

Outline- Coaching Laws and Liabilities

Questions to consider:

1. Legally, what duties do I have?
2. What duties do I **not** have?
3. What can I do in advance to prepare for the worst?
4. What are the current legal trends relevant to coaches?

Coaches Area of Responsibility

1. Failure to Teach and Failure to Warn.
2. Failure to Properly Supervise.
3. Reasons for Coach and Administrator Liability.
4. Duties of a Coach.

Coaches can be sued for failure to teach fundamentals in their particular sports and protective skills.

Reasons for Coach / Administrator Liability

- Failure to supervise an activity.
- Negligently entrusting a duty to an under-qualified or unqualified individual.
- Failure to teach proper skills.
- Failure to teach protective skills.
- Failure to inspect, repair, recondition equipment properly.
- Failure to teach athletes to inspect their own equipment.
- Failure to properly play an activity.
- Failure to create and set policies and procedures for an activity.
- Failure to follow and enforce such policies and procedures.
- Failure to adopt risk minimization standards of pertinent superior administrative organization.
- Failure to match or equate athletes.
- Failure to properly administer first-aid.
- Failure to warn of inherent dangers of the activity.
- Failure to assess an injury or incapacity in an athlete.
- Failure to keep adequate and accurate records.

Duties of a Coach

- Properly plan an activity.
- Evaluate athletes or students for injury.
- Match or equate athletes.
- Provide or maintain proper effective equipment.
- Warn of inherent risks of a sport.
- Supervise closely.
- Know and use emergency procedures and first-aid.
- Keep adequate records.

- Know, document, post and operationalize school policies.

Supervision

Instruction Supervision Management

Instruction includes duties to **communicate essential principles and warnings** to participants and their parents: **how** things should be done and the **consequences** for not doing them properly.

Management includes duties to be **visible** and **attentive** wherever athletes are gathered under the auspices of the school.

Team Rules

- a. That team rules are operating under the umbrella of any policies and procedures established by their board of education and district administrators. **Team rules must match the mission of the school.**
- b. That team rules have been placed in writing with **the criteria of making the team and the conditions for staying on the team.** Some subjectivity is permissible in the tryout rules, less in the conduct rules.
- c. **That team rules have been read by the athletes and their parents, signed by both, returned and kept on file.** Make this a condition before a student is allowed to begin practicing with the team.
- d. **That team rules and the consequences for violations are stated clearly and applied consistently.** Test the reasonableness of your proposed rules and penalties with other coaches in your district and also with experienced coaches (mentors) in other districts.

Proper Technique

- Seek and document your continuing education.
- Prepare written practice plans that demonstrate that you have been teaching athletes accordingly.
- Prepare written practice plans that indicate you have warned athletes of consequences of unsafe conditioning.
- Prepare written practice plans that demonstrate that you have taught correct techniques

Off Field Areas of Concern

- Locker Room- Hazing Law, Coach and Athletes of Opposite Genders
- Meetings & Meals
- Transportation & Travel- **Transportation policies are determined by the local board of education and are coordinated by assigned administrators.**
- Finances- Simple Money Rules for Coaches
 - 1) When collecting from parents of athletes, ask for any payments to be made with checks, money orders or credit cards wherever possible.
 - 2) Issue a receipt for any cash payments, keep copies of the receipts in a receipt book and retain for 5 years.
 - 3) Deposit – do not store cash – get it to the office with a receipt or into a school bank account.
 - 4) Always have a witness when counting cash and have a written tally sheet or deposit slip.

- 5) Only place orders for items with prior approval of the administration. Only purchase with a purchase order.
- 6) If you advance funds for anything, get a receipt in order to get reimbursement. Approval should be sought in advance from AD.
- 7) Maintain strict accountability of all cash, incoming and outgoing. Do not operate your own petty cash operation. (Do not borrow from the tee-shirt fund for Friday night pizza!)
- 8) Only use district funds, district credit cards or purchase orders for district expenses, never for personal items.
- 9) You may be responsible for funds collected by parents for team-related matters. Be sure the same accountability and reporting practices are followed. Be sure all district and athletic department policies are adhered to by parents and volunteers.