

## Travel Guide

### University

This handout is designed to answer the most frequently asked questions regarding liability, insurance, and risk management issues around field trips or class trips. It is also designed to facilitate your communications with your students before you go on a trip, and to give you tools to help make it safer for all participants.

If you have any questions regarding this material or need any assistance or waiver forms, please contact:

Director, Risk Management & ADA  
4500 Riverwalk Parkway  
Riverside, CA 92515  
Tel: (951) 785-2102  
Fax: (951) 785-2095  
Email: [cbarthol@lasierra.edu](mailto:cbarthol@lasierra.edu)

### Contents:

1. Faculty Information
2. Field Trip Fact Sheet
3. Assumption of Risk Form

### Faculty Information

#### A. PERSONAL LIABILITY ISSUES

**Does my personal liability, in relation to the students, change because I am leading a field trip?**

No. While there is always a potential for you to be sued personally for the work you perform for the University, there is no significant increase or decrease in potential liability because you are off campus.

**Will the University protect me if I am sued?**

The University carries insurance policies for its liability, and its employees are also covered under these policies for their negligence. No one is ever insured for willful misconduct.

## B. AUTO LIABILITY & INSURANCE

### **How am I covered when driving University Owned Vehicles?**

The University insures all its vehicles for liability (injury to third parties and third party property damage) and physical damage (comprehensive/collision). If you are driving a University-owned vehicle with the permissions of the University, then you are an insured driver under the University's policy. The same holds true for students or others driving University vehicles with permission.

### **What if I am driving a Rented Vehicle?**

If you rent a vehicle while working on behalf of the University (including unpaid or volunteer work), you should rent the vehicle in the name of the University and your own name. This means that you should sign both your name and "the name of the University" on the rental agreement. The University's Auto Policy will then respond as if the rented vehicle is an "owned" vehicle, so you should decline liability and collision insurance, unless your department has specifically decided to purchase the collision waiver. Never rent a vehicle value in excess of \$30,000.

It is important to **inspect any rented vehicle before driving**. Make sure any dents, scratches or other damage to the vehicle are noted on the rental form. Otherwise, the University may have to pay for damages you did not cause,

### **Do I have coverage from the University if I have to drive my own car?**

Frequently you will be driving your own vehicle on University business. When you drive your own car on University business, your own insurance policy serves as a "primary" policy for third party liability and physical damage to your vehicle. This means that if a claim arising out of an accident exceeds your policy limits, then the University's policy will cover the accident in excess of your policy. For example, if you carry \$20,000/\$40,000 liability insurance, and injure a pedestrian severely, resulting in over \$100,000 of medical bills, your policy would pay the first \$20,000 of the claim, and the University policy would respond for the balance of the claim.

If your vehicle is damaged as a result of an accident, whether it is your fault or not, your comprehensive / collision coverage would respond. You are responsible for any deductible amounts under your policy. If you do not carry any collision insurance, then the entire amount of the damage is your responsibility. *Neither the University nor the University's insurance will pay for any physical damage to your vehicle – you use it at your own risk.*

### **Does it matter if I have to drive my own car as part of my condition of employment?**

No. Mileage reimbursements are designed to include an incremental cost for insurance and deductibles.

**What do I do if I am in an auto accident, while on University business and driving a University-owned or rented vehicle?**

**At the scene of the accident:**

Do not admit any liability for the accident even if you think you are fault. Exchange driver/insurance information with the other party(ies). Get written statements from any witnesses, or get their name, address and phone numbers for later contact.

If there was no other car or person involved in the accident, or if the vehicle is damaged while it was parked, follow the steps below.

**Back on Campus:**

Immediately file an accident report with the Office of Risk Management & ADA located on the second floor of the Administration Building, room 219. File any mandated state accident reports to the proper authorities, and give a copy to the Office of Risk Management & ADA.

If the vehicle is assigned to your department, and your department has a person who is responsible for coordinating the use of the vehicle, notify your supervisor and give copies of all reports to the Office of Risk Management & ADA for any insurance claims.

Director, Risk Management & ADA  
4500 Riverwalk Parkway  
Riverside, CA 92515-8247  
Phone: (951) 785-2102

The Risk Management & ADA Department will coordinate with the University's insurance agent, and will make arrangements to have the vehicle inspected for the insured repairs.

**DO NOT HAVE THE VEHICLE REPAIRED BEFORE IT IS INSPECTED!**

**What do I do if I am in an auto accident, while on University business and driving my own vehicle?**

Follow the general instructions as above. If there is any injury to any third party, you must file a copy of the accident report with a letter to the University stating that the accident occurred while you were on University business, and the nature of the business.

