

2008

# Selected Risk Management Policies, Practices, and Procedures for Intramural Activities at NIRSA Institutions

William F. Stier

*The College at Brockport*, [bstier@brockport.edu](mailto:bstier@brockport.edu)

Robert C. Schneider

*The College at Brockport*, [rschneid@brockport.edu](mailto:rschneid@brockport.edu)

Stephen Kampf

*Bowling Green State University - Main Campus*, [skampf@bgsu.edu](mailto:skampf@bgsu.edu)

Scott G. Haines

*The College at Brockport*, [shaines@brockport.edu](mailto:shaines@brockport.edu)

Brady P. Gaskins

*Bowling Green State University - Main Campus*, [gaskins@bgsu.edu](mailto:gaskins@bgsu.edu)

Follow this and additional works at: [https://digitalcommons.brockport.edu/pes\\_facpub](https://digitalcommons.brockport.edu/pes_facpub)

 Part of the [Life Sciences Commons](#)

---

## Repository Citation

Stier, William F.; Schneider, Robert C.; Kampf, Stephen; Haines, Scott G.; and Gaskins, Brady P., "Selected Risk Management Policies, Practices, and Procedures for Intramural Activities at NIRSA Institutions" (2008). *Kinesiology, Sport Studies and Physical Education Faculty Publications*. 40.

[https://digitalcommons.brockport.edu/pes\\_facpub/40](https://digitalcommons.brockport.edu/pes_facpub/40)

This Article is brought to you for free and open access by the Kinesiology, Sport Studies and Physical Education at Digital Commons @Brockport. It has been accepted for inclusion in Kinesiology, Sport Studies and Physical Education Faculty Publications by an authorized administrator of Digital Commons @Brockport. For more information, please contact [kmyers@brockport.edu](mailto:kmyers@brockport.edu).

## **Selected Risk Management Policies, Practices, and Procedures for Intramural Activities at NIRSA Institutions**

**William F. Stier, Jr., Robert C. Schneider, Steve Kampf, Scott Haines, and Brady Gaskins**

A survey of all National Intramural-Recreational Sports Association (NIRSA) campus recreation directors was conducted to determine the risk management policies, practices, and procedures relating to intramural activities and recreational sports at colleges and universities throughout North America. The survey instrument, in its final form, addressed practices, policies, and procedures of campus recreation directors through 44 questions relating to the following areas: (a) documentation, (b) medical factors, (c) rules and regulations, (d) physical supervision, (e) sportsmanship rating systems, (f) restrictive policies, (g) safety devices, (h) officials-tests-qualifications, and (i) background experiences and training of the respondents. Selected data are presented in terms of (a) the size of institutions (small, medium, and large), (b) location of the institution (rural, urban, and suburban), and (c) whether public or privately supported.

**Keywords:** risk management, intramurals, policies

Sizeable numbers of college students are participating in individual and team intramural activities and recreational sports, on both an informal and formal participation basis. On many campuses, such participation is very popular and involves thousands of students each year. Today, the tremendous explosion in participation in such activities as well as the increase in the type and variety of activities offered by schools have gone a long way toward meeting the ever increasing needs and interests of our college and university students, both at the undergraduate and the graduate levels. Intramural and recreational sports activities are not always limited to current students. On many campuses, faculty, staff, alumni, as well as members of the general public frequently find themselves eligible to take part in many of these physically challenging and enjoyable (competitive and recreational) activities. Accompanying the explosion in participation is the ever-present danger of accidents and injuries to participants and the need to attempt to reduce such occurrences as much as possible. Part of this effort to reduce accidents and injuries

---

Stier and Schneider are with the Dept. of Physical Education and Sport, and Haines the Dept. of Recreational Services, The State University of New York at Brockport, NY 14420. Kampf is with the Dept. of Recreational Sports, and Gaskins the Office of Residence Life, Bowling Green State University, Bowling Green, OH 43404.

is to have appropriate risk management plans. Hence, there is a need to examine the area of risk management policies, practices, and procedures relating to intramural activities and recreational sports in an effort to effectively and efficiently manage such activities in a safe and secure manner. This was the purpose of surveying all directors of National Intramural-Recreational Sports Association (NIRSA) institutions in North America.

## Related Literature

A great deal has been written in recent years in the professional and popular literature regarding risk management, legal liability, and participation in a wide variety of physical activities and sports. There have also been a number of publications and studies dealing with the need for risk management planning in a variety of institutions and organizations (Clement, 1988; Koehler, 1988; Lee, 1999; Mulrooney, Styles, & Green, 2002; McGregor & MacDonald, 2000; Miller, Veltri, & Gillentine, 2005; Miller & Veltri, 2003; Mulrooney & Green, 1997; Risk Management for Campus Recreation, 2007; Sharp, 1990; Stier, 2008; van der Smissen, 1990; Veltri, Miller, & Scott, 2001; White & Cardinal, 2003). However, there has not been a comparable contribution relative to the areas of risk management and legal liability in the area of collegiate/university intramural activities such as this research effort attempted to accomplish. After a thorough search of the available professional literature, no study or investigation was found that dealt specifically with the subject of this current study dealing with specific risk management policies, practices, and procedures for intramural and recreational activities among all colleges and universities in North America that held an institutional membership in the NIRSA.

