

Oregon High School Equestrian Teams Inc.

POLICY:

Oregon High School Equestrian Team, Inc (OHSET) will follow State and Federal laws to reduce physical and financial risk to OHSET athletes, the State and District Boards and the organization as a whole.

OHSET State Board will maintain a Commercial General Liability Insurance Policy that insures OHSET against the risk of injury to spectators during OHSET activities.

OHSET State Board will maintain Director's and Officers (D&O) insurance policy to protect against potential risk of wrongful acts and /or errors & omissions brought against the board, which does not involve bodily injury or property damage.

Athletes ride at their own risk. Each OHSET athlete will maintain health insurance to cover any personal injury. High School Team Coach or Advisor is accountable for ensuring each athlete provides proof of insurance prior to participating in OHSET events.

Each OHSET Athlete will be familiar with OHSET rules and sign the OHSET Code of Conduct prior to participating to promote understanding of safety rules and decrease risk of injury.

Any additional event where athletes are riding an equine will require OHSET additional event insurance to be purchased prior to the event.

****OHSET does NOT authorize or insure Parades or Trail Rides****
Parades and Trail Rides are both prohibited activities in OHSET and not covered by the OHSET Insurance Policy. This is a stipulation of coverage.

Any incident that may be covered by OHSET insurance will be reported utilizing the appropriate forms located on the OHSET website within 48 hours to be covered.

DEFINITIONS:

Certificate of Insurance: A proof of insurance, a formal document from our insurer that states the specifications of our insurance. *At an extra cost.*

Additional Insured: School or arena asks to be named as an additional insured by our insurance company. This allows them to utilize OHSET insurance coverage to also cover them if a suit is brought before them. *At an extra cost.*

Additional Event: An OHSET event that **includes riding of equines.**

Examples **may include clinics, benefit shows, etc.** It does not include scheduled district or state meets or team practices.

Insured Persons: Defined per the OHSET Director's and Officers (D&O) insurance policy, Section III. C. Shall mean all persons who were, are now, or shall be directors, trustees, officers, employees, volunteers, or staff members of the Organization or its Subsidiaries, including, any executive board members and committee members whether salaried or not. (In a message dated 3/13/02 6:32:22 AM Pacific Standard Time, Andy Beauchamp, our Insurance Agent writes "This is a very broad definition and would include your coaches and advisors. This being said, they are covered and no additional premium is warranted.")

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PROCEDURE:

- I. To ensure your team is insured;
 - A. **Prior to practices**, complete team registration and send via District to the State Board with:
 1. Each athlete's name, address, and telephone number
 2. Each coach's name, address and telephone number
 3. Each advisor's name, address and telephone number
 4. Authorizing signature from the high school and printed name and contact telephone number
 - B. With any changes in the team, especially additional persons, update the Team
 1. Registration form and send via District to the State Board.
 - C. Non-Competing Athletes are members of the team and should be listed as so on the Team Registration Form.
- II. If your school, arena or barn requests a certificate of insurance;
 - A. Clarify if they need proof of liability insurance and /or to be named as an additional insured.
 - B. Collect pertinent information
 1. If Certificate of Insurance, all that is required is to whom and where to send it. **Note:** Some people will only need a copy of your district's Certificate of Insurance. A copy can be requested from your District Chair.
 2. If a Certificate of Insurance naming the entity as an additional insured is requested, identify the Name of entity, Address, Name of contact person and telephone number to be printed on the certificate. Send this information via your District to the State Board.
 - C. To purchase Additional Event Insurance, Send to the State Board Insurance Chair via your District Chair, as soon as aware or at least 2 weeks prior to the event:
 1. Date of the event
 2. Address of the event
 3. Name of contact person at the event
 4. Telephone number of contact person
 5. Name of the district and team requesting the insurance
 6. Fax # for Certificate to be sent
 - D. **To report an incident:**
 1. **Fill out the form "Reporting Procedure for Spectator Insurance"**
 2. Contact the OHSET Insurance Chair within 48 hours of the incident
 3. Send the form to the OHSET Insurance Chair
 4. Forms are available on the OHSET website.

REFERENCES

- Oregon Revised Statutes, Title 3. Remedies and Special Actions and Proceedings, Chapter 30. Actions and Suits In Particular Cases Actions Arising Out of Equine Activities ORS S30.687 (1993) – 30.687. Definitions for ORS 30.687 to 30.697.
- The Federal Volunteer Act Provides Civil Liability Protection for Non-Profit Volunteers

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Frequently Asked Questions Regarding Insurance and Risk

How can I be sure my School, Coach, Advisor, Athletes are covered by OHSET insurance policies?

The team registration process is the key! Those persons listed on the team registration (and only those persons) are covered. Coverage begins once your team's registration is received by your District Board or designee.

- A. Remember liability insurance only covers spectators and other organizational liability.
- B. Directors' and Officers' insurance only covers persons listed as State Board Members, District Board Members, Coaches, and Advisors.

What decreases the risks for a Coach or Advisor?

