

**WEST YORK ATHLETIC DEPARTMENT
IMPLEMENTATION OF ASSUMPTION OF RISK POLICY**

Acknowledge of Warning by Student-Athlete/Acknowledgment of Warning by Parents

Liability for failure to warn is one of the most prevalent allegations in sports injury litigation. Schools, athletic administrators, coaches, physical education instructors, intramural sport program supervisors, cheerleading sponsors, and other athletic personnel have repeatedly been found negligent for failing to warn athletic participants of both the general nature of the risks involved in an athletic activity and the specific risks involved in using improper or dangerous techniques while participating in the activity.

Assumption of risk is a common defense used in sports injury lawsuits and it is closely related to the duty to provide warnings. The assumption of risk defense is typically asserted by a coach who argues that the player was voluntarily participating in a risky activity where injury was a real possibility. However, courts have consistently held that the only risks which a student-athlete may assume are those risks which are **fully comprehended** by the player and which are **inherent** in the particular sport.

By the very nature of athletic activity, participants are at risk of physical injury. No matter how careful the athlete and the coach are, no matter how many precautions are taken, the risk cannot be eliminated. It can be reduced but never eliminated. The risk of injury includes minor injuries such as broken bones, dislocations and muscle strains. The risk also includes catastrophic injuries such as permanent paralysis or even death. It is important everyone understands these risks, and that athletes follow all safety directions from their coach because they are established to reduce the risk of injury.

All coaches are required to make sure that each of their student-athletes and their parent/guardian read and sign the "Acknowledgment of Warning by Student-Athlete and Parents" form. Copies can be obtained from the Athletic Director. When each form is signed, return the signed forms to the Athletic Director who will keep them on file. Each coach is responsible for making sure the forms are signed and returned by each student-athlete. If a student-athlete and their parent refuse to sign the acknowledgment, note accordingly on the form and file the form with the Trainer.

The "Acknowledge of Warning" forms can be handed out and signed at the pre-season parent meetings. If you have any questions or concerns regarding this procedure, please contact the athletic administration.

ACKNOWLEDGMENT OF WARNING BY STUDENT-ATHLETE

I, _____, hereby acknowledge that I have been properly advised,
Name of Student-Athlete
cautioned and warned by the proper administrative and coaching personnel of the
West York Area School District, that by participating in the sport of _____
Name of Sport
I am exposing myself to the risk of serious injury, including but not limited to, the risk of
sprains, fractures and ligament and /or cartilage damage which could result in a temporary
or permanent, partial or complete, impairment in the use of my limbs; brain damage;
paralysis; or even death. Having been so cautioned and warned, it is still my desire to
participate in the above sport, and should I choose to participate in the above sport, I
hereby further acknowledge that I do so with full knowledge and understanding of the risk
of serious injury to which I am exposing myself by participating in the above sport.

Student-Athlete Signature

Date

ACKNOWLEDGMENT OF WARNING BY PARENTS

We/I, the parent(s) of _____, do hereby acknowledge that we/I have
Name of Student-Athlete
been fully advised, cautioned and warned by the proper administrative and coaching
personnel of the West York Area School District that our/my child named
above may suffer serious injury, including but not limited to sprains, fractures, brain
damage, paralysis or even death, by participating in the sport _____.
Name of Sport
Notwithstanding such warnings, and with full knowledge and understanding of the risk of
serious injury to our/my child named above which may result, we/I give our consent to
_____ participating in the sport of _____.
Name of Child Name of Sport

Parent/Legal Guardian Signature

Date