## Presence of Injuries

In recent decades there has been a significant growth and expansion of intramural and recreational sport activities on our college and university campuses. In conjunction with this expansion and growth in the number and type of intramural activities has come an awareness that there continues to be numerous accidents and injuries occurring—of both a major and minor nature.

This increase in injuries to participants can, in some respect, be traced to the fact that there are more individuals (with a wide range of skill levels and experience) taking part in intramural and recreational sport activities than in past years. The increase in injuries might also be attributed to the fact that there has been a corresponding increase or expansion in the type of physical activities offered by the campuses, activities that by their very nature make participants more apt to be banged about and injured.

## Preventing Injuries

This expansion of intramural offerings to include such activities as rock climbing, lacrosse, ice skating, ice hockey, water polo, swimming, rugby, boxing, weightlifting, kayaking, adventure racing, skiing, snowboarding, skateboarding, floor hockey, and the like, has resulted in an increasing awareness among intramural staff and

administrators that it is imperative to be extremely diligent in their efforts to provide a safe environment for all participants. Individuals responsible for offering intramural and recreational opportunities must do all that can possibly be done to (a) prevent injuries as well as (b) take appropriate and timely action in the event of an accident or injury. Foreseeability is the key to preventing catastrophic and less serious accidents and injuries, as well as reducing the negative consequences of such accidents and injuries.

## Tort Liability

We live in a litigious environment in the United States, and colleges and universities and their intramural programs and recreational sports activities are certainly not immune to this ever-increasing phenomenon (Stier, 2008). "Litigation has become the nation's secular religion and it is practiced regularly against public and private park, recreation, sports, and leisure enterprises" (Kaiser, 1986, p. 1). Reducing or limiting the legal liability exposure of intramural programs, as well as the potential financial losses that might accompany a finding of negligence, has long been a significant concern among colleges and universities (Mulrooney & Green, 1997).

In the United States, tort liability has been the basis for most of the successful litigation brought by individuals injured as a consequence of their participation in sport or physical activities. Wong (1989, p. 16) defined a tort as "a private or civil wrong or injury, other than a breach of contract, suffered as a result of another person's conduct." The other person's conduct might be considered in two ways: the injury might be the result of a person doing something that the person should not do (an act of commission) or the injury is the result of the person not doing something that should be done (an act of omission).

Physical activity and sport-related injury litigation has long existed in American society. One such early lawsuit was initiated back in 1937 when a school was sued for an injury that a student received in a physical education class (Berg, 1993). In some circles, however, the real floodgates of such litigation might have been opened with the well-known 1964 case, *Miller v. Cloidt*, which was one of the earliest successful lawsuits that involved an injury resulting from participation in a sport or physical activity and involved a tremendous dollar amount awarded to the injured party as damages (Appenzeller, 1993).

In this particular instance, a student was performing a physical activity (sport) and sustained a severe injury in a physical education class. The teacher and the school were sued on the basis that there was inadequate supervision by the instructor, and as a consequence of this negligence, the young person sustained serious injury. The fact that this lawsuit resulted in damages of some \$1.2 million for the plaintiff—which, at the time, was an astronomical and unprecedented amount—might well have "opened the flood gates for future litigation in the area of sports injuries" (Stier, 1999, p. 351).

## Negligence

In the world of legal liability, *negligence* refers to the failure of a person to act or perform one's duties and responsibilities at the standard (of care) that is expected of a prudent professional in similar circumstances. It is how one's competent

peers would have acted, what they would have done or not done (commission or omission), that the courts tend to look at when evaluating whether a person acted appropriately and in a timely fashion. "Negligence is the failure to act as a reasonable and prudent professional would have acted in a similar situation, assuming the person possessed similar educational credentials, practical experience, training and expertise" (Stier, 1994, p. 126).

## Providing a Safe Environment

Any time participants are engaged in physical activities or sports there is always the possibility that someone might be injured, perhaps seriously, and on rare occasions, even die. It thus behooves organizers, administrators, and supervisors to attempt to prevent such injuries by providing as safe an environment as possible, for both participants and nonparticipants (audience, fans, paid staff, and volunteers) through any number of decisions and actions. Providing such an environment should be one of the top priorities of management of those entities offering intramural activities and recreational sports.

Many different strategies have been tried in an effort to produce a safer environment and to reduce and minimize school *and* personnel liability in the event of an accident involving personal injury. Some of these tactics or strategies include, but are not limited to, the use of sportsmanship rating systems (Zeck, 2000), the promotion of sportsmanship (Vincent & Kearney, 2001), the use of waivers or agreements to participate (Hronek & Spengler, 2002; White & Cardinal, 2003), the availability of an automatic external defibrillator (AED) (Connaughton, Connaughton, & Spengler, 2002; McGregor & MacDonald, 2000; Miller & Veltri, 2003), training of officials (Gaskins, 2004; Gaskins, Petty, & Rey, 2002; Geiger, 1997), and special training in CPR and first aid (The Sports, Parks & Recreation Law Reporter, 2006).

