Beyond the Schoolyard Gate: Guiding Principles for Managing Risk Off of the Camp/School Property

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Disclaimer

I am an attorney licensed in New Mexico and Colorado, and I am not licensed to practice law in any other state. For legal questions specific to your school and/or state, you should consult with an attorney familiar with your program and the laws of your state.
Characteristics (sometimes challenges) of Schools/Camps

- Minors – “the whole child”
- Non-Profit -- Boards of Trustees
- Home property
- Staff/Leaders have multiple roles/responsibilities
- Limited budgets
- Competing programing
- Significant parent involvement
- Outdoor experiences may be just one part of a greater mission
- Challenge of understanding and buy-in from administration
  - Affects resources and support
- What else?
What is risk management?

Risk management is the process of reducing the chance of loss.
What are the potential losses? What is at risk?

Safety and well-being of the **individual**
- Physical
- Emotional

Safety and well-being of the **school/camp**
- Financial stability and soundness
- Enrollment and campers/staff
- Reputation
- Strategic: growth, competition, innovation
- Business Continuity

Must balance these risks.
Mitigation strategies

◦ Transfer Risk
◦ Policies and procedures
  ◦ Training and implementation
  ◦ Regular review (internal and external)
◦ Legal consultation
◦ Insurance
◦ Stay up to date on current industry trends and preferred practice (who/what is the “industry”?)
Is it better for the school/camp to plan and lead the trip or to contract it out?
Contracting out

Pros
- Experience, expertise, and sole focus of contractor
- Transfer of risk and liability
- Faculty/staff go for free (sometimes)

Cons
- Alignment with mission? School/camp culture?
- More expensive
- Less control over dates, content, destinations
- Marketing value?
- Contractor’s focus on adolescent/minor experience?
- Don’t know your kids
Contracting out

Considerations:

◦ **Vetting**
  ◦ Role/application of school rules and policies?
  ◦ Emergency procedure?
  ◦ Prior incidents – how did they handle them?
  ◦ How do they respond to your inquiries?
  ◦ References from peer organizations
  ◦ Document all communications

◦ **Expectations and agreements in writing**

◦ **Know the role of your staff/faculty**
  ◦ Input? supervision? discipline?

◦ **At what point is the program “transferred”?**
School/Camp Guided

I4Q

Identify + Four Questions
Identify + Four Questions

Identify risks to the physical/medical and emotional health and safety of the individual
I4Q

Identify + Four Questions

Identify the risks of a specific activity in a specific location and season:

Backpacking in the Sandia Mountains in the fall

- Environment
- Student/camper wellness (physical AND mental health)
- Medical response, care
- Transportation
- Food and Water
- Shelter/Lodging
- Equipment
- What else?
  - Your own systems and processes
I4Q

Identify + Four Questions

1. What *might* happen?

2. What *will* happen?
   - What do you know about your *specific* kids?
   - Weather
   - What else?

3. What *plan* do you have for each?

4. Make a *judgment* -- Is the risk worth taking?
### ACTIVITY: HIKING/BACKPACKING

<table>
<thead>
<tr>
<th>Category</th>
<th>Identified Risk(s) and/or associated injury</th>
<th>Probability of incident or failure (low, medium, high) (will/won’t)</th>
<th>Measures taken to mitigate risk, plan</th>
</tr>
</thead>
</table>
| **Environment**                 | Altitude
Exposure – cold/heat
Flora/fauna
Bites and stings                                                    |                                                                     |                                       |
| **Student/camper wellness**     | Injury and/or illness
Proper pack loading and carrying
Individual student medical issues
Getting lost                                                        |                                                                     |                                       |
| **Medical response, care**      | Training fails
Inadequate supplies
Failed or no communication                                             |                                                                     |                                       |
| **Transportation**              | Accident
Flat tire
Run out of gas
roads, route, weather, other drivers                                |                                                                     |                                       |
| **Food and water**              | Adequate amounts
Storage
Safe drinking water
Equipment failure                                                      |                                                                     |                                       |
| **Shelter (hotel)**             | Site selection
Equipment failure
Fire safety                                                            |                                                                     |                                       |
| **Equipment**                   | Failure
Left behind
Inadequate                                                            |                                                                     |                                       |
| **What else? (Activity Itself, student discipline)**                  |                                                                 |                                                                     |                                       |
Make a *judgment* –

Is the risk worth taking?

Go/No Go

Contractor?
I4Q

Identify + Four Questions

Keep in mind

The institutional risks are connected to the individual risks, e.g.

- Financial resources
- Human resources
- Reputation
- Business continuity
Risk Management Plan: Specific Considerations

Mindset and Culture
Program Planning
Trip Planning
Marketing &
Pre-trip Communication
  ◦ Expectations
  ◦ Supervision and Free Time

Communication During the Trip
Emergency Plans and Communication
Insurance
Healthcare – availability and access
Mindset and Culture

BUY-IN
AND
COMMITMENT
Mindset and Culture

- This is the first and ongoing step.