- A. If the coach or advisor:
 - 1. Is listed on the Team Registration.
 - 2. Is following all the OHSET rules and acting within the scope of the volunteer's responsibilities.
 - 3. Is not paid for any services.
- B. Then the volunteer coach or advisor is covered by the Federal Volunteer Act which states no volunteer of a nonprofit organization shall be liable for harm caused by an act or omission of the volunteer on behalf of the organization or entity if:
 - 1. The harm was not caused by willful or criminal misconduct, gross negligence, reckless misconduct, or a conscious, flagrant indifference to the right or safety of the individual harmed by the volunteer.
 - 2. The harm was not caused by the volunteer operating a motor vehicle, vessel, an aircraft, or other vehicle for which the State requires the operator or the owner of the vehicle, craft, or vessel to –
 - possess an operator's license or
 - maintain insurance

NOTE: This means driving a rider and/or hauling a horse reverts to your personal liability.
- C. The volunteer coach or advisor is covered by OHSET's Directors & Officers Insurance policy.
- D. A very important way coaches and advisors decrease risk is by following the OHSET Advisor/Coach Role Expectations.
- E. Coaches/Advisors are highly encouraged to identify in writing, team and individual athlete practices associated with OHSET. At all OHSET events or functions, following OHSET rules is expected.

What about Team Penning clinics or other practices?

- A. If the coach/advisor required the athlete to be there and has identified it as a practice, all OHSET rules apply, i.e. helmets, boots, etc.
- B. If the athletes are attending a team penning clinic outside of OHSET and athletes happen to ride, as OHSET team, i.e. the clinic is not considered a practice, not required practice or identified as a practice, then OHSET is not involved and not liable for any part of the activity. Coaches should be very careful in this situation to be clear what a practice is and what it is not.

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What happens if a Coach/Advisor encourages practice out of the OHSET season?

There are two outcomes:

- A. The coach/advisor would not be following OHSET rules and all liability becomes theirs. They would be considered negligent and any injury that occurred would not be covered by OHSET or OHSET's insurance coverage.
- B. Because OHSET rules are not being followed, according to the OSAA rules that OHSET utilizes as guidelines, the team could be suspended.

When do I need additional insurance?

Additional event insurance is required anytime athletes are riding equines as an OHSET function or district function of OHSET including but not limited to benefit show, clinic, exhibition, etc. Equines increase the risk and our insurance company requires prior knowledge of the event and additional event insurance.

Additional insurance is **NOT** required for team practices, fundraising events that do not include equine riding, walking in a parade as a team without horses. District meets are already covered.

What if the school is sponsoring the event, do I still need additional event insurance?

Even if the school is sponsoring the event and has liability insurance to cover their liabilities, OHSET Additional Event insurance is mandatory. The school or other entity does NOT have insurance to cover OHSET's liabilities. The only way that OHSET's liabilities are covered is with an additional event insurance certificate issued for the date and the event covered by OHSET's insurance company. This is NOT double coverage. Your school (or other entity) carries insurance, OHSET carries insurance. They are covering two different entities. Additional event insurance ensures that assets and the best interest of the organization are protected.

What is the risk to a High School in participating in Oregon High School Equestrian Teams?

There is very little risk to the high school regarding Equestrian teams.

WHY?

Our first line of defense is the Equine Activity Statute of the State of Oregon. This is an Oregon State law that identifies the limitations of risk for schools as an equine activity sponsor. Under Oregon State Laws 30.687 through 30.697 all athletes participate at their own risk, and accordingly under the law, that no person shall be liable for damage sustained by another solely as a result of risks inherent in equine activity. All "Equine Activity Sponsors" shall not be liable for any injuries to, or death of, a participant. This provides exceptional protection for each School District, from lawsuits, as the law disallows lawsuits involving the inherent risk law from being filed.

- "Equines activity Sponsor" means an individual, group or club, partnership or corporation, whether or not the sponsor is operating for profit or nonprofit, that sponsors, organizes or provides the facilities for an equine activity, including but not limited to pony clubs, 4-H clubs, hunt clubs, riding clubs, school and college sponsored classes and programs, therapeutic riding programs and operators, instructors, and promoters of equine facilities, including but not limited to stables, clubhouses, pony ride strings, fairs, and arenas at which the activity is held.

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OHSET has rules to promote safe competition.

Each athlete and their parents are required to sign a detailed Code of Conduct that outlines expectations including that all athletes have and wear helmets and boots when riding, and have medical insurance to participate.

OHSET rules promote safe riding and encourage experienced equine people supervising to identify the very rare unsafe situation.

Most athletes are equine owners and are familiar with the responsibilities that go along with partnering with an equine in competition.

As a nonprofit organization, we have liability insurance that insures us against the risk of injury to spectators during OHSET activities.

Coverage includes:

Clubs and Association Liability Occurrence Basis:

General Aggregate	2 million
Each Occurrence	1 million
Products & Completed Operations	1 million
Personal & Advertising Injury	1 million
Fire Damage (any one fire)	100,000
Medical Payments	5,000

Athlete must recognize the risk as it is addressed by the *State of Oregon Inherent Risk Law

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Each student athlete must supply their own health/accident insurance.

The Advisor/Coach for the high school is accountable to validate this insurance
