

Legal Liability and Risk Associated with GeoJourney

Bowling Green State University requires departments that are offering field trips or field activities to explain to the participants, before departure, the risks and potential problems associated with these activities. This allows you to make an informed decision on whether you want to proceed with participation, or not. Any field activity involves more risk than does classroom activity. Some of the risks that should be considered in connection with GeoJourney are as follows;

1. On GeoJourney, we must do a lot of driving to get to our field sites. This increases, statistically, the chance that you will be involved in an automobile accident. We try to reduce these risks by requiring that University passenger vehicles be driven only by program staff members who are Bowling Green State University employees. We cannot, however, guarantee that such accidents will never occur. Wearing safety belts while in the vans is mandatory.
2. At the field sites, we must often do considerable hiking, carrying day-packs, to see certain geologic/anthropologic/ecologic features or to complete field projects. Most of these hikes are on maintained trails, but some are in open country, which is often mountainous. Some of the trails are quite steep and require good physical conditioning. We will not do rock-climbing, or hike on slopes that require climbing equipment or special mountaineering skills. However, it is possible for you to slip and fall even on more gentle slopes, and falls could result in serious injury or death. Medical help (other than first aid) may not be quickly available in some wilderness areas.
3. We try to emphasize safety procedures and to provide safety instructions. You will be required to carry a few first-aid supplies and an emergency signaling device when you are in the field (whistle). You will be required to stay in the company of other students whenever field activities are being done, and one or more staff members will accompany all field work. However, we cannot eliminate all possibilities of injuries in the field.
4. We must sometimes work when the weather is less than ideal. Both very hot and very cold weather are likely to be encountered. Thunderstorms sometimes appear rapidly on days that start out clear. We will not work in conditions that the staff judges hazardous, but you will sometimes find it necessary to work in conditions that may be uncomfortable.
5. We will attempt to determine if you have any medical conditions that might be aggravated by work under unpleasant conditions. If you do, we advise you not to participate in GeoJourney. If you fail to inform us of such conditions, and we determine in the field that you are endangering yourself or others as a result, we may limit your participation in some activities (which could adversely affect your grade), or we may dismiss you from the class.
6. You will help the group do "housekeeping" chores at camp, including meal preparation and cleanup.
This is not normally a hazardous activity, but you could be dealing with large amounts boiling water, which if mishandled, could result in your being burned. Such things are difficult to predict. Note that similar accidents could occur to you at home.
7. Personal property that you take with you may be lost, damaged, or stolen. Tents are frequently abused, usually due to improper setup. Bowling Green State University and GeoJourney staff are not responsible for such losses.
8. We do not work with hazardous or toxic chemicals on GeoJourney, and we feel that you should encounter no more exposure to such materials than you would if you did not participate in the program.
9. There are also plenty of opportunities to go swimming in natural bodies of waters such as lakes, streams, and the ocean. Your grade will not depend on any activity that requires you to know how to swim. However, if you do elect to go swimming in these natural bodies of water you do run the risk of drowning.
10. While we are in the field you may encounter animals that range in size from insects to bears. Such encounters may result in serious injury or death as a result of envenomation, stings, bites, or swipes or anaphylactic reactions. Our advice is to stay away from wildlife and enjoy them from a safe distance, which for larger/faster mammals and birds may be miles away. Do not touch wildlife unless you are specifically directed to do so.
11. The field environment, as with any uncontrolled environment, is prone to all manner of risks that

can not be predicted. While we will do our best to insure that you are aware of the potential risks associated with participation in GeoJourney we can not prevent or predict all the risks you may encounter. Thus, participating in this program may result in serious injury or death.

It is to our advantage, as well as yours, to run a program that is safe. We will do our best to assure that this is the case. However, we cannot give you absolute assurance that nothing unforeseen will happen to you. You should weigh the benefits of participation against the additional risks that field work and travel entails.

Explanation of Wavier Form

1. This summarizes some of the risks discussed above.
2. This points out that you are not required to participate in field activities of the sort that you will encounter on GeoJourney. You can take similar courses on campus without these activities. If you choose field-based courses, then you are accepting the additional risks that accompany that option.
3. This says that the Bowling Green State University has allowed you to participate in GeoJourney. In return, and with an understanding of the risks involved, you agree not to hold the Bowling Green State University, or anyone associated with or employed by Bowling Green State University legally liable for anything that might happen to you on the trip.
4. "Sovereign immunity" means that Bowling Green State University, like other state agencies, can be sued only under certain specified circumstances. A waiver, like this one, might be interpreted as an admission by Bowling Green State University that this condition was invalid. You are accepting the fact that the waiver does not affect sovereign immunity.
5. You must be 18 in order to sign contract making it legally binding; below that age, your parents or guardian is legally responsible for you, and must sign the form along with you. "Legal disability" would be something like mental illness that may prevent you from understanding what you are signing - you are saying that you do understand the wavier.

If you have any questions about this material, or you would like to discuss it further with me before signing anything, please feel free to contact me at (419) 372-6540.

Nikki Elkins

GeoJourney Director