If you are aware of any serious injuries to any third parties, including any University employees or students, as a result of the accident, please include the particulars in your report. Also please indicate the limits of liability which you personally carry. The report should be sent to the Risk Management & ADA Department.

File any claims with your insurance company as you would if the accident occurred when you were not working.

## C. WORKERS' COMPENSATION CLAIMS

### **Who pays any medical bills or lost wages if I am injured while I am working?**

If you are injured while you are working, your medical costs and lost wages are covered by Workers Compensation, in accordance with the State of California statutory benefits. The University self-insures its workers compensation costs, and pays benefits through a third-party claims administrator.

### **What do I do if I have an injury?**

IMMEDIATELY INFORM HUMAN RESOURCES. You will be directed to complete an accident report and accident investigation report which s/he will file with Human Resources. Cooperate fully with Human Resources in detailing how the loss or accident happened and identifying any way that the loss could have been avoided.

## D. PERSONAL PROPERTY

### **What if my personal property is lost or damaged while I am leading the trip?**

If your personal property is lost or damaged while you are on the trip, whether it is your fault or not, your own homeowners/tenants insurance coverage would respond. You are responsible for any deductible amounts under your policy. If you do not carry any homeowners/tenants insurance, then the entire amount of the damage is your responsibility. Neither the University nor the University's insurance will pay for any loss or damage to your own personal property – you use it at your own risk.

## E. WAIVERS and ASSUMPTION OF RISK

Generally, we do not ask our students to sign waivers or releases for programs/trips that support their academic work and which are sponsored by the University. It is, however, important that students be informed of the dangers they may face while participating on a field trip. It is strongly recommended that all students sign an Assumption of Risk before participating in the trip, to establish their voluntary participation and that they have been fully warned of the dangers, and are aware of their responsibility for their own safety. This form does not have the student waive his/her right to recover for losses caused by negligence of the University or its employees. A sample follows.

Informed Consent Forms must be specific to each trip; we do not have a "generic" form. Some classes may take frequent trips, such as a geology class. In such cases, an informed consent form about class activities may be appropriate in lieu of a form per trip. Contact the Risk Management & ADA Department for assistance.

Parents' signatures are not required for students under legal age because no legal rights are being waived.

## 2. Travel Fact Sheet

**As the leader of the trip, it is important for you to inform the participants what to expect. Here are some general issues you should cover. Use the form provided as a guide for student handouts.**

### **Where are you going?**

What is the climate? Highest and lowest temperatures? Constant rain?

Give your students written information and advise as to the type of clothing they should bring, including protective wear such as UV sunglasses, hats, rains ponchos, warm clothing, sun block, proper footwear, etc.

What are the facilities? Hotels, hostels or camping?

Do students need to bring water, pillows, backpacks, passports, non US currency, etc.? Make sure they know in advance what is needed for the trip, and that they are appropriate prepared for it. All students should know to carry ID and medical insurance cards.

How safe is the region you are going to? What are the dangers?

Give students written warning of the dangers of the region, whether it is of insects, pickpockets, animals or other dangers. (See waivers & releases below).

### **How are you getting there?**

University owned vehicles? Rentals? Public Transportation?

What happens if someone needs to leave right away? Is there transportation available? If you are in the middle of a desert or have climbed a mountain, or are in the middle of the ocean on a ship, there may be long delays in getting emergency medical care. Students should be made aware of transportation conditions and limitations in writing.

### **What will the students be doing? What is expected of them?**

Students should be informed in writing what will be done in the course of the field trip and expected of them as participants in the trip: such as “walking 10 miles a day carrying a 35 lb. pack”; or “strenuous walking, climbing and lifting and carrying weights up to 50 lbs.” or “setting up tents, cooking for the group”, etc.

### **How long is the trip for?**

Students should be informed in writing what the start date of the trip is, and end date, and what, if any contingencies could extend or shorten the trip, and what, if any, responsibility the University takes or does not take for said contingencies. For example, if a student pays \$500 for a five day trip, and has to leave early because of a personal emergency, is the “unused” portion of the trip refundable?

**Keep in mind; you may need to make special provisions for emergencies.**

**Who is responsible for first aid? Do you have access to communication? Should someone carry a cell phone?**

If the trip is to a remote or inaccessible region it is strongly recommended that at least two persons on the trip have first aid skills and first aid kits. A lightweight cell phone is also recommended in case emergency aid is needed.

**It is especially important to inform the students of any dangers they may face.**

**Give the students Assumption of Risk Form**

It is strongly recommended that all students sign an Assumption of Risk Form before participating in the trip, to establish their voluntary participation and that they have been fully warned of the dangers, and are aware of their responsibility for their own safety. This form should be written specifically for the trip you are taking.