

Montana Yellowstone Expeditions Foundation (MYE)
Important Information about Risk Management Practices and the
Acknowledgement and Assumption of Risks & Release and Indemnity
Agreement

Dear Student and Parent(s)/Guardian(s),

It is important that you understand as much about your upcoming MYE program as possible. A well-informed student will be more successful and have a more enjoyable experience. Our promotional materials and Program Information Packet (PIP) contain a great deal of information about the activities in which you may be involved, where the activities will take place, and the inherent and other risks associated with those activities.

The following Acknowledgement and Assumption of Risks & Release and Indemnity Agreement is an important element of MYE's risk management practices. The open disclosure of the activities that students will be undertaking helps students and parents understand the level of personal responsibility every individual has to him/herself and others. It also helps you understand the inherent and other risks involved in a MYE program. Our expeditions are not catered experiences, and every individual participant is an integral part of the program. You and your child/charge should be ready and willing to take on this level of responsibility.

Outdoor activities, like all physical activities, have associated risks. These risks are inherent and are integral to the benefits derived from participating in those activities. For example, you might have to use a shovel to dig a hole for a fence post at a service project site. The danger that you could hit and cut yourself on the shin with the shovel is a real and inherent aspect of shovel use. What can be done about this? At MYE, we teach students how to assess risks as they learn every new skill, and to understand that they work as a part of a team. By doing so, we hope to make everyone aware of the risks and responsibilities in using a shovel and in being near someone who is using a shovel.

Human judgment and environmental factors, beyond anyone's control, influence the shifting line between "being 100% safe" and being in a risky situation. We can make judgments about risks and consequences, but we cannot guarantee that you will be "100% safe." We (or anyone else) would be dishonest if we told you so. Our staff strives to make good judgments and assist in teaching students to do the same. However, judgment is fallible and environmental factors, like weather, can change rapidly. MYE cannot eliminate inherent and other risks. We analyze and attempt to manage risks by striving to hire responsible staff, by developing responsible policies and guidelines for our staff, and by helping students understand that they are part of a team, sharing in the responsibility for their own safety and the safety of others on the program.

Often, the line between inherent risk and negligence is not distinct. As a result of this and other realities, we ask that students and their parents sign the Assumption of Risks Agreement. The agreement clarifies the student's acknowledgement and assumption of the risks (both inherent and otherwise) that he/she may be exposed to on the program. The document also seeks protection from claims made against MYE based upon its ordinary negligence. However, we do not seek this protection with regard to gross negligence, or willful, wanton or criminal misconduct.

We offer this information to you, openly and willingly, because we do not wish to hide anything from you (open and honest communication is a tenet of MYE's philosophy). We hope that you understand our commitment to responsible and enriching programming for all students. If you have any questions about our program, the following *Acknowledgement and Assumption of Risks & Release and Indemnity Agreement*, or anything else, we would be pleased to talk with you.

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