OTHER AREAS PERTAINING TO THE GENERAL LIABILITY PROGRAM

Programs with Animals

Dogs
Dog obedience classes by approved instructors are permitted. Insurance coverage for the Seeing Eye program is excess over the host homeowner’s personal coverage in a club setting. There is no coverage for the person hosting the Seeing Eye dog outside of a club setting. Extension may not sponsor or conduct any kind of rabies or other immunization clinics.

If dogs are to be used in an exhibit (e.g., a fire prevention and safety display), they must not be accessible to the public. However, Pit bulls, Rottweiler, Dobermans and other aggressive dogs should be avoided.

Note: Approximately 40% of all liability claims filed under Homeowner, Tenant and Condominium Owners liability insurance policies are related to dogs.

Dogs should only be permitted on CCE premises or activities in the following circumstances:
   a. A Seeing Eye guide dog for a visually impaired employee, volunteer or program participant
   b. Personal dogs of 4H club members in a 4H dog club
   c. Dogs registered in dog obedience classes

Highlights of the Cornell Cooperative Extension Risk Management Policy
Relating to 4-H Horse Project Participation

Horses

Leaders who fail to follow all these following guidelines will not be covered by the Association liability insurance. Note: There is no liability coverage for the owner of the horse. Only the activity is covered. All horses used in any 4-H or Association programs or activities should be suitable for such use. Horses that have a propensity to bite, kick, exhibit other unruly behavior, are blind or in poor physical condition should not be used. 4-H Leaders or other participants that are using their own horses are strongly advised to check with their own insurance agent to make sure their horses are covered for liability if they are using them in the program. There is a case in New York where a person’s horse injured a child and their homeowner insurance successfully denied liability coverage to the homeowner because the owner did not tell their insurance company they had a horse...

Horse clubs and activities must be conducted under the direction of a qualified adult and sanctioned by the local Association. All youth participants in horse clubs and activities must follow the guidelines for participation.

Neither the association nor a 4-H club should accept ownership of a horse. If someone offers to donate a horse to an association or a club contact The Wood Office immediately.

- All 4-H horse members (including Cloverbuds) in horse activities must follow the most recent horse program guidelines as adopted by your Association in conjunction with Cornell. This includes the NYS 4-H Horse Show Rulebook, the NYS 4-H Club Management Notebook for Staff, and the F.O.R.M. Code 1501.
4-H Accident Insurance covers registered 4-H members (Cloverbud, club and independent members), registered volunteer club leaders during 4-H activities and events. No-4H participants do not have 4-H Accident Insurance. This accident insurance is excess over volunteer’s personal medical insurance. It is not liability insurance.

**The Association liability insurance does not cover 4-H Leaders or participants in shows conducted by other organizations or people or shows run by 4-H leaders that do not follow guidelines for shows.**

Leaders who fail to follow Association adopted guidelines and CCE statewide guidelines will not be covered by the Association liability insurance.

Reminder: Liability occurs if there is negligence on someone’s part that causes injury to another person or damage to their property. If an accident resulting in injury or damage occurs during a 4-H activity or show that may be caused by a 4-H club leader’s negligence, the leader is covered under the Association liability insurance.

**Horses and non-Association owned property used in 4-H programs**

- Association liability insurance does not cover the **owner of the horse** for any liability attributed to injuries caused by the horse such as kicking, biting, etc...
- Reminder: Leaders and others using their own horses should check with their own insurance agent to make sure their horses are covered for liability if they are being used in the 4H program. (See previous comments about this issue)
- If a horse kicks, bites or hurts someone the owner of the horse should notify their own insurance company to avoid loss of coverage for late reporting of the incident.
- All horses used in any 4-H or Association program should be suitable for such use.
- Similarly, Association liability insurance **does not cover the property owner** for any injuries that are the result of conditions on the property (i.e. the property owner’s dog bites a 4-H club member; there is a hidden well that someone falls into, etc.).
- Association liability does not provide insurance for instructors that are charging a fee for their services (i.e. Riding lessons).
- When the Association (including a 4-H club) uses individually owned horse barns, riding stables or similar commercial establishments for horse activities, **the facility must show a Certificate of Insurance for premises/operations liability insurance covering the facility and horses** with required information noted in the F.O.R.M. Code 1501. This also applies to commercial stables owned by 4-H horse club leaders.

