

CHAPTER 7 RISK MANAGEMENT

In order to manage risk exposure and potential liability associated with certain programs and events offered by the Central Division and/or its Regions, the Division, in keeping with the National policy regarding such, has adopted a form entitled “NSP Central Division Release and Registration (Instructions)”. This document shall be complied with and used for all programs offered by the Central Division and/or its Regions. This Release and the Instructions are also offered to Patrol Representatives for the use of their Registration Units, but, in keeping with the NSP Policies and Procedures, wherein it is stated that “[a] patrol, once established at a given ski area, is under the supervision of the ski area management and must abide by the policies and procedures established by that management.”, any release or procedures used at the Patrol level should be presented to area management for approval.

Each participant (and if a minor, the minor’s legal guardian), including instructors, class members, event participants, mock “patients” and candidates must sign the Release as a prerequisite to participation.

The Instructor of Record shall;

- (a) for a registration unit level event, promptly provide the signed Release Forms, along with a copy of the class roster, to the Patrol Representative of the Registration Unit (who it is recommended then promptly provides such Release Forms to Area Management for its records retention);
- (b) for a Region level event, promptly provide the signed Release Forms, along with a copy of the class roster, to the Region Legal Advisor (and if none exists to the Division Legal Advisor); and
- (c) for a Division level event, promptly provide the signed Release Forms, along with a copy of the class roster, to the Division Legal Advisor.

The legal advisors shall maintain the signed Release Forms, in hard copy and electronic copy, for a period of seven (7) years from the concluding date of the program or event.

In the event of an injury during a program or event, the instructor of record shall provide a copy of the ski area’s accident report form to the Division Legal Advisor within five (5) days of the injury or of learning of the injury. If a copy of the accident report form cannot be obtained, the instructor of record shall advise the Division Legal Advisor of the injured person’s name, address and NSP registration number, and the date of injury. This applies to injuries to instructors as well as class members and candidates.

The release form and instructions follow on the next two (2) pages.

NSP Central Division Release and Registration
INSTRUCTIONS

Attached is the new NSP Central Division form release. This will be the **ONLY RELEASE FORM** used for all events offered by the NSP Central Division and/or its Regions. This Release and the INSTRUCTIONS are also offered to Patrol Representatives for the use of their Registration Unit, but, in keeping with the NSP Policies and Procedures, wherein it is stated that “[a] patrol, once established at a given ski area, is under the supervision of the ski area management and must abide by the policies and procedures established by that management.”, any release or procedures used at the Patrol level should be presented to area management for approval.

- (1) **THE RELEASE MUST BE PRINTED DOUBLE SIDED** so that the final release form is one piece of paper only. If you need to change the font type to 10 instead of 12 to make it fit front and back of one piece of paper, do so.
- (2) **REGISTER THE EVENT WITH NSP.**
 - a. Please remember that all candidates should be part of a registered Introduction to Ski Patrolling course. Such a course should be registered before the start of each season.
- (3) When preparing the release for a particular event, use Microsoft Word "find and replace" as to the bracketed "insert" phrases ([INSERT NAME OF EVENT] & [INSERT ABBREVIATION FOR EVENT]). **The list of NAMEs & ABBREVIATIONs to be used are listed below.** Use all caps for the NAMES and ABBREVIATIONS.
- (4) **To also complete the form:**
 - ¶ 1 - [INSERT THE NAME OF THE SKI AREA] and [INSERT COURSE NO.] , if there is a Course No.
 - ¶ 4 - [NAME OF SKI AREA’S SKI PATROL]
 - ¶ 7 - [INSERT NAME OF STATE]
- (5) If any Division or Region personnel believe any changes are needed to the release or instructions, please contact the NSP Central Division Legal Advisor before making such changes.