There are four major reasons why administrators and supervisors of physical and sport activities (intramural programs) should be very concerned with providing a safe and sound environment. First, and foremost, no one wants to be responsible for another person being injured or hurt as a result of negligence. Second, there is the matter of financial exposure should one's negligence result in an injury and a successful lawsuit. Third, an injury and a successful lawsuit do little for the overall image and reputation of the organization. Fourth, the negative publicity and public relations (within and outside the community) that can result from an injury and successful lawsuit can be devastating to the organization, as well as to its personnel, both those who were negligent and those who were not (Stier, 2008). The ultimate objective is to take action to significantly reduce the dangers posed by liability and litigation problems facing those engaged in any number of individual and team sport and physical activities (Lincoln, 1992).

## Risk Management Plans

In an effort to provide a safe environment (in terms of both the physical realm and processes), supervisors and administrators must remain vigilant in seeing that the facilities, equipment, and supplies, as well as the processes associated with the physical and sport activities, are safe for the participants, as well as those who come

to watch the action or activity and those who help staff the activity. Toward this end, advance planning is essential in successfully maneuvering through the complex landscape of RISK and preparing a safe environment and atmosphere for everyone involved. This act of planning involves foresight into what might happen, that is, foresight into the possible consequences of specific action or inaction by any number of people, participants, fans/onlookers, as well as paid and volunteer staff.

Risk management implies the assessment of risks associated with one or more activities or events and planning for the worst-case scenario. This proactive identification and planning for the worst-case scenario, if adequate and appropriate, should result in safer environments being created, combined with safe rules, regulations, policies, and practices established so that participation and involvement will be, hopefully, without serious injury.

There are four essential elements of any risk management plan. First, one must ascertain both real and potential risks. Second, one must correctly assess these real and potential risks in terms of their causes. Third, one must identify or determine acceptable, timely, and appropriate courses of action to take in dealing with these real and potential dangerous situations and the negative consequences that take place if accidents or injuries occur. Fourth, one must take steps to prevent any risky situations from happening and take effective and efficient steps to minimize the possibilities of accidents and injuries (Cotten, 1993).

A well-thought-out risk management plan can be extremely effective in reducing accidents and injuries (as well as their severity) that are the result of negligence. However, no plan can be completely effective in preventing all injuries or accidents. Accidents (with resulting injuries) do sometimes take place in spite of one's best efforts. Nevertheless, administrators and supervisors of organizations providing opportunities for sport and physical activities must act in a professional and ethical manner and conduct a meaningful risk management plan on a continual basis. The goal is to provide as safe an environment as possible for everyone involved.

A secondary aspect of an adequate risk management plan involves being adequately prepared to deal with accidents and injuries, if and when they do occur. When dealing with the topic of safety, the prevention of accidents, the reaction to accidents/injuries, and the treatment of the resulting injuries, it is important to realize that a significant number of lawsuits are filed based on claims of negligence taking place after the accident and the initial injury of an individual.

In a 2002 national study among selected NIRSA institutions (population 178) that possessed aquatics and programming, 69.9% of the schools indicated that they had implemented some type of risk management plan. However, the researchers found that this percentage was skewed somewhat because on closer examination, a significant percentage of institutions that claimed to have such a plan actually had a number of gaps, including but not limited to (a) lack (12%) of a written plan, (b) failure (29%) to develop such a plan with the aid of legal counsel, (c) failure (31%) to conduct periodic risk audits, (d) no staff member (29%) serving as a facility risk manager, and (e) failure (20%) to review the risk management procedures with employees in a formal setting.

As a result of this further examination, the authors concluded that a mere "29% of the schools actually had a real risk management plan" (Mulrooney et al., 2002, p. 43). However, in an earlier study by Lee (1999), it was revealed that 61% of the intramural directors or coordinators of the responding public universities felt

that they possessed an adequate risk management plan. The discrepancy between the results of the study by Lee and the investigation by Mulrooney et al. might be explained by how the respondents in both studies interpreted the definition of a good, working document called a risk management plan. The rationale for this conclusion is based on the fact that the respondents in the 2002 study initially revealed that 69.9% of the schools had a risk management plan—whereas in reality, after further investigation, a much smaller percentage (29%) of these same institutions truly had a risk management plan.

## **Purpose of the Study**

The purpose of this investigation was to determine the current risk management practices, procedures, and policies relating to intramural and sport activities at NIRSA colleges and universities throughout North America, broken down by (a) region, (b) size of institution, (c) location, and (d) whether publicly or privately supported.

## **Methodology**

A survey instrument was created and sent to collegiate campus recreation directors in an effort to determine the existence of specific risk management policies, practices, and procedures for intramural activities.

