listed as a core value. Renting out your facility is by no means a unique concept and only one of many that you may want to consider as a revenue generator. You may find success in other initiatives, such as retail, food service, summer camps, community programming, etc. The fact of the matter is if you can find a way to generate income and not take away from your stakeholders you are being a successful facility manager.

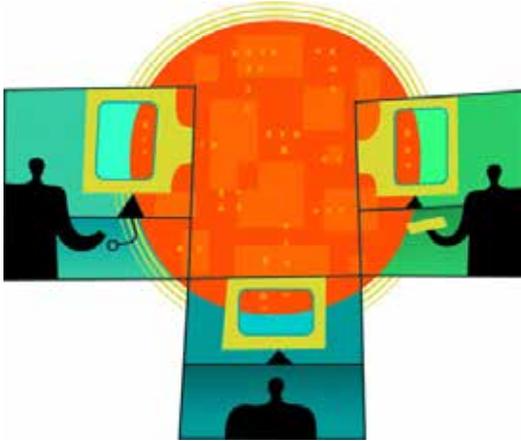
You Have Arrived at Your Destination!

You have completed your journey and arrived at your destination. You have now been equipped with a few of the many tools that can and will lead you to being successful in facility management. Ultimately your goal should be create a clean, safe, and welcoming environment for your users. That is not an easy goal to achieve and one that almost seems out of reach at times. Keep the faith and stay the course and you'll eventually get there.

 **BACK TO COVER**

2013/14 SportRisk Webinar Training Series

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In conjunction with NIRSA, McGregor & Associates have developed 28 Webinars (9 NEW!) designed to complement your fall/winter training programs. These Webinars are strategically organized into 7 unique Series:

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9. Negligence Awareness Training for Sport Clubs Officers

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1. Waivers Simplified
2. Waivers 101 (more detailed)

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2. Event Planning Simplified
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4. Using Google Docs in Recreation (FREE)

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Waivers 101

John Wolohan
Professor of Sports Law
Department of Sport Management
Syracuse University

INTRODUCTION

A waiver is a contract entered into between the user of the recreation or health club services and the service provider.

In exchange for giving up their legal right to sue the service provider, the service provider agrees to allow the individual to use the recreation and health club's services and facilities.

The legality of a waiver is determined by state, not federal law.

THERE is perhaps no greater issue in the sport, recreation and health club industries than the use and interpretation of waivers. Considering how important waivers are, and how much they are being used, it is amazing that there is still such a great deal of misunderstanding over their legal value and the protection they can provide. This article attempts to demystify waivers and provide readers with a basic understanding of how they work.

Perhaps, first, and foremost, it is important to note that a waiver is a contract entered into between the user of the recreation or health club services and the service provider. In the contract, the user agrees to relinquish his or her legal right to sue the service provider in the event that the user is injured as a result of the provider's negligence. In exchange for giving up their legal right to sue the service provider, the service provider agrees to allow the individual to use the recreation and health club's services and facilities. It is important to note that as a general rule the waiver will only protect the service provider from liability for ordinary negligence and will not protect the service provider or its employees from gross negligence or reckless misconduct.

Second, the legality of a waiver is determined by state, not federal law, and therefore its validity will vary depending upon the state. Therefore, just because a recreation or health club facility uses a waiver legally in one state that does not mean that it will be valid in another state. It should be noted that in at least 43 states, a well-written, properly administered waiver, voluntarily signed by an adult, can be used to protect the recreation or sport business from liability for ordinary negligence by the business or its employees. It should also be noted that in three states: Louisiana; Montana and Virginia all waivers will be void since the courts have found them to violate public policy.



Waivers 101 continued page 2

REQUIREMENTS FOR A VALID WAIVER

To ensure that the courts will uphold a waiver, it is important that the service provider consider the following items when writing a waiver:

- Does the waiver use clear, easy to understand language?
- Is there legal consideration in the contract / waiver?
- Is the document clearly labeled a "Waiver"?
- Is the document one page?
- Does it use the word "Negligence"?
- Are there any fraudulent statements in the document?
- Did the person signing the waiver, actually read it?
- Does the waiver cover not only the signer, but his or her spouse and heirs?
- Is there any indemnification language in the document?



Although some of these items might not be required by every court, for example some courts do not require the use of the word negligence, when dealing with waivers, it is better to be safe than sorry.

WAIVERS AND MINORS

Since waivers are contracts, and contracts are unenforceable against minors, the general rule is that waivers are unenforceable against minors. Therefore, since waivers signed solely by the minor are ineffective, providers have a couple of options they can use to protect themselves. First, they can require that the minor's parent or guardian sign the waiver on behalf of the minor client (parental waiver). While in the past, parental waivers have not been very effective, recently the courts in some states have begun to enforce waivers signed by parents on behalf of their minor children so that now parental waivers are enforceable in at least nine to twelve states. Second, they can require the parent to indemnify the provider for any financial loss they suffer due to the participation of the minor. The two states that have upheld parental indemnity agreements are Connecticut and Massachusetts.

ADMINISTERING THE WAIVER

Many waivers fail to protect the provider from liability because of flaws in the administration process. Some administration guidelines that will help to ensure the enforcement of a waiver are:

1. Be straightforward in explaining the waiver - do not make false claims.
2. Allow the signer enough time to read and sign the waiver before participating.
3. Retain waivers and accident reports in a safe and secure environment.

Attorney John T. Wolohan (jwolohan@syr.edu) is a professor of sports law in the Department of Sport Management at Syracuse University.

Since waivers are contracts, and contracts are unenforceable against minors, the general rule is that waivers are unenforceable against minors.



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When Things Don't Go As Planned

The importance of Accident & Incident Report Forms

Maggie Cattell
Aquatic Coordinator
Florida Southern College

The lifeguard speaking on the radio was calm and descriptive so I expected for the response I was about to witness to be organized and thorough.

The toughest part of that day: finding a way to describe this accident in a report form.

It was my first week on the job and my first major event to be working. I was a risk management mentor. A job title that meant little to anyone who worked outside of our own Campus Recreation staff but to those who did work there I was the expert on anything accident or incident related. Whenever something occurred, it was my job to ensure the student staff acted accordingly and my responsibility to step in if they didn't. I should have known that the combination of the high intensity water polo matches taking place and my own personal magnetism for accidents that something would happen. I was making my rounds when the call came over the radio for an ambulance. I and the supervisor on duty stepped up our fast walk to a run when we heard it was a head/neck/back injury. The lifeguard speaking on the radio was calm and descriptive so I expected for the response I was about to witness to be organized and thorough.



What I found was an upset and concerned lifeguard who was being told that the trainers would take care of the participant and that her services were not necessary. The lifeguard was anxious to provide the care she had been trained to give, the supervisor was irate that our emergency action plan wasn't going as expected, however I wasn't sure if we had authority over athletic trainers to call them off. The last thing this situation needed was a power struggle and I chose to reassure the staff and stand by in case the trainer changed their mind and did want our assistance. The toughest part of that day: finding a way to describe this accident in a report form.

Let's face it, as often as we practice EAPs, train staff, and prepare for the worst, things rarely go as planned. Equipment breaks, staff panic, and coaches choose to call trainers instead of calling an ambulance. An effective EAP depends on all factors affected to be on the same page and unfortunately for many, our facilities are multifaceted and unpredictable. In the above situation, my main concern was patient care. When it became clear that our desire to follow the EAP we were trained with would hinder and delay care to the participant, my next concern was making sure to document exactly what happened so liability would not fall on Campus Recreation. Interestingly enough, I felt more comfortable with the EAP that didn't go as planned then finding a way to describe what had just happened on a piece of paper. I was heavily trained in the EAP but not in the follow-through that needed to take place after each accident or incident.



When Things Don't Go As Planned

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I was heavily trained in the EAP but not in the follow-through that needed to take place after each accident or incident.

Someone's claims in court will be hard to prove false if the accident report form contains illegible handwriting, crossed out statements, and no date.

The above scenario illustrates 3 different parts of the Risk Management system:

The before - this comprises of your staff training and what you do at your facility to help prevent accidents and incidents from occurring.

The during - this is what takes place once an accident or incident has occurred. It is the response of the staff and the care provided.

The after - this consists of the documentation, follow up, and evaluation.

The after is normally the area that is forgotten or neglected. Some of this is because of lack of knowledge. However, the necessity of proper accident reporting becomes clear when a possible lawsuit is facing your facility. Someone's claims in court against you or your staff will be hard to prove false if the accident report form contains illegible handwriting, crossed out statements, and no date.

Most facilities do possess some type of report form that they use for accidents or incidents but many mistakes are made when it comes to creating new report forms or utilizing the ones already made:

- **An accident/incident report needs to be easy to read and user friendly.** Let's remember that most of our staff are students who tend to be easily distracted and sometimes not detail friendly. Creating sections, utilizing bold or italics, and putting diagrams or pictures are all ways to help our staff provide as much detail as possible.
- **An accident and incident are NOT the same thing and therefore should NOT be the same form.** The difference between an Accident and an Incident:
 - An accident is a situation where an injury or illness occurred.
 - An incident can be something that disrupts the normal operation of your facility and can sometimes vary in definition based on the organization.

These differences in definition should elude to the fact that these each need to have different information collected to know what happened. Using the same form will result in missing or unnecessary information.

- **An accident/incident report needs to be easily accessible.** Putting these reports behind lock and key in an office or drawer is not the way to entice staff to fill them out. Put them in places where they are seen and easy to reach. Maybe on your supervisor's clipboard or by the first aid supplies. Make sure there are plenty of copies. If they are seen, they are more likely to be remembered, and therefore more likely to be used.



When Things Don't Go As Planned

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- **Staff members need to be trained on how to use these forms.** Believe it or not, as much time as you put into making these forms organized and easy to follow, staff still need to be shown how to fill them out and what to do with them after they are done. Explaining when they need to be filled out, where they are kept, and answering questions about those “what if....” situations are important even if they seem tedious and time consuming. The more the staff knows about the process, the more they can help themselves.

What should your forms have on them?

So, with the above being discussed, the question now is: What should your forms have on them? Every facility has a different set up for their report forms. Your forms need to reflect the space your organization is responsible for, the participants who use those spaces, and what types of accidents/incidents occur on a more frequent basis. Despite facility differentiations, a general outline of an accident and incident report form is as follows:

- **Date, time, and location of occurrence** – some facilities also ask for which department the accident/incident occurred such as intramurals or athletics so that in cases of multi-use areas there can be a better idea of who was involved
- **Contact information of participant** – General information about the participant might be name, birth date, phone number, address, and student identification number
- **If 911 was called** – information in this section might include getting badge numbers of officers/EMTs dispatched, time of arrival, what they did when they were there, and time of departure
- **Describing what happened** – This needs to be an area where staff can write what happened. If they weren't there to witness the accident/incident, this would be the place where they recount what the participants said happened
- **Describing the staff response** – Employees should document with as much detail as possible in this section and put information such as how they were notified, what they saw, and what care they provided
- **Writing area for additional comments** – Often this section is overlooked and underutilized but in situations that are complicated or not “black and white” this is where staff can make comments that don't fit in to other categories such as if it took the ambulance 20 minutes to arrive, if the participant kept changing their story, or other details that might be important if a lawsuit was filed.
- **Signatures** – signature and date from the participant and employee who filled out the form are necessary.

Please remember that each facility is different, and report forms may need to be customized to the situation. Lastly, here are reminders of some things that you DON'T want to do with accident or incident report forms:

- **Don't ask for unnecessary personal information about the participant** – use caution when asking for social security numbers or other personal information that isn't pertinent for your records (height, weight, marital status, income, insurance information, grade point average, driver's license number, etc.). Decide what is right for your facility and limit it to necessary information.

Reminders of some things that you DON'T want to do with accident or incident report forms.



When Things Don't Go As Planned

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- **Don't ask for causation** – as much time and energy (not to mention money) we put in to training ourselves and our staff: we aren't doctors. We can't determine or diagnose what is wrong. Make sure your staff are aware of this and use caution when choosing terminology in report forms.
- **Don't let report forms become a distraction** – despite all that has been discussed, participant care should ALWAYS take precedent over filling out a report form. Make sure to train staff about reporting but also stress that their attention needs to be on the patron and the patron's current condition.
- **Don't forget about the follow up** – remember to call participants after most accidents to ensure the care they received was sufficient, talk to staff and discuss what they did well and what they can work on, and keep report forms on file for the required time set by each state (normally around 7 years).
- **Don't forget to utilize the information gathered** – use the report forms to track trends that occur in your facility. Is one area on the basketball court always slippery and that's why participants fall? Is one intramural sport more dangerous than others? What can you do in the future to help patrons and prevent these accidents from occurring again?

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To download sample Accident and Incident report forms,
click www.sportrisk.com/_archive/Accident_&_Incident_Report_Forms

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BALL IS IN YOUR COURT

Event Security Planning

By Katharine M. Nohr, J.D.
Nohr Sports Risk Management, LLC

Security planning has recently been highly publicized in relation to the Super Bowl and the Olympic Games in Sochi.

The first step to evaluating security needs begins with risk assessment.

Consider what security measures should be implemented in order to minimize or eliminate such risks.

Security planning has recently been highly publicized in relation to the Super Bowl and the Olympic Games in Sochi. High profile events and those that attract thousands of attendees and participants, such as the Boston Marathon, are potential terrorist targets, because of the media attention that will bring the terrorist's message to the public. Your sporting events very likely will not attract millions of television viewers, but that doesn't mean that security shouldn't be of prime consideration when you develop your risk management plan.

The first step to evaluating security needs begins with risk assessment. What possible scenarios can you foresee at your event? In order to evaluate this, you should look at the history of your organization's events and considered what problems have occurred at similar events in your region and in other locales. Have you had problems with fights breaking out in the stands? Are you concerned about attendees carrying weapons? Is there a risk of a riot post game?

Once you've identified the risks, consider what security measures should be implemented in order to minimize or eliminate such risks. You will likely not need a no fly zone as the Super Bowl does, but will need to protect the perimeters of your event with sufficient security personnel so as to limit entry to only ticketed, rule compliant patrons. In order to keep dangerous objects and substances out of the facility, decide what level of inspection upon entry makes sense. Ticket holders may have to be subjected to bag or person searches or go through metal detectors; you may limit the items that they are permitted to bring and enforce this; or, you may simply have security do a visual scan of attendees for possible dangerous items.



Event Security Planning

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The Boston Marathon bombing provides an example of the need to pay close attention to abandoned packages or items in a playing field that is open to spectators. Low profile events with relatively few participants and little or no media coverage will likely not be targets of terrorists, but training security and reminding patrons to look for and report abandoned items is a good practice.



If alcohol is served at your event, there are the added security issues of dealing with intoxicated patrons. Rules regarding service and use of alcohol should be in place so that consumption can be diminished and timed. For example, the number of alcoholic beverages that can be purchased by an individual can be limited; cutting off service by a certain time so as to reduce the chance of driving while intoxicated; and checking all purchasers' identifications so that minors are not being served.

If the teams playing are rivals or there is some concern about the safety of players, security personnel may be necessary for the teams, including in or near locker rooms. Of particular consideration is post game when fans could become unruly either in the facility or outside. Sufficient security personnel should be provided in those situations. You'll need to consult local law enforcement organizations to discuss your concerns and arrange for police officers to provide security at your event.

In short, in order to have a comprehensive risk management plan, you should:

1. Assess your security needs.
2. Decide what security measures should be implemented at your event.
3. Implement the security measures.
4. Re-evaluate after the event to determine the sufficiency of the security provided.

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Got something to say - or an idea to share?

Across N. America, recreation professionals are finding creative ways to implement unique solutions to a number of challenging risk management issues. Many of their ideas have already appeared in this Newsletter.

Earn CEU/PIC credits for writing an article!

Are you willing to share your ideas? You may believe what you're doing is not of interest to others. **WRONG!** Professionals are always on the lookout for new/ different/ unique ways of doing things:

- Staff training programs
- Emergency Response Planning strategies
- In-service training ideas
- Participant medical screening strategies
- Online training courses
- Risk Management Committee operational guidelines
- etc. etc.

Share your ideas – by writing an article for the 'Risk Management Newsletter for Campus Recreation'!

This is not a 'refereed' publication. The focus of the Newsletter is simply the communication of ideas, procedures and programs that work.

If you'd like to explore this, or receive the 'Guidelines for Authors', contact Ian McGregor at mcgregor@sportrisk.com

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Risk Management Newsletter for Campus Recreation

Our goal is to provide timely information and practical resources to assist Campus Recreation professionals manage the risk of injury to participants.



Talk to Us!

Tell us about ... Your Best Practices (practical, hands-on policies/ procedures/ training programs that really work for you)

Your 'sweaty-palm' issue (what keeps you awake at night). Ask for our feedback!

Your interest in contributing to the 'Risk Management Newsletter' by writing an article for an upcoming issue.

Contact us at mcgregor@sportrisk.com

Next Issue April 2014

Featured Topic: 'Youth Camps'

Topics include:

- Minors on Campus
- More on Waivers
- Sport Clubs
- Risk Assessment
- Online Learning Opportunities

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