EVENTS NAMES & ABBREVIATIONS

AVALANCHE FUNDAMENTALS AND RESCUE COURSE/EVENT -----	AFR COURSE/EVENT
CARDIO PULMONARY RESUCITATION SKILL DEMONSTRATION-----	CPR DEMONSTRATION
CERTIFIED PROGRAM/EVENT -----	CERT PROGRAM/EVENT
INSTRUCTOR DEVELOPMENT COURSE -----	ID COURSE
INSTRUCTOR MENTORING PROGRAM -----	IM PROGRAM
INTRODUCTION TO SKI PATROLLING -----	PAT INTRO
LEVEL I AVALANCHE COURSE/EVENT -----	AV-I COURSE/EVENT
LEVEL II AVALANCHE COURSE/EVENT -----	AV-II COURSE/EVENT
MOUNTAIN AND AVALANCHE AWARENESS COURSE/EVENT -----	MAA COURSE/EVENT
MOUNTAIN TRAVEL & RESCUE 1 COURSE/EVENT -----	MTR1 COURSE/EVENT
MOUNTAIN TRAVEL & RESCUE 2 COURSE/EVENT -----	MTR2 COURSE/EVENT
MOUNTAIN TRAVEL & RESCUE FUNDAMENTALS COURSE -----	MTRF COURSE
ON-THE-HILL/TRAIL REFRESHER (SKI, SNOWBOARD & TOBOGGAN)----	OTH/T REFRESHER
OUTDOOR EMERGENCY CARE PROGRAM -----	OEC PROGRAM
OUTDOOR EMERGENCY CARE ENHANCEMENT SEMINAR-----	OECES
OUTDOOR EMERGENCY CARE REFRESHER-----	OEC REFRESHER
OUTDOOR EMERGENCY CARE CHALLENGE-----	OEC CHALLENGE
OUTDOOR FIRST CARE PROGRAM -----	OFC PROGRAM
SENIOR PROGRAM/EVENT -----	SR PROGRAM/EVENT
SKI TRAINERS WORKSHOP -----	STW
SKIING ENHANCEMENT SEMINAR -----	SES
SNOWBOARD ENHANCEMENT SEMINAR -----	SNES
TOBOGGAN ENHANCEMENT SEMINAR -----	TES

[INSERT NAME OF EVENT]
RELEASE FORM

I understand that I am about to participate in a [INSERT NAME OF EVENT] (the “[INSERT ABBREVIATION FOR EVENT]”), Course No. [INSERT COURSE NO.] on the premises of [INSERT THE NAME OF THE SKI AREA] (the “Ski Area”).

I have volunteered under my own free will to participate in the [INSERT ABBREVIATION FOR EVENT] which is entirely elective. I have thoroughly investigated and understand what is involved in a [INSERT ABBREVIATION FOR EVENT].

I understand and acknowledge that the [INSERT ABBREVIATION FOR EVENT] may include, but is not limited to, extensive classroom and/or field work on first aid scenarios, skiing/snowboarding, toboggan handling along with other events which ski patrollers encounter in their duties of patrolling a ski area and for training and education purposes may involve me simulating the role of an injured person (the “Event Activities”). I understand that I will encounter the inherent risks and dangers of patrolling, as well as the additional risk of working by myself and in groups on a variety of terrain and snowpack of varying conditions and difficulties and may involve movement through avalanche terrain, route selection/hazard identification, stability assessments, search and rescue and survival in the field environment. Field sessions may involve locations from which evacuation of participants would be long and difficult, if the participant was injured. I understand and acknowledge that such activity can be dangerous and I knowingly assume the risk of participating in this [INSERT ABBREVIATION FOR EVENT]. As part of this [INSERT ABBREVIATION FOR EVENT], I understand and acknowledge that I may also encounter additional risks not inherent to a normal participant to the sport of skiing or snowboarding. **These additional risks include, but are not limited to, risks of injury to any and all parts of my body and even the risk of death.** These dangers can be caused or created by many factors, which include, but are not limited to, terrain (both on prepared or groomed ski runs and on areas not prepared, maintained or groomed), weather, natural obstacles, man-made obstacles, human error, variable snow conditions, avalanches, and other conditions inherent to my participation in [INSERT ABBREVIATION FOR EVENT]. By signing this Release, I represent that I understand that injuries or even death from skiing/snowboarding and this [INSERT ABBREVIATION FOR EVENT] are known and recognized occurrences from participation in the sport and the Event Activities, and that **I freely accept and assume all risks of injury or death that might result from my participation in skiing/snowboarding and/or this [INSERT ABBREVIATION FOR EVENT].**