## **Subjects**

The subjects consisted of all the campus recreation directors who held positions at four-year colleges and universities that were institutional members of the NIRSA. The total number of NIRSA directors who were mailed the survey was 563, which was the number of NIRSA institutional members in its entirety at the time this research investigation took place. Mailing addresses of the campus recreation directors were obtained from the NIRSA national office located in Corvallis, Oregon.

## **Questionnaire or Instrument**

A survey instrument was constructed by the researchers and consisted of closed-ended questions for which respondents could select appropriate responses from predetermined choices. Some yes/no questions were also part of the survey. The content of the survey questions was based on the current literature related to risk management plans for college intramural programs and the researchers' personal experiences pertaining to campus recreation intramural and sport offerings. Feedback obtained from six campus recreation directors deemed experts by virtue of the fact that each had at least 10 years of experience as a director also helped to establish content validity of the survey.

After incorporating the recommended changes suggested or recommended by the expert campus recreation directors, the survey instrument was determined to be complete, and the final version was mailed to the subjects of this research investigation. Forty-four survey questions dealt with specific risk management policies,

practices, and procedures relating to NIRSA recreation and intramural programs and the background and training of the campus recreation directors.

### Survey Distribution

The campus recreation directors identified in this study were mailed the survey along with a cover letter and a return self-addressed, stamped envelope. Instructions in the cover letter invited the directors to complete the survey and return it in the enclosed return envelope. The directors were informed that completing and returning the survey was optional and that they could exercise the option of not participating in the survey at any time. The survey process also provided personal and institutional anonymity in that the returned envelopes were received by a neutral clearinghouse that was responsible for opening the envelopes and gathering the surveys before forwarding the anonymous responses to the researchers. All of the survey methods were approved by the researchers' institutional review board on campus. Of the 563 surveys mailed to the campus directors, 213 surveys were returned for a 38% rate of return, an acceptable rate of return for this type of research.

## Findings

Seventy-two percent of the participating institutions were public, and the remaining 28% were private. Twenty-five percent were rural institutions, 42% were urban schools, and 33% suburban. Twenty-three percent of the schools taking part in this study had less than 5,000 total students, 37% had between 5,001 and 15,000 students, 21% had between 15,001 and 25,000, and the remaining 19% had over 25,000 total students. The average percentage of students living on campus for all schools was 38%. The institutions reported that 8.2 was the mean number of full-time professionals and 2.3 was the mean number of graduate assistants employed in the campus recreation department. For all institutions, 151 was the mean number of student employees employed by the individual campus recreation departments, with an average annual operating budget of \$1,731,875. Each of the six NIRSA regions were represented by the responding institutions, with 22% in Region 1 and in Region 2, 13% in Region 3, 18% in Region 4, 9% in Region 5, and 16% in Region 6.

### Use of Waivers (Liability Documentation)

Most (63%) schools required participants to sign a *waiver* (defined as a legal document that is signed before participation that helps protect the provider from liability for injuries resulting from ordinary negligence) to be involved in intramurals. More public institutions (68%) than private (49%) required such waivers, and in terms of size, 76% of schools with a student population of more than 25,000 students used the waiver, whereas only 55% of those schools with less than 5,000 did so. Sixty-three percent of the medium-size institutions (5,001–15,000) and 59% of the large (25,001–25,000) schools had such a requirement.

Other types of liability documentation are used by 62% of the schools surveyed. An informed consent document is used by 25% of the schools, a participation



agreement by 22%, a release form by 21%, and an arbitration agreement by 3% of the responding institutions. The font size used in any type of waiver or liability documentation/paperwork varied among the schools, with 2% using larger than 12, 49% using font size 12, 14% using size 10, and only 3% using font size 9 and 2% using the very small font size 8.

The words *ordinary negligence* appear in the waiver documentation of 70% of the schools surveyed, 15% did not use such a phrase, and 15% did not use any type of a documentation form. Of those schools that do require intramural participants to sign a written waiver or other type of liability documentation, 38% have the participants sign such a document at the point of registration, 23% use the intramural sports captain's meeting, 11% use the intramural sports orientation, 6% use individual meetings with the intramural department representative, 2% use online computers, and 11% use a variety of other means.

## Medical Factors

***Physical Examinations and Insurance.*** Only 1% of the responding institutions required physical examinations of all participants for intramural sports. A greater percentage (13%) of schools require intramural sports participants to have proof of medical insurance, and for these schools, 38% provide an opportunity for the students to purchase medical insurance to intramural sports participants through a third party or institutional medical plan. However, only 3% of the schools purchase additional medical insurance for participants within the intramural sports program.

***Presence of AEDs and CPR and First Aid Certifications.*** Only 30% of the intramural programs require that AEDs be stationed at strategic locations at all intramural activities. In terms of which intramural staff members are required to have CPR certification, professional employees are required to possess such certification in 90% of the schools, graduate assistants are required in 75% of the programs, student employees are required in 79% of the schools, and classified employees must have current CPR cards in 34% of the programs. For the purpose of this study, classified staff were considered to be hourly, nonprofessional employees, typically serving in such positions as administrative assistants, maintenance, custodial, and grounds.

