

Insurance Information for Learning for Life (LFL) Volunteers

Listed below are brief outlines of insurance coverage provided by or through Learning for Life (LFL):

Accident and Sickness Coverage (Optional Coverage for Councils)

Accident and sickness insurance coverage for LFL participants provides medical expense reimbursement in case of death, accident, or sickness (Council Plan only) within the policy limits. Information regarding accident coverage is available through the local LFL office.

There are two plans available to LFL volunteers: the **Council Accident and Sickness Plan**, and the **Learning for Life Accident Plan**.

The **Council Accident and Sickness Plan** was developed to provide each council with the opportunity to insure all traditional, Exploring, and LFL participants under one accident and sickness insurance program. The plan extends coverage to all youth, including Explorers, and seasonal staff if not covered by workers' compensation.

Coverage for adults and/or non-Explorers in Learning for Life is optional, and individual councils can elect to purchase it.

Since the Council Accident and Sickness Plan is not mandatory, a few councils have elected not to purchase this coverage. Most councils that do not participate in the Council Plan give individual posts the opportunity to purchase accident insurance through the **Learning for Life Accident Plan**.

- **Learning for Life Accident Plan.** This is an accident-only insurance policy and does not provide coverage for illnesses. **All registered youth participants** (Exploring or curriculum-based) must be insured. Leaders and committee members, as a group, may be insured at their option. If the council organizes LFL council events, the council should purchase coverage for those events through the BSA Campers and Special Events Plan for each event.

These plans/policies are for expenses in excess of any and all other available sources of medical insurance or other health-care benefits. In the event there is no other primary insurance or health-care plan, these policies generally pay as primary coverage subject to the plan limits and terms. LFL curriculum-based teachers are not provided coverage under either plan. Volunteers need to check with their local council to verify which plan/policy the council makes available.

Comprehensive General Liability Insurance

General liability insurance provides coverage for costs that the insured person is legally obligated to pay to third parties because of bodily injury or property damage caused by, arising from, or occurring in the course of official Learning for Life functions and activities.

This insurance provides primary general liability coverage for all LFL professionals and employees, participating organizations, and registered volunteer adult participants with respect to lawsuits and claims arising from an official Learning for Life activity or in the performance of their duties with LFL. Injuries or illnesses suffered by registered LFL participants are covered by a separate accident and sickness policy.

In addition, this coverage is for expenses in excess of any insurance that may be available to a volunteer for loss arising from the ownership, maintenance, or use of a motor vehicle or watercraft. This coverage is available only when the vehicle or watercraft is actually being used for an LFL purpose. Coverage is more than \$5 million for bodily injury and property damage.

Registered adults are those district and council committee members, Exploring post and Middle School Explorer Club adult leaders who have completed a Learning for Life/Exploring Adult Registration form.

The insurance provided to unregistered LFL volunteers (**including school teachers in the curriculum-based program**) through the general liability insurance program is for expenses in excess of any other insurance the volunteer carries—usually a homeowner's, personal liability, or auto liability policy. The general liability policy **does not** provide indemnification or defense coverage to those individuals who commit **intentional and/or criminal acts**. Learning for Life does not have an insurance policy which provides defense for situations involving allegations of intentional and/or criminal acts.

Automobile Liability Insurance

All vehicles used to transport participants to and/or from an official Learning for Life activity MUST be covered by a liability insurance policy. The amount of this coverage must meet or exceed the insurance requirement of the state in which the vehicle is licensed. (It is recommended, however, that coverage limits are at least \$100,000 combined single limit.) Any vehicle carrying 10 or more passengers is required to have limits of \$500,000 single limit. In the case of rented vehicles, coverage limit requirements can be met by combining the limits of personal coverage carried by the driver with insurance coverage purchased from the rental company.

All vehicles used for travel outside the United States must carry a liability insurance policy that complies with or exceeds the requirements of that country.

Participating Organizations of LFL Posts, Clubs, and Groups

The general liability policy provides primary liability insurance coverage for all participating organizations on file with LFL for liability claims arising out of their sponsorship of a Learning for Life group, Explorer post, or Middle School Explorer club. Automobile and watercraft liability coverage is provided on a secondary or excess basis. All vehicles used in LFL activities must be covered by automobile liability insurance with limits that meet or exceed the requirements of the state in which the vehicle is licensed. All boats/vessels used in LFL activities must be insured by the owner for liability exposures. The amount of coverage is determined by the size and usage of the boat. \$1 million is recommended.

Participating organizations do not need a certificate of insurance. The participating organization endorsement is a part of the insurance policy contract and is enforceable under the policy contract. **A copy of the participating organization endorsement is located in the Risk Management Notebook, Section 16. It should be attached to the participating organization memorandum of understanding, at renewal.** These endorsements are part of the actual insurance policy contract and are binding documents. When you have a request from a participating organization for a certificate of insurance, offer them the endorsement.

