

## Questions & Answers on Liability Release Form as of 2/7/12

Questions: F. Franki    Answers: Michelle Haggerty

1. Does a member need to sign the release form just once, i.e. not every year?

ANSWER: As long as the member stays active from year to year they may only be required to sign this at a minimum just once. The chapter is required to keep those signed forms on file as long as the member is active and for 6 years after the member drops out, etc. However, some chapters have chosen to have their members sign this form as often as annually and make it part of their membership or dues renewal process each year. In these cases, the chapters also use it as an opportunity for the member to update their contact info as well. ( I have attached some examples for you of the one time sign and the annual renewal forms to sign).

2. If a member transfers from another Texas chapter, do they have to sign again?

ANSWER: I would suggest yes, because many chapters have personalized the signature forms. But, on the other hand if their old chapter had just kept the general form without personalization then the transferring member could also bring the copy from their old chapter to the new chapter. (However, it may be just easier and quicker to have them sign a new form and your chapter could use it as an opportunity to collect their contact info, etc.)/.

3. If a current member refuses to sign, what effect does this have on their membership? I have in mind a few long-time members who don't want to sign and I don't want to lose them. I believe they already have extra insurance of their own. But by not signing they won't have the extra coverage thru TPWD, right?

ANSWER: IF they are adamant about not signing it then they could choose that route and in doing so they would waive any of the insurance coverages (we carry both medical and liability for our TMN volunteers) and they would waive representation by the state if they were sued, etc. for something they were doing as part of an approved activity of the TMN program.

4. We are starting a new class in March, if the applicant won't sign do we drop them from the class?

ANSWER: This is a policy that your local chapter can establish or not. If they don't sign then the info in the above answer would apply, but as our legal counsel explained to me its just simpler and 'cleaner' if everyone has a signed document on file.

5. I understand this coverage is for TPWD events, but what about Texas Agri-Life Extension events. Is that a separate issue?

ANSWER: No these are not separate issues: If a Master Naturalist is working on a PRE-APPROVED TMN project then they would be covered if something were to happen. This is why ALL TMN service projects need to be pre-approved though. and yes, a pre-approved TMN project could be just a project of Extension, just a project of TPWD or something joint.

6. And the liability coverage is only to cover the volunteer if sued by a member of the public for injury during a TPWD sponsored event. It does not cover the volunteer, if the volunteer is injured, right?

ANSWER: We carry both coverages... liability and injury. The coverages would be secondary coverage though. It would come into effect after one's personal policy(ies) or when one's personal policy(ies) does not cover anything or in some cases if it doesn't cover everything.