



# RANCHO SIMI

## RECREATION & PARK DISTRICT

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[www.rsrrpd.org](http://www.rsrrpd.org)

July 18, 2019

RECEIVED

JUL 25 2019

Ventura County  
Grand Jury

Kathleen Diamond, Foreperson  
2018-19 Ventura County Grand Jury  
County of Ventura  
800 S. Victoria Avenue  
Ventura, CA 93009

Dear Ms. Diamond:

The Rancho Simi Recreation and Park District (District) has received the 2018-2019 Grand Jury Report regarding Youth Sports and Public Liability. As requested and required, the following provides the District's response to the conclusions and recommendations provided in the report.

### Conclusions

**Conclusion-01: The Grand Jury concluded that most cities and Districts in the County allow non-affiliated sports leagues to use their facilities to practice or play. However, they do not require proof of compliance with California law regarding protection against concussion-related injuries from these leagues. They also do not require proof that procedures for preventing and reporting child physical or sexual abuse are in place.**

Response to Conclusion-01: Agree. The District does not require proof of compliance from youth sports leagues regarding concussion related injuries or that leagues have adopted procedures for preventing and reporting child physical or sexual abuse. The District provides space for youth sports at District facilities, as we do for many other community groups. Under the law, the District does not have oversight or regulatory responsibility to ensure that youth sports leagues comply with various legal requirements imposed on youth sports leagues. The District does ensure that programs and activities carried out by the District itself meet all legal requirements for accidents and prevention of abuse.

**Conclusion-02: The Grand Jury concluded that cities and Districts do not require proof of adequate parental waivers and insurance coverage from non-affiliated sports leagues to protect against legal action that could jeopardize public monetary resources.**

Response to Conclusion-02: Agree. The District does not require proof of waivers for all individuals participating in youth sports leagues. Again, it is the responsibility of the youth sports leagues to ensure that they have the appropriate waiver for those participating in the leagues. The District does require proof of insurance from youth sports leagues in accordance with the District's insurance coverages when a site is rented by youth sports leagues and others. The District also requires that the insurance include an additional endorsement naming the District. This ensures that the District is provided the necessary insurance coverages for youth sports leagues and others who rent or use District facilities. The District also has adequate insurance coverage for programs and events that are run by the District.

**Conclusion-03: The Grand Jury concluded that cities and