In consideration of the opportunity to participate in this [INSERT ABBREVIATION FOR EVENT], I acknowledge the following: that I, for myself, my heirs, representatives, agents, servants, employees, successors, assigns, and anyone claiming by or through me, do hereby remise, release, and forever discharge and agree to hold harmless and defend the Ski Area, the [NAME OF SKI AREA’S SKI PATROL], the National Ski Patrol System, Inc. (“NSP”) and any of its subunits, officers, advisors, instructors and members, as well as all fellow participants, both individually and jointly, their respective representatives, agents, servants, attorneys, employees, successors, and assigns, from any and all liability, regardless of any negligence on the part of the same, claims, suits, proceedings, debts, sums of money, accounts, covenants, agreements, promises, judgments, contracts, damages, costs, expenses and demands of whatsoever kind and nature, whether in law or in equity, which I may have, have had, or may at any time hereafter have, arising out of or otherwise connected with, in any way, whether known or unknown, foreseen or unforeseen, participating in the [INSERT ABBREVIATION FOR EVENT].

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CONTINUED FROM FRONT

While persons instructing and/or organizing the [INSERT ABBREVIATION FOR EVENT], or persons assisting them, may offer advice regarding Event Activities based upon their training, background and experience, I represent and agree that **I will use my own judgment** when performing and/or demonstrating the skills involved in the [INSERT ABBREVIATION FOR EVENT]. I will also **rely solely on my judgment** regarding my personal safety and ability with regard to the terrain, circumstances and conditions in which I may demonstrate or perform to accomplish the tasks involved in the [INSERT ABBREVIATION FOR EVENT], including, but not limited to skiing/snowboarding and other related Event Activities. I also clearly understand and agree that, at any time during the [INSERT ABBREVIATION FOR EVENT], **I shall and am expected to refrain from performing and/or demonstrating any activities, if and when I believe that I may be in an unsafe situation or subject to possible injury or death if I proceed.**

I affirm, by signing this release that I am physically fit and capable of performing the activities involved in the [INSERT ABBREVIATION FOR EVENT]. I also affirm that I have no known physical or psychological limitations that would prevent my full participation in the [INSERT ABBREVIATION FOR EVENT], including, but not limited to any limitations in my ability to ski or snowboard.

I agree that this Release shall be governed by the applicable law of the State of [INSERT NAME OF STATE] and that if any part of this Release shall be determined to be unenforceable, all other parts shall be given full force and effect.

By signing this Release I acknowledge that I have carefully read and considered this Release, understand all terms and conditions and agree to be bound by its terms and conditions. I also acknowledge that no promise, inducement, representation or agreement not stated in this Release has been made to me and that the terms of this Release are contractual and not a mere recital.

Printed Name of Participant

Signature of Participant

Address: _____

Date

IF THE PARTICIPANT IS LESS THAN 18 YEARS OF AGE, the undersigned parent or guardian hereby acknowledges that he or she has carefully read and considered this Release, understands all terms and conditions and agrees to be bound by its terms and conditions and understands and acknowledges that this Release applies to the Participant and also to each and every parent or guardian of the Participant. The undersigned also consents to the above Participant participating in the [INSERT ABBREVIATION FOR EVENT] and signs this Release on behalf of the Participant and the Participant's parents and/or guardians:

Printed Name of Parent/Guardian

Signature of Parent/Guardian

Address: _____

Phone No. _____

Relationship to Participant: _____

Date