**NOTE:** The **commercial general liability** insurance requirement is for those that operate **commercial stables or riding facilities as a business (including the 4-H leaders)** that are also used for the 4-H horse activities program. 4-H leaders who conduct 4-H programs at their residence should be covered under **homeowners, tenants, condominium** or a **small non-commercial farm**, a **farm owner’s policy**. The first 3 would then have **personal liability insurance** and the latter have **farm owner’s liability insurance** covering their premises liability.

If the owners of the small non-commercial farms do not have a farm owner’s liability they may have no liability coverage for their horses at all and even then should check to make sure with the insurance agent that they are covered for liability for their horses. If they have horses and are expecting coverage under a Homeowner policy they could really have a problem if they have not informed their insurance agent that they have horses and are letting others use their horses. They should get verification in writing from their insurance agent. We do not ask any club leaders for Certificates of Insurance unless they are in the category of operating **commercial** stables or riding facilities (does not apply to boarding barns).
Horse Shows

There are two types of horse shows:

- Those for registered 4-H members only. Helmets required.
- Those for registered 4-H members and individuals who are not registered 4-H members. These are called, “Open shows” and come with additional rules. Not all Associations conduct “Open shows.”

**Special “Open Show” rules:**

- All participants must wear approved helmets
- All participants, including adults, must sign the correct Acknowledgement of Risk forms.
- Non-4-H members under 18 may not participate in gymkhana, bareback or jumping events. There is no way to know their skill levels.

**NOTE:** An Open Show that does not abide by these rules may not be promoted as a 4H Show and is not covered by the liability insurance.

**Horse Program/Show Forms must be signed.**

**Note:** Forms are found in the Attachment Section of the F.O.R.M. Code 1501.

**Horse Acknowledgement of Risk Forms**

- Acknowledgement of Risk Form – Horse Show – Youth: To be filled out by all youth under the age of 18 participating in Association sponsored (including 4-H club) horse shows (4-H & Open). Indicates parent/guardian has been advised that there is some risk and they permit their child to participate in the event or activity.
- Acknowledgement of Risk, Waiver and Release Horse – Adult: To be signed by participants 18 and older for Open Shows.
- 4-H Cloverbud Acknowledgement of Risk Form: To be filled out by Cloverbuds participating in equine program or other animal program.
The 4-H Helmet Policy

Cornell Cooperative Extension has adopted the following as a risk management policy: All youth participating in any official or recognized 4-H activity or educational program shall wear a properly fitted and secured, officially approved, protective helmet at all times when mounted on an equine, or seated in a vehicle being pulled by one or more equines. In open shows or other horse activities not sponsored or conducted by Cooperative Extension, it is recommended all participating 4-H members wear appropriate headgear when involved in such activities. State law must be followed in all instances. The Association liability insurance does not cover 4-H leaders or participants in shows conducted by other organizations or people.

Open Trail Rides- 4H sponsored

Coverage exists if all participants under 21 wear a helmet, appropriate adult supervision is provided, and trails have been scouted beforehand and are marked well. Acknowledgement of Risk Form must be signed. Adult signs waiver and release form.

Polo and Broom Ball

Coverage does not exist for any polo activities, but does extend to broom ball sports. See specific rules pertaining to horseshows.

Pony Rides

Liability coverage exists for the Association, employees, and volunteers, provided the following criteria are met: the ride circle is fenced in or roped off from the public; all ponies are led by a competent person (i.e., has the strength and maturity to handle the animal); and all riders are wearing approved helmets and attended while riding. No riders under the age of 5 unless the parent or guardian is walking alongside and assisting the rider. Pony rides as an activity must be approved by the local Association.

⇒ NOTE: All horses in any program must have Coggins test and been inoculated with rabies vaccine. (See Rabies section below)

Cloverbuds

Cloverbuds in horse activities must follow the most recent horse program guidelines for Cloverbuds and horse activities as part of the risk management and loss control guidelines for insurance coverage. There are no exceptions. Leaders who fail to follow the guidelines will not be covered by the liability insurance protection.

Horse Owners and stables (see above)

Rabies

Due to the increase in rabies found in animals across New York State, certification of rabies vaccination has become a greater concern. Proof of valid rabies vaccinations is a requirement for participation in horse events for all participants. Horse rabies vaccines take a minimum of three weeks to be effective and are good for only one year. If the shot is given before the previous shot expires, it can be considered continuous. While not a requirement for liability insurance coverage, the Department of Health has
recommended that all mammals being exhibited at fairs receive a rabies vaccination no later than 14 days before the event begins. Animals that may be affected by this include:

- Goats, rabbits, and swine
- Cats and ferrets shown in pet shows
- Dogs and cats that are brought onto the fairgrounds by the general public (e.g., fairgoers, exhibitors, carnival workers)

**Note:** Goats not approved for petting zoos or other public contact animal exhibits. No open 4-H goat shows permitted. The limitations on goats are a risk management loss control effort to shield the public from exposure to rabies.

