A risk management plan is a document that the district Administration prepares to foresee risks, estimate impacts, and define responses to issues. It also contains a risk assessment matrix. A risk is "an uncertain event or condition that, if it occurs, has a positive or negative effect on a program’s objectives."

Your school district works very hard to minimize risk, create safe school plans and procedures, hold safety drills, and respond to emergency situations, but whenever there are employees and students involved, accidents and incidents will occur. The school district has to take into consideration the safety & internal workings of all of the school buildings, including the kinds of chemicals used for cleaning, maintenance of district grounds, playgrounds, the parking lots, roof conditions, alarm systems, the bus garage where school buses are stored, field trips including day and overnight, the back-up of the IT system, and much more. The safety of the staff and students is the highest priority in a school district. There are legal expectations that a school district must have in place. These are:

- The duty to warn and inform.
- The duty to provide proper instruction.
- The duty to condition and equip participants properly.
- The duty to provide proper supervision.
- The duty to provide safe facilities.
- The duty to provide safe equipment.
- The duty to provide prompt and appropriate post injury care.

In addition, there are four basic ways to handle a risk.

**Avoid:** The best thing you can do with a risk is avoid it. If you can prevent it from happening, it definitely won’t hurt your program or activity.

**Mitigate:** If you can’t avoid the risk, you can mitigate it. This means taking some sort of action that will cause it to do as little damage to your activity as possible.

**Transfer:** One effective way to deal with a risk is to pay someone else to accept it for you. The most common way to do this is to buy insurance.

**Accept:** When you can’t avoid, mitigate, or transfer a risk, then you have to accept it. But even when you accept a risk, at least you’ve looked at the alternatives and you know what will happen if it occurs. If you can’t avoid the risk, and there’s nothing you can do to reduce its impact, then accepting it is your only choice.

By the time a risk actually occurs, it’s too late to do anything about it. That’s why you need to plan for risks from the beginning and keep coming back to do more planning throughout the project or activity. It’s good to ask the question ~ “Are we going to embrace this activity and it’s
potential liability or “divorce” our involvement due to the nature of the activity?” Our obligation is to protect the staff, students, and volunteers on and off our school grounds if it’s a school sponsored activity…and protect the district’s liability as well. When we reduce the risk involved we create a safer environment and reduce the district’s financial liability.

With regards to the ASB, all of these areas are also applicable. It’s important for a teacher, an Advisor, the Activity Coordinator and the Principal to review the activities and field trips that are being planned and to make certain that that unsafe or inappropriate conditions do not occur. If something may be questionable, it’s a good plan to contact the district Risk Manager to find out if an activity is covered or not covered under the district’s insurance policy.

With some companies, powder puff football is not allowed nor are inflatable bouncy houses or dunk tanks, so this would be a risk to “Avoid.” Another example of “Avoidance” is to not allow students on a school sponsored trip the use of a swimming pool at a hotel without the hotel’s authorized on duty life guard. A teacher, parent, or an advisor cannot substitute as a lifeguard.

An example to “Mitigate” risk for a field trip would be to use school district buses, have permission slips and medications for students, an appropriate ratio of students to chaperones, and make sure the trip is age appropriate. An example to “Transfer” risk is to contract the risk to another company or group. A school district would contract with a private insurance company or join the Washington Schools Risk Management Pool. Policies are reviewed as to what is covered and what is not covered as well as a deductible amount that is reached before the loss is covered.

Always consider the risks that could be involved with any activity whether it’s a field day activity at school or an off-site field trip activity. For example, if the band is going to Disneyland to perform, there are a number of things that have to take place before the kids and chaperones board the airplane such as:

- Has the school board approved the overnight field trip?
- Have airline tickets and hotel accommodations been made? And sufficient chaperones confirmed?
- Have permission slips been signed by the students and parents? (these may include medical needs as well)
- Have all monies owed for the trip been paid by the students/parents?
- How many staff members are going?
- Have substitutes been assigned?
- Has staff requested an Advance Travel check (if needed) from the district fiscal office for trip expenses?
- Has an agenda of activities & times been prepared and communicated to students/parents, school Admin. staff, and chaperones?
- How are band instruments getting to California?
• Schedule a meeting to inform the chaperones of their supervisory obligations and non-alcohol consumption during the trip, no cell-phone check-in with the school staff, but face to face check-in if there is “free time” with adult chaperones to explore the Disneyland grounds, and no additional activities (such as side trips) that haven’t been authorized, etc.