There was no meaningful difference between public and private institutions in terms of the percentage of staff members being required to hold current CPR cards. There were fewer differences when the size of the institution was brought into the equation (Table 1).

First aid certification is required of professional employees in 79% of the schools and is required of graduate assistants in 67% of the programs, of student employees in 68% of the schools, and classified employees are required to have current first aid certification in 29% of the programs.

The requirement of different classifications of staff to hold first aid certification varied somewhat in terms of whether the intramural programs were in private or public institutions (Table 2) and in terms of the student population of the institution (Table 3).

**Table 1 Student Population of Schools Requiring Intramural Staff Members to Have CPR Certification**

Classification of employees	Overall	Less than 5,000	5,001–15,000	15,001–25,000	Over 25,000
Intramural professional employees	90	94	88	90	94
Intramural graduate assistants	75	64	73	81	91
Intramural student employees	79	68	80	72	95
Intramural classified employees	34	34	29	38	45

*Note.* Numbers represent percentages of 100.

**Table 2 Public and Private Institutions Requiring Different Classifications of Employees to Hold Current First Aid Cards**

Classification of employees	Overall	Public/Yes	Private/Yes
Intramural professional employees	79	80	75
Intramural graduate assistants	67	72	56
Intramural student employees	68	71	62
Intramural classified employees	29	31	26

*Note.* Numbers represent percentages of 100.

**Table 3 Student Population of Schools Requiring Intramural Staff Members to Have First Aid Certification**

Classification of employees	Overall	Less than 5,000	5,001–15,000	15,001–25,000	Over 25,000
Intramural professional employees	79	74	76	83	89
Intramural graduate assistants	67	51	65	71	86
Intramural student employees	68	55	67	63	92
Intramural classified employees	29	22	27	32	40

*Note.* Numbers represent percentages of 100.

## Physical Supervision of Activities—Indoor and Outdoor

There were minor differences in terms of the physical supervision by intramural employees of outdoor intramural sports activities in terms of the size of the institution (Table 4). The physical supervision by intramural employees of outdoor sports activities in light of whether the institutions were considered public or private is presented in Table 5. Table 6 presents data regarding the type of employee assigned to supervise outdoor intramural sports activities according to the size of the institution.

### Restrictive Policies

Restrictive policies that prohibit participation in intramural sports activities were found in many of the institutions surveyed. Eighty-three percent prohibited former intercollegiate athletes, 76% restricted former professional athletes, 41% denied participation to students on disciplinary probation, 12% deemed students convicted of an off-campus felony ineligible to participate, and 7% of the intramural programs used a specific minimum GPA cutoff to deny participation to students. Only 1% of

**Table 4 Student Population of Schools and Supervision of Indoor Intramural Sports Activity**

Classification of employees	Overall outdoor	Less than 5,000	5,001–15,000	15,001–25,000	Over 25,000
Intramural student employees	75	73	68	79	84
Intramural graduate assistants	12	13	21	10	10
Intramural professional employees	13	14	11	11	4
No supervision	0	0	0	0	0

*Note.* Numbers represent percentages of 100.

**Table 5 Public and Private Institutions and the Type of Supervision of Outdoor Intramural Sports Activities**

Classification of employees	Overall outdoor	Public	Private
Intramural student employee	75	79	74
Intramural graduate assistants	12	9	18
Intramural professional employees	13	12	18
No supervision	0	0	0

*Note.* Numbers represent percentages of 100.

**Table 6 Student Population of Schools and Supervision of Outdoor Intramural Sports Activity**

Classification of employees	Overall outdoor	Less than 5,000	5,001–15,000	15,001–25,000	Over 25,000
Intramural student employees	76	76	68	84	87
Intramural graduate assistants	11	11	11	11	6
Intramural professional employees	14	14	21	5	7
No supervision	0	0	0	0	0

*Note.* Numbers represent percentages of 100.

the institutions outright denied the right to participate in all intramural activities to faculty, 6% denied faculty participation in selected activities, and the remaining 93% had no restrictions against faculty taking part in any intramural activities.

### Safety Factors and Devices

Some type of lightning detector is used for outdoor intramural sports activities in 24% of the schools. Communication devices used for outdoor intramural sports activities consisted of cell phones (79%), two-way radios (79%), and pagers in 2% of the institutions. For indoor intramural sports activities, the communication devices were cell phones (70%), two-way radios (70%), and pagers (4%). For both outdoor and indoor facilities, more than one device could be used.

### Use of Rules, Sportsmanship Ratings, and Officials

Of those intramural programs that offer flag football, 65% follow the NIRSA rules, 8% do not use these rules, and 27% use the NIRSA rules but with some modification. Nonstudent officials (i.e., high school or college certified officials) have been used for intramural sports in 19% of the responding institutions. In those schools that use nonstudent officials, the sport of basketball was most frequently mentioned (32%) as the sport in which such officials were used, followed by football (19%), soccer (13%), softball (7%), and volleyball (3%). A sportsmanship rating system is used for intramural sports activities in 67% of the institutions surveyed.