Unauthorized and Restricted Activities

The general liability policy provides coverage for a bodily injury or property damage claim that arises from an official Learning for Life activity. The *Safety First Learning for Life Guidelines* contain a listing of unauthorized and restricted activities. Unauthorized activities are not considered official LFL activities. Volunteers, posts, clubs, groups, participating organizations, and local offices are jeopardizing insurance coverage for themselves and their organizations if they engage in unauthorized activities. PLEASE DO NOT PUT YOURSELF AT RISK.

Tour and Activity Plan

Times when a tour and activity plan must be submitted for council review include the following:

- Trips of 500 miles or more
- Trips outside of council borders (unless the trip is to a council-owned property)
- Trips to national conferences or regionally sponsored events
- When a council requests the tour and activity plan (Contact your local council for additional guidelines or regulations concerning tour and activity plans; many have established guidelines for events or activities within council boundaries.)
- Activities other than council or district events, including
 - Aquatics activities (swimming, boating, floating, scuba, etc.)
 - Climbing and rappelling
 - Orientation flights (process flying permit)
 - Shooting air guns or firearms training
 - Any activities involving motorized vehicles as part of the program (snowmobiles, boating, etc.)

Regardless of whether a tour and activity plan is needed, the tour and activity plan is an excellent tool that should be included in preparation for all activities—even those not requiring it. The plan guides a tour leader through itineraries, travel arrangements, two-deep leadership, supervision qualifications, and transportation.

Common Questions About Liability Issues in Exploring

Aviation

Aviation Explorer posts cannot operate aircraft as transportation. Basic orientation flights of 25 miles or advanced orientation flights of 50 miles are allowed, providing an approved flying permit is submitted. For more information, see the Aviation Exploring section at www.learningforlife.org.

Fire and Emergency

Explorers may not be substituted for trained personnel. They can only be mobilized as a post, with leadership, and are not on call individually. When riding, Explorers must be seated with a seat belt (never standing on the back of a fire truck), and they cannot drive a department vehicle. Clear and specific departmental guidelines must be written regarding what an Explorer may do at the site of an emergency. Explorers who are 16 years of age or older may operate hydraulic rescue tools or equipment, unless prohibited from doing so by state or local laws. Specific policy details are found at www.learningforlife.org.

Emergency and Health Careers

Explorers may ride in emergency vehicles, but must be seated and wearing a seat belt. Specific guidelines must be established as to what they are allowed to do at the site of an emergency. For more information, check the Fire & Emergency Services Career Exploring page at www.learningforlife.org.

Law Enforcement

Explorers may not be substituted for trained personnel. They can only be mobilized as a post with leadership, and are not on call individually. Law Enforcement Explorers should never be placed in a situation in which anyone might mistake them for legal law enforcement officers. LFL Explorers should not drive a marked patrol vehicle (unless in an approved competition). Explorers under 18 cannot ride along after midnight. Explorers are prohibited from using or carrying offensive/defensive equipment (e.g., firearms, sprays, and handcuffs). All ride-along programs must be certified by the National Law Enforcement Exploring Committee.

Explorers are not to be used to perform covert/undercover acts. If an individual participates in such acts, he or she does so as a private citizen, not as an Explorer. A post must have the approval of the local office to host events involving other posts. All shooting activities, including training, must be under the supervision of an NRA-certified instructor or the firearms instructor of a local, state, or federal agency. For more information, check www.learningforlife.org.

Skilled Trades

Chainsaws and mechanical log splitters may be authorized for use only by trained individuals over the age of 18, provided they use proper protective gear and follow local laws. Mechanical and power tools are to be used only under the supervision of a trained adult advisor and only after training on proper operating techniques. For more information, see the *Safety First Learning for Life Guidelines* and the Skilled Trades page at www.learningforlife.org.

Middle School Explorer Clubs

Middle School Explorer Club participants may not participate in activities involving pistol, automatic or semi-automatic shooting, or non-lethal firearms. In regard to aviation activities, Middle School Explorer Club participants may participate only in the Experimental Aircraft Association's (EAA) Young Eagles activity with a certified pilot. In addition, middle school participants are not permitted to go on ride-alongs involving law enforcement or fire/EMS programs.

Note: To learn more about liability insurance, contact your local LFL office. Some information may also be obtained by logging on to the LFL website at www.learningforlife.org via the Exploring/school-based programs; each Exploring career field has vital information dealing with safety and policy issues. ScoutNET, which is available to all councils, is another excellent resource. The *Safety First Learning for Life Guidelines*, the source of the tour and activity plan, may be viewed or downloaded via the LFL website.