• These kinds of trips can be a wonderful experience for the students, staff and chaperones if it’s done with good pre-planning and taking into account what might happen in case of an emergency or if a student needs to be sent home.

Unfortunately, negligence can happen. Negligence involves four elements, and all four must be present to be found negligent in a court of law.

• Duty: an official or reasonable expectation
• Breach of duty: the expectation was not met
• Proximate cause: that initial action which set in motion a sequence of events resulting in an accident.
• Damages: the accident caused someone to be hurt or something to be damaged

As previously mentioned, school districts are insured to cover potential risks. They can carry insurance through a private insurance carrier or join a Risk Management Pool. A Risk Management Pool is not an insurance company but a self-funded group of school districts and educational service districts that have joined together to prevent, control and pay for liability and property risks.

What makes a Risk Management Pool different from a private insurance carrier is the fact that:

• Members control the coverage; coverage is tailored not only to schools in Washington State, but to the particular membership. Pool staff usually make the coverage decisions and those decisions can be appealed to the Executive Board, who is elected by the membership.
• Coverage is only part of the solution. More emphasis is placed on risk control measures, such as training in liability prone areas and on-site review of facilities, policies and procedures.
• Members control their own rates. Rates are modified by each members’ own loss experience, so a member with a favorable loss record can earn a favorable premium rate.

The top 10 loss pitfalls in schools are:

10. Unsafe Facilities: Examples include slips, trips and falls, improper maintenance and vandalism.
9. Unsafe Equipment: Includes playground equipment, shop machines, science labs, and furniture.
8. Deliberate Indifference: This includes discrimination, student-to-teacher assault and sexual harassment.
7. Failure to Protect Students: Examples include fighting and classroom accidents.
6. Failure to provide safe transportation: This includes bus accidents, loading/unloading issues and other vehicles.
5. High Risk Activities: Examples include field trips, P.E. accidents, and inflatable toys and games.
4. Failure to Communicate: Includes employment issues, contractual signatory authorization and reporting procedures.
3. Failure to Render Appropriate First Aid: When to call 911, health room issues/training and athletic injuries.
2. Failure to Instruct Students and Staff: Examples include deficient substitute training, special education claims and documentation.
1. Failure to Supervise: This includes, care, custody and control, direct oversight of activities and unattended classrooms.

Other considerations of risk include the following:

Afterschool meetings/practices:
- Music
- Drama
- Debate
- Yearbook
- Newspaper
- Cheer
- Dance

Athletic Games and Contests:
- Players
- Student spectators
- Adult spectators
- Invitationals

Non sponsored WIAA:
- Water Polo
- Equestrian
- Lacrosse

Athletic Practices:
- Pre-season
- In-season
• Off-season

Weight Room:
• Equipment

Parent Groups:
• Booster Clubs
• PTA/PTSA and PTOs

CTE Club Activities:
• FFA
• FBLA
• FCCLA
• DECA/Student Stores
• TSA
• Skills USA
• Culinary Arts catering/social meals

Cash Handling & Chain of Custody

Coach/ Advisor Concerns/Considerations:
• Permission slips
• Background checks
• Driving

Dances and Socials:
• On campus
• Off campus
• End of season celebrations
• Food

Field Trips:
• Day trips
• Overnight
• Challenge Courses
• Parades
• Interhigh activities
• Lock-ins
• Sports camps
• Leadership Camps
Fund Raising:
- Product inventory
- Vendor selection
- Services Agreement/Contracts
- Student involvement
- Daily deposits/Reconciliation

Music/Drama/Dance performances:
- On campus
- Off campus

Student privacy:
- Family Educational Rights and Privacy Act (FERPA)
- Photos

School Assemblies:
- Speakers
- Guests
- Competitions
- Crowd considerations

References: RCW 28A.320.060; RCW 28A.320.070; RCW 28A.320.125; RCW 28A.320.126; WAC 200-110-150; WAC 200-110-200 as well as your own school district policies and procedures.