Less than a third (28%) of all of the responding institutions required all intramural officials to pass a written test before officiating. Almost half (47%) of the schools surveyed did not require any individual to pass a written exam before officiating, and 25% required officials of some activities (but not others) to pass a written test. For public institutions, 26% required written tests of all officials, 48% had no requirement, and 26% did so for some activities. In private schools, 32% required all officials to take an exam, 46% had no requirement, and 22% had such a requirement for some activities only. Table 7 breaks down the responding institutions by size.

In respect to requiring all intramural officials to pass a field/floor test before officiating, 35% responded in the affirmative, 44% indicated that they did not, and the remaining 21% indicated that they did for some intramural activities but not for others. In viewing how the responding institutions were funded (private versus public), the survey revealed that for public institutions, 35% required field/floor tests of all officials, 43% had no requirement, and 22% did so for some activities. In private schools, 34% required all officials to take such a test, 46% had no requirement, and 20% had such a requirement for some activities but not for others. Table 8 depicts the responding institutions by size.

### Background of the Campus Recreation Directors

A minority (42%) of the campus recreation directors responding to this survey revealed that they had taken one or more legal courses while an undergraduate student. At the graduate level, however, a much larger percentage (61%) revealed that they had taken such a course. In terms of when the campus recreation directors last attended a workshop, class, or session on the topic of risk management, 85% had gone to such a session within the past 3 years, 10% had gone within 4 to 6 years previously, 2% had attended an educational session between 7 and 9 years ago, and less than 1% indicated that it had been over 10 years since they had attended such a program. Finally, 3% had never attended a risk management educational session.

**Table 7 Schools, by Size, Requiring Officials to Pass Written Tests Before Officiating**

Written test required	Overall outdoor	Less than 5,000	5,001–15,000	15,001–25,000	Over 25,000
Yes	28	27	30	20	32
No	47	52	39	59	46
Depends on the activity	25	21	31	21	22

*Note.* Numbers represent percentages of 100.

**Table 8 Schools, by Size, Requiring Officials To Pass Field/Floor Tests Before Officiating**

Written test required	Overall outdoor	Less than 5,000	5,001–15,000	15,001–25,000	Over 25,000
Yes	35	30	38	25	43
No	44	57	36	58	35
Depends on the activity	21	13	26	17	22

*Note.* Numbers represent percentages of 100.

## Risk Management Plans

**Availability of Written Risk Management Plans.** A vast majority (69%) of the respondents indicated that they did indeed have a written document containing the intramural risk management plan. Yet, a sizeable percentage of schools (31%) had no such risk management plan. In those institutions with a written risk management program (procedures), 45% of the campus recreation directors indicated that they reviewed it on an annual basis, 24% did it on a semiannual basis, 19% on a monthly basis, 6% did it daily, and 6% revealed that they have never reviewed it.

**Designated Employee Responsible for Risk Management.** A slight majority (58%) of the campus recreation directors have a designated employee who has been given responsibilities for the functions of risk management for the intramural programs. On the other hand, 42% of the directors did not bother to designate an employee to assume such responsibility.

**Standing Risk Management Committees.** Only slightly more than a quarter (26%) of the institutions surveyed had a standing risk management committee established within the campus recreation department. In 79% of the schools, risk management topics were an integral part of the campus recreation department's meeting agendas. A weekend "on call" schedule was in use in 49% of the institutions. Sixty-one percent of the respondents indicated that professional employees are part of this weekend on call schedule, whereas 19% use graduate assistants, 13% use student employees, and 7% involve classified employees.

## Additional Practices

**Availability of Hep B Vaccinations.** Hep B vaccination is offered by the intramural departments to professional employees in 32% of the schools, to graduate assistants in 24% of the schools, to student employees in 29% of the schools, and to classified employees in 22% of the schools.

**Keeping Records of Injuries.** An overwhelming number (98%) of respondents revealed that all injuries that occurred in intramural activities are recorded and documented. These records are kept for up to 2 years in 10% of the schools, for 3 to 4 years in 27% of the schools, for 5 to 6 years in 24%, for 7 to 8 years in 33%, and for 9 to 10 years in only 2% of the respondents. In 4% of the institutions, such records are kept for 10 years or longer.

## Discussion

Although most (63%) responding institutions were aware of the advisability of using waivers or other forms of liability documentation, such as informed consent forms, release forms and arbitration agreements were only used by a small number of schools. This is an area that intramural departments might want to reassess in terms of their policies relating to documentation used. There seems to be a real awareness of the need for professional employees to be certified to use automatic external defibrillators (AEDs) within the intramural setting, with over 90% of the schools indicating that this is a requirement. However, fewer respondents required

first aid certification of these same employees, a fact that might lead to legal liability exposure in the event of serious accidents and injuries. Regarding where AEDs are to be stationed within the various facilities, less than a third (30%) actually require that AEDs be positioned at strategic locations *at all intramural activities*. This lack of strategic placement of these lifesaving devices would seem to be an area of weakness in terms of the institutions' risk management plans and should be addressed. It is interesting that almost a third of the respondents offered Hep B vaccination to intramural professional employees. Perhaps other institutions should reassess the necessity for such precautionary action in light of the potential for infection in today's society.

