

RISK IN FOCUS



EDUCATION

**Health and Safety Risk: Student Athletic Programs,
On-Campus Camps, and Student Health Services**

Introduction

Institutions of higher education take very seriously their charge to protect the health and well-being of students and visitors entrusted to their care. This includes protecting those individuals from their peers, the elements, injuries, illnesses, nefarious actors, random misfortune, and even themselves, as best they can.

College and university **best practices related to due diligence, supervision, training, facility and equipment maintenance, and physical security can help reduce risk.** Insurance-based risk transfer is an important backstop when even the best risk prevention strategies prove insufficient.

This report covers three areas of liability that higher education institutions may overlook regarding their responsibility for the health and well-being of those on their campuses: school athletic programs, camps for minors, and student health services.

TABLE OF CONTENTS

01 Protecting Student Athletes

03 Protecting Minors Participating
in On-Campus Camps

05 Maintaining Student
Health Services

05 A Final Word

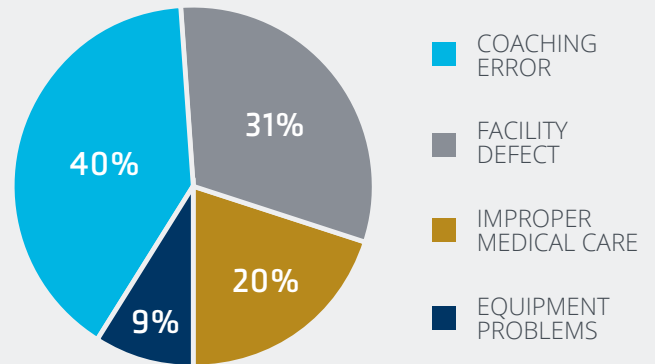


“Coaching errors” cover a wide range of missteps or worse made by members of a coaching staff – not only paid or unpaid head coaches but also assistants and other volunteers.

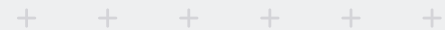
One of the most common areas of coaching errors is failure to protect the health of participants and prevent physical harm against them.

In cases of accidents or athletic-related illnesses, in addition to the personal trauma suffered by the athlete and their family members, schools must also consider their own costs and risk exposure. Not all risks can be avoided in these situations, but it is imperative that educational institutions manage and plan for foreseeable risks in their athletic programs. If not, there is a very real possibility that the school will be found liable if incidents occur.

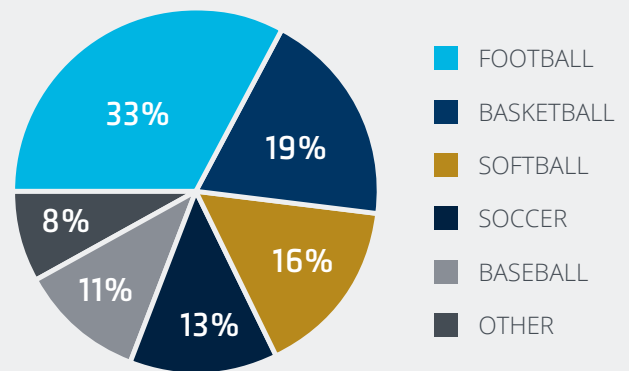
TOP CAUSES OF INJURIES LEADING TO CLAIMS: COACHING ERRORS, FACILITY DEFECT



Source: United Educators “What’s Causing Athletic Injuries? Lessons from Claims”



MANY CLAIMS RELATED TO ATHLETE INJURIES INVOLVE FOOTBALL, BASKETBALL



Source: United Educators “What’s Causing Athletic Injuries? Lessons from Claims”

A United Educators analysis of liability claims data from intercollegiate and club athletics found that coaching errors were the most common cause of player injuries and were cited in 40% of claims with losses, with an average loss of more than \$420,000.¹

HEAT-RELATED ILLNESSES

Student-athlete injuries occur relatively often even in low-contact sports. That's largely due to heat-related illnesses, one of the most prevalent areas of health-related coaching errors. These conditions are brought on when the body's natural cooling system has difficulty keeping up with physical exertion in a hot and often humid sporting environment, resulting in a rapid rise in body temperatures.

Although heat-related illnesses are preventable, they're still a leading cause of death and disability for U.S. student-athletes.

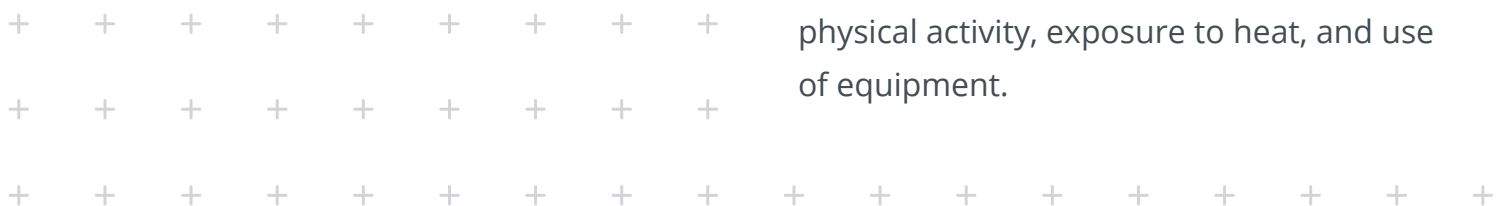
The spectrum of heat-related illnesses is wide, ranging from mild conditions like heat rash and sunburn, to more serious issues such as cramping, heat exhaustion, and heat stroke. **These situations can be effectively prevented with proactive programs that include:**

- + **Pre-participation screening of athletes.** The American Academy of Pediatrics provides guidance in this area and offers links to all state-specific requirements.²

- + **Training for staff, athletes, and parents** on recognizing the signs and symptoms of heat illness and strategies for avoiding these situations. The National Collegiate Athletic Association Sports Medicine Handbook provides valuable guidance in this area.³ The training should cover hydration strategies and best practices in scheduling training sessions.
- + **Rest and recovery protocols** that includes a hydration strategy, frequent breaks, days of rest, and athletes' ability to rest when needed.
- + **Maintaining an Emergency Action Plan** and making it available at all practice sites. These plans include heat illness prevention guidance, symptoms of heat illness, emergency contact numbers, medical venues nearby, and more.