- Does your school or camp have a mindset and culture of managing risk?

- If not, what’s the challenge? Roadblock?
  - “It’ll never happen to us” (talk to Hotchkiss)
  - “No money”
  - “We have good insurance” + “we have a good lawyer”
  - “Our parents would never put up with that”
Mindset and Culture

- Addressing the challenge:
  - Education, training, and buy-in
    - Business officer, Head of School, Board, other admin
    - in-service, conferences, webinars
    - Insurance premium reductions?
    - Volunteer to take this area on in your school/camp
  - Education topics
    - Front door: Preferred practices, industry standards and accreditation (ACA, AEE, NOLS)
    - Backdoor: Liability and lawsuits, $$, e.g. Hotchkiss
    - Compare on-campus safety mindset with off-campus safety
    - Statistics
    - Mission – what does it promise to constituents?
Program Planning

Mission Driven
Program Planning

EXPERIENCE

Do it often and well.
Program Planning

- Repetition is good!
  - Program or activity
  - Location
  - Season
  - Vendor or staff
  - Compare commercial programming

- Standardize your uniqueness
  - Find your uniqueness and repeat it!
Trip Planning

Critical risk management decisions are made years, months, and weeks ahead of the trip.
Trip Planning

RECONNAISSANCE

Know before you go.
Trip Planning

Reconnaissance

- Destination
  - Access (put in, trail head, parking), campsites, water access, trails or routes
  - Appropriate for your clientele
- Emergency response and access to medical care
- Governing body
- Local relationships and knowledge
- Local mindset
Trip Planning

Do you know when you wouldn’t go?
Marketing and Communication

Have the most informed participant/parent possible.

Awareness and acceptance of risk
Transfer the decision-making.
Marketing and Communication

Strategies

◦ Accurately and fully describe the trip
◦ Don’t avoid talking about risk, particularly inherent risks of a program or activity
◦ Acknowledge accepted risks and your plan for mitigating them
◦ Use (accurate) photographs
◦ Deliver redundant communication
◦ Document/account for all meetings and communication including attendance
Pre-Trip Communication

Informed clientele . . .
I.e. parents/guardians/responsible person
Pre-Trip Communication

- Reiterate, confirm, agree to major school rules and policies.
  - specific consequences for specific actions
- Voluntary and involuntary trip cancellation
  - Dismissal from trip or program (associated costs)
  - Participant cancellation
- Supervision and “free” time
Communication
During the Trip

No news is good news.

Don’t over-promise.
Communication During the Trip

Consider limits to communication

- Access to systems: internet, cell
- Powering devices

Use of internet, cell phones, satellite phones, Skype, etc.

Social Media

See May 2017 Campline article
Hotchkiss online journal – cruise to Antarctica

Students texting and calling home while things are happening

Texting while hiding
Emergency Plan

Have One
Emergency Plans and Communication

Backcountry emergency plans/processes?
   Decision hierarchy
   What authority (based in training) do the trip leaders have?

Emergency response plan on school campus for event that happens away from school campus?

Missing person plan

Evacuation, Search and Rescue Plan

Crisis plan -- coordinated administrative response from school (short-term, long-term, system-wide)
Insurance

Have it -- know it.

Adequate coverage that you know and can access.
Insurance

- School v. Individual Insurance
- Travel v. Medical Insurance
- Coverage
  - Travel, medical, repatriation, evacuation, pre-existing, kidnap
- Know terms, limits, conditions
- Do your leaders know how to access student insurance? Do they need to? e.g. ISOS, Global Rescue
  - And how to communicate with insurance company if needed?
- New programs – are they covered?
Healthcare

- Leader first response, training, authority
  - Evacuation decisions
- Do leaders know how to access healthcare at or near the destination?
- Medical history, information, authorization
- Payment/Insurance
- Patient supervision
- Medication management
  - Security, storage, authorization?
- Mental Health
Out There

Do what you say you do.
Risk Management Principles -- Review

- I4Q
  - Identify
  - 4 Questions
    1. What *will* happen?
    2. What *might* happen?
    3. Do you have a plan for your identified risks?
    4. Judgment -- Go or no-go?
Risk Management Principles -- Review

Mindset and culture
  ◦ Buy in and commitment

Program planning
  ◦ Mission driven
  ◦ Experience -- Do it often and well

Trip Planning
  ◦ Critical risk management decisions are made years, months, and weeks ahead of the trip.
  ◦ Reconnaissance – Know before you go
  ◦ Do you know when you wouldn’t go?

Marketing & Pre-trip Communication
  ◦ Have the most informed participant/parent possible.
Principles

Communication During the Trip
- No news is good news.
- Don’t over-promise.

Emergency Plan
- Have one.

Insurance
- Have it – know it
- Adequate coverage that you know and can access

Healthcare
- Be prepared

Out There