

Risk Management

Risk management is an important component of any event. Event organizers should consider the possible risks present to participants at their event and take reasonable precautions to ensure the health and safety of all present.

The Office of Risk Management has a helpful Student Event Coverage FAQ that may answer any questions you have about risk management for your event.

Special Event Insurance

The University of California requires that all groups have insurance for events on campus. RSOs are independent entities and therefore are not covered by the Berkeley's own insurance programs. To remedy this problem, the University has purchased a commercial insurance policy from Mercer Insurance (<http://uc.marshcampusconnexions.com/>) to cover virtually all on-campus events hosted by RSOs. In order to be eligible, an organization must:

- Be a Registered Student Organization with the LEAD Center and the University
- Obtain permission from the venue where you are hosting your event to be there

Organizations holding low-risk events do not have to do anything else; they are automatically covered. If your event is possibly high-risk, you may have to obtain an additional Certificate of Insurance (usually free for on campus events.)

Low-risk events include:

- Meetings
- Lectures
- Receptions
- Seminars
- Teleconferences

High-risk events include (but are not limited to) events with:

- Minors under the age of 18 (including high-school aged students)
- Animals
- Sports or other athletic activities
- Performances of any kind
- Moving vehicles
- Tools, weapons, or heavy equipment
- Fire (including cooking)
- High attendance in an outdoor venue

To view a complete list, and learn how to apply for an additional certificate of insurance, visit the Mercer Campus Connections webpage.

Events with Minors

If your organization holds events with minors under the age of 18, you need to make sure that you are taking extra precautions both to protect the minors and to protect yourselves. You are now the

adults, and you are in a position of power; parents are expecting you to take responsibility for their children. On the flip side, this newfound responsibility makes you more vulnerable to charges of sexual exploitation.

Even if you haven't done a thing, just being charged with sexual exploitation of a minor can damage your life. Your organization needs to take precautions so there is no way such charges can arise. Start with the basics:

- Remember that ANYONE under the age of 18 is a minor, even very mature 17-year-old high school seniors who are only 11 months younger than you.
- Stay away from situations or conversations with sexual overtones.
- Minimize one-on-one contact with minors.
- If you are going to meet one-on-one with a minor, do it in a public place like a cafe, or in a room with open windows and doors.
- When posting to a minor's social media site or texting or emailing the minor, make sure to cc another adult.

If you're a leader of a student organization, help your members by insisting on the following:

- Have at least two adult members at each activity involving minors, and make sure they keep in visual contact with each other as much as practically possible.
- Do not allow individual adult members to interact with one or more minors in a private space.
- Prohibit members from communicating with minors via text message, social media, or email without cc'ing at least one other adult.
- Report any accident or incident involving a minor to the parent/guardian as soon as possible.
- Release minors into the custody of authorized adults only.

If your student organization is planning an event with minors, please visit the Risk Services page to learn more, and schedule an appointment with your advisor to make sure you are covered.

Liability Waivers

Waivers (also known as releases) are written agreements that say the sponsor of an activity will not be liable for harm suffered by participants. Although waivers are primarily legal tools, they also serve an educational purpose by making people think about the potential risks of an activity. Often that's all it takes to get people to avoid accidents.

Waivers should be used whenever you are sponsoring an event in which:

- Participants engage in performances, competitions, or other physical activities that could lead to injury (races, basketball tournaments, softball or soccer games, bounce houses, etc.)
- Participants use equipment like sound systems, movie projectors, or tools
- Guests are taken away from their home location

Only the participants in the activity have to sign the waiver. Onlookers do not have to sign waivers unless it's reasonably foreseeable that they could be hurt just by being near the activity.

Waivers do not make you legally bullet-proof. You can't knowingly endanger somebody and then

defend yourself by saying, “They signed a waiver.” But they do provide you with strong protection against risks inherent in the activity (for example: someone who trips and falls while dancing)

Several generic waivers are available to download [here](#).

The wording was developed by UC’s Office of General Counsel and is meant to withstand legal scrutiny when challenged in court. It’s okay for Registered Student Organizations to use the generic waiver form as long as they include “The Regents of the University of California, its officers, employees, and agents” as parties covered by the waiver. They should also include the name of their organization on the form. To customize the waiver for your activity, fill in the appropriate information on the two red lines.

Waiver rules:

Waivers should be on a separate sheet of paper and in 12-size font or greater. This makes it harder for participants to claim later that they didn’t know what they were signing.

Participants under 18 must have a waiver signed by a parent or guardian.

Waivers should be stored for three years past the date of the activity (or until the minor turns 19, whichever is longer). After the event, it’s okay to scan the waivers and store them electronically.

Anyone who refuses to sign a waiver should not be allowed to participate in the activity.