The rules that the NIRSA has promulgated for the sport of flag football would seem to have had a significant impact on this intramural offering because 65% of the member institutions responding to this survey question indicated that they follow the NIRSA rules. However, a small but perhaps not insignificant number do not follow the NIRSA rules, and nearly a third indicated that they follow a hybrid of rules, including some modified NIRSA rules. Those programs that do not use the NIRSA rules might face close scrutiny in the event of serious injury to a participant if it were suspected that the rules that were followed contributed to the injury.

Supervision of both indoor and outdoor intramural activities is conducted, for the most part, by student employees. However, in some instances, depending on the nature of the activity, other personnel, such as intramural graduate assistants and professional employees, are also used as supervisors. This is to maintain control of the activity and to ensure that participation in the activity is completed in a safe and prudent manner. This is true for schools of all sizes. No responding schools indicated that they provided no supervision for any intramural activity.

It is interesting to note that not all institutions had a sportsmanship rating system in place for their intramural activities. Although two-thirds of the intramural programs did have such a rating system as part of their risk management plan, the fact that a third of the respondents did not might be a concern. These schools without a sportsmanship rating system might reassess their position on this topic as they seek ways to reduce potential situations in which accidents, aggressive behavior, and injuries might occur.

One effort being used by an overwhelming number of respondents (83%) to create an even playing field and to reduce the likelihood of inappropriate behavior and/or injuries is the practice of instituting various restrictive policies prohibiting some individuals (based on a variety of factors or situations) from becoming participants in intramural sports activities. The vast majority of schools had some type of restrictive policy; most of these schools prohibited former intercollegiate athletes and former professional athletes—a minority of schools prohibited students on disciplinary probation, students with off-campus felony convictions, and a specific GPA average. Also, a small number prohibited faculty from participating in some or all of the intramural offerings. However, 93% of the schools had no prohibition against faculty being competitors in intramural activities. The fact that schools are attempting to provide a level playing field is important as it may well facilitate safe competition with less controversy and fewer altercations resulting in injuries or accidents.

In terms of officials, student officials seem to be the accepted type of officials for intramural programs. However, in a small, but significant, number of schools

(19%), nonstudent officials (such as high school or college certified individuals) are used. The most frequent sport having certified nonstudent officials was basketball. Of those schools using students as officials, less than a third require all student-officials to pass a written officiating test for the sport that they would officiate. A slightly higher percentage requires student-officials to pass a field/floor test before becoming an intramural official in that sport. Obtaining quality and competent officials for competitive intramural activities is one of the major challenges facing those who administer and manage on a day-to-day basis the intramural programs. It would seem that training and testing candidates for officiating would be a priority for intramural directors so that safer activities might be the outcome.

Cell phones and two-way radios seem to be the devices of choice by campus recreation departments relative to safety and communication devices. However, pagers are used in a very small number of schools, often in conjunction with other means of communication. The point is that some type of communication (over short and long distances) is being used to facilitate the safe and sound implementation of intramural activities, often over a diverse and spread-out geographical area.

In terms of risk management efforts, only a small majority of respondents indicated that a professional staff member had been given responsibility for overall risk management of the total intramural program/offerings. Some 42% of the directors surveyed indicated that they had not assigned this responsibility to any employee, which might lead one to suspect that the area of risk management is not of the highest priority.

Less than half of the directors had had an undergraduate course in legal issues, risk management, or legal liability. However, at the graduate level, 61% had had such a course. A large percentage (85%) of the directors had attended a workshop, class, or session on this topic within the preceding 3 years. It would seem that the directors are being exposed to the body of knowledge within the overall topic of legal liability and risk management once they have entered graduate school and/or after they are hired as directors.

Record keeping is vital to the proper management of risks and actions taken to prevent injuries and accidents. Almost all of the schools (98%) revealed a practice of recording and documenting relevant facts and witness reports in terms of all injuries that take place at intramural activities. A sizable majority of respondents (69%) indicated that they possessed a written intramural risk management plan. The fact that almost a third of the schools did not have a written risk management plan should be one of concern. Also, the fact that less than a third had established a standing risk management committee is of equal concern.

## Conclusions

Developing a safe environment for intramural and sport activities for college students at NIRSA institutions is an utmost concern for campus recreation directors. It is an advantage to campus recreation directors to be aware of what other institutions are doing in terms of current risk management practices, procedures, and policies as they relate to intramural and sport activities. Such awareness can enable directors to have a benchmark or standard by which to assess their own programs, policies, procedures, and practices.



This international study serves the purpose of providing such data to campus directors. As the first scholarly effort to provide a comprehensive look (snapshot) at what NIRSA colleges and universities are doing in terms of legal liability and risk management, the data provided in this study should assist campus recreation directors in determining the suitability of their own (or future or potential) policies, practices, and procedures relative to providing a safe and healthy environment for the intramural and sport activities on their own campuses.

## References

- Appenzeller, H. (1993). *Managing sports and risk management strategies*. Durham, NC: Carolina Academic Press.
- Berg, R. (1993). The risk of not watching. *Athletic Business*, 17(12), 22.
- Clement, A. (1988). *Law in sport and physical activity*. Indianapolis, IN: Benchmark Press.
- Connaughton, A.V., Connaughton, D.P., & Spengler, J.O. (2002). Automated external defibrillators in sport, recreation and fitness programs. *Recreational Sports Journal*, 26(2), 9–19.
- Cotten, D.J. (1993). Risk management—A tool for reducing exposure to legal liability. *Journal of Physical Education, Recreation and Dance*, 64(2), 58–61.
- Gaskins, D. (2004). Cultivating intramural sports officials for success beyond the basics. *Recreational Sports Journal*, 28(2), 9–18.
- Gaskins, D., Petty, B.C., & Rey, S.V. (2002). Cutting edge techniques in intramural sports officials' development. *Recreational Sports Journal*, 26(1), 55–64.
- Geiger, J.A. (1997). "Count it!" Officials that don't miss the call. *NIRSA Journal*, 21(3), 12–14.
- Hronek, B.B., & Spengler, J.O. (2002). *Legal liability in recreation & Sports* (2nd ed.). Champaign, IL: Sagamore Publishing.
- Kaiser, R. (1986). *Law and liability in recreation, parks and sport*. Englewood Cliffs, NJ: Prentice-Hall.
- Koehler, G.G. (1988). *Law: Sport activity and risk management*. Champaign, IL: Stipes Publishing Company.
- Lee, S. (1999). An investigation of risk management plans in intramural sports programs within public universities. *NIRSA Journal*, 23(2), 23–31.
- Lincoln, S.M. (1992). Sports injury risk management & the keys to safety—Coalition of Americans to protect sports (CAPS). *Journal of Physical Education, Recreation and Dance*, 63(7), 40–42, 63.
- McGregor, I., & MacDonald, J. (2000). *Risk Management*. Corvallis, OR: NIRSA National Center.
- Miller, J., Veltri, F.R., & Gillentine, A. (2005). A student perspective of intramural sport risk management procedures. *Recreational Sports Journal*, 29(1), 22–32.
- Miller, J., & Veltri, F. (2003). Security issues in public recreation centers. *Journal of Legal Aspects of Sports*, 13(3), 265–288.
- Mulrooney, A.L., & Green, E. (1997). Risk management has its price. *NIRSA Journal*, 21(2), 42–45.
- Mulrooney, A., Styles, A., & Green, E. (2002). Risk management practices at higher educational sport and recreation centers. *Recreational Sports Journal*, 26(2), 41–49.
- Risk Management for Campus Recreation. (2007, April). Blaine, WA: Ian McGregor & Associates, 1(5).
- Sharp, L.A. (1990). *Sport law*. Topeka, KS: NOPLA.

- Stier, W.F., Jr. (1994). *Successful fund raising*. Dubuque, IA: Wm. C. Brown & Benchmark.
- Stier, W.F., Jr. (1999). *Managing sport, fitness, and recreation programs: Concepts and practices*. Boston, MA: Allyn & Bacon.
- Stier, W.F., Jr. (2008). *Sport management: The business of sport*. Boston, MA: American Press.
- The Sports, Parks & Recreation Law Reporter. (2006, September). Canton, OH: PRC Publishing, Inc., 20(2), 17-21.
- van der Smissen, B. (1990). *Legal liability and risk management for public and private entities* (Vol. 2). Cincinnati, OH: Anderson Publishing Company.
- Veltri, F.R., Miller, J., & Scott, D.K. (2001). An examination of security in campus recreation centers. *NIRSA Journal*, 25(2), 48-56.
- Vincent, M., & Kearney, J. (2001). Monitoring and promoting good sportsmanship as an essential element of intramural sports. *NIRSA Journal*, 25(1), 35-41.
- White, B.J., & Cardinal, B. (2003). Readability of waiver of liability forms used in collegiate intramural and recreational sports programs. *Recreational Sports Journal*, 27(2), 37-46.
- Wong, G.M. (1989). Athletes aren't fair game for cheap shots. *Athletic Business*, 13(7), 16.
- Zeck, J.C. (2000). Sportsmanship regulations in Division I intramural sports programs [Abstract]. Physical Education Index. Microform Publication Bulletin: Health, Physical Education and Recreation. *Exercise and Sport Science.*, 13(1).

Copyright of *Recreational Sports Journal* is the property of Human Kinetics Publishers, Inc. and its content may not be copied or emailed to multiple sites or posted to a listserv without the copyright holder's express written permission. However, users may print, download, or email articles for individual use.