**Other 4H Youth activities**

**Incubation and Embryology Project**

Homemade incubators, including those that were constructed according to Cornell bulletin guidelines (“Still Air Incubators, L8-1a-Ed.11/81) are no longer an acceptable component of the Incubation and Embryology project due to safety and risk management concerns. Teachers and program leaders are encouraged to purchase pre-assembled incubators included on the supplies and equipment list provided by the Cornell Animal Science department.

**Livestock Auctions**

Coverage for livestock auctions held at the end of the season for 4Hers to sell their animals is limited to the 4-H participants. The auction event itself is covered only when all participants are 4-H members. There is no coverage for any injury to or loss of the animals under any circumstances. There is no coverage for the auctioneer. There is no accident or medical coverage for persons other than the registered 4-Hers and registered 4-H club leaders

**Petting Zoos:**

Activities are covered by General Liability if participants are attended by an adult at all times. Horses with a history of biting or kicking or other similar behavior should not be present during Petting Zoo hours. Donkeys, geese, oxen, bulls or other animals or birds that may bite, kick or scratch should never be used in Petting Zoos. **Petting zoos must never be left unattended by an adult leader. Petting zoo health guidelines must be followed regarding sanitation.** Children should not be given access to the petting zoo unless a parent or guardian or other responsible adult is with them. Appropriate materials should be available for hand washing and signage/literature provided recommending hand washing. Because there is no federally approved rabies vaccine for goats they are prohibited in any petting zoos or any other public contact animal exhibits.

**Animal Exhibits**

Animal exhibits at fairs or any other event open to the public **should never be left unattended. Adult supervision should be present at all times. Signage should be present to warn the public not to touch the animals or birds.**
**Animals & Fairs**

If animals, including horses, are at a fair and stabled or penned appropriate adult supervision must be available at all times. **Signage warning the public not to interact with the animals should be prominently displayed at all entrances and at the stables.**

**Large animals**

The most current guidelines for youths working with large animals other than horses **must** be followed as part of the insurance and risk management requirements.

**Other Association Programs, Activities and miscellaneous guides**

**Adopt-A-Highway/Adopt-A-Stream and other Community Service Programs**

Community service events are covered by liability insurance; however, any contracts or agreements associated with these activities must be reviewed and preapproved by The Wood Office before they are signed by the Association president or designee.

When entering into an agreement with the Department of Transportation for an Adopt-A-Highway program, please be sure to send a copy of the agreement to The Wood Office before it is signed to ensure the Association’s liability policy complies with the terms of the agreement. When participating in an Adopt-A-Stream program, be sure to have the property owner sign and carry with you at all times the permission form to be on private property. (See Attachment Section)

**After-School Programs**

After-School youth education programs conducted by Cornell Cooperative Extension are covered by the Association’s general liability insurance *with an additional charge* to the Association *if the program has been preapproved for insurance*. Promotional materials and contracts for Association-sponsored After-School programs should stress the educational focus of the program so that the programs are not confused with traditional daycare/latchkey programs. Be sure to submit any proposals or contracts related to after-school programs to The Wood Office in the planning stage and before they are signed to ensure the Associations’ liability policy complies with the terms of the agreement.

**Alcohol**

Alcohol is not permitted at any activities involving youth. There is no liability coverage for the sale of alcoholic beverages. **FUND RAISING AND ALCOHOL:** The New York State Alcoholic Beverage Control Board states that any form of remuneration that is used in exchange for alcohol constitutes a sale and requires a license. The Host Liquor Liability insurance provides coverage for Extension Association-sponsored social events at which free alcoholic beverages are served. **A vendor who sells or dispenses alcoholic beverages at an Association event must sign the appropriate Vendor form and present a certificate of insurance to prove that the vendor has Liquor Legal Liability insurance in the minimum amount of $1,000,000.** This is a requirement of the vendor and Extension Associations cannot provide this coverage for the vendor. **If a winery wants to donate proceeds from the sale of wine or wants to conduct a wine tasting event the following guidelines must be followed and The Wood Office must be contacted before the event is finalized.**