What may first appear as fatigue or mild cramps, can quickly progress to life-threatening heat stroke. The initial symptoms of various types of heat illness are similar, including thirst, confusion, and headaches. Too often, staff members don't always recognize these signs that the athlete is in distress.

Further, training seasons should be phased in to allow athletes to gradually adjust to heat over seven to 14 days, with gradual progression of duration and intensity of physical activity, exposure to heat, and use of equipment.





Protecting Minors Participating in On-Campus Camps

Hosting summer youth camps focused on academics or athletics is an excellent opportunity to introduce middle and high school students to the institution and develop longer-term ties. It's an equally valuable way for these students to advance their skills as they utilize resources and learn from instructors they wouldn't otherwise have access to.

While on campus, however, these students are vulnerable to unscrupulous instructors and others who might take advantage of a minor's naivety or immaturity, leading to sexual abuse or other molestation incidents. These can inflict lifelong pain on a vulnerable individual and significantly damage the institution's reputation.

Preventing incidents of this sort requires creating a safe environment for youth on campus. This begins with laying out detailed behavior guidelines for the faculty, staff, and volunteers who administer the

program and all others on site. It also calls for clear instructions for the visiting students on inappropriate behavior by them and the staff, and instructions for safely reporting incidents.

Establishing camp-specific procedures to ensure a safe adventure for the visiting students involves fully documenting all camp activities and identifying areas of risk during all phases, including transportation, lodging, outings, and more. The plans should be prepared and reviewed by a committee comprised of a top administrator, chief financial officer, risk manager, human resources representative, legal counsel, and others.

These committee members should also be familiar with the organization's liability coverage and exposures.



These plans should encompass best practices on areas including:

- + **Policies** – Maintain a written and enforceable set of detailed policies that define acceptable behavior as well as incorrect or questionable behavior.
- + **Hiring/Screening** – Implement a multifaceted screening program covering each person who will be working with or around these visiting minors.
- + **Training** – Provide “Minors on Campus,” “Abuse Molestation Prevention,” and “If You See Something Say Something” training for every person who will be working with or around the visiting minors.
- + **Participant Forms** – Require participants and their parents/legal guardians to sign forms with information that address waivers/liability release, medication management responsibilities, authorized media/social media photo use, and other matters as suggested by legal and risk experts.
- + **Reporting Process** – Ensure staff, student participants, and parents/guardians clearly understand how to recognize unusual and inappropriate behavior and how and when to report it.
- + **Investigation/Removal Protocol** – Establish and enforce safety systems that acknowledge all concerns, evaluate all threats, and include mitigation solutions for every situation.
- + All policies and procedures should be reviewed annually with legal and risk control specialists to avoid loopholes in the system and address new student programs and areas of concern.



Maintaining Student Health Services

Most higher education institutions recognize that college-aged students are especially vulnerable regarding physical and mental well-being.

In response, student health coverage has paid close attention to mental health as students are more independent, which can impact medications being utilized. Institutions are increasingly facing limited resources on campus, fewer access points, and counselors and, therefore, reaching out with information on substance abuse, sexual health, contraception, mental health, and more.

Resources are limited within student health services, and the biggest preparation is needed with international students, as communication pre-enrollment and once on campus becomes paramount.

Supporting colleges and their student health services can be managed and leveraged in a few key ways:

- + **Timely care:** access to tools that take the pressure off counseling centers. Successful areas have been in the use of telehealth for counseling services.
- + **Integration:** managing Visa insurance requirements that meet government standards for international students and communicating with students before arriving on campus.
- + **Understand the use of a hard waiver:** Student plans need someone to manage the program. Often, a broker can come in to support enrollment and the waiver.
- + **Size and scope:** Understanding the insurance carrier's availability and capabilities if direct access is the next best step.

A Final Word

In addition to the more common institutional risks in secondary education, such as cyber threats and mass attacks, this report includes important reminders regarding risks related to sports and recreation programs, visiting minors, and student health service programs.

In many ways, a college or university is a microcosm of the "real world," with many of the same inherent risks and organizational liabilities. Colleges and universities are not necessarily ivory towers isolated from society. Their leaders are well-advised to consider all the risks they have in common with other "outside" organizations and adopt many of the same risk management and transfer strategies.

IMA maintains a team of experienced professionals dedicated to assisting institutions in coverage analysis, procedure review, training program review, and more.



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SOURCES

¹ Keehan, A. (2021, June). *What's Causing Athletic Injuries? Lessons from Claims*. United Educators. <https://www.ue.org/risk-management/athletics/whats-causing-athletic-injuries-lessons-from-claims/>

² American Academy of Pediatrics. (n.d.). Webpage. *Preparticipation Physical Evaluation*. American Academy of Pediatrics. <https://www.aap.org/en/patient-care/preparticipation-physical-evaluation/>

³ NCAA Publications. (n.d.). *Sports Medicine Handbook*. NCAA Publication. <https://www.ncaapublications.com/p-4141-sports-medicine-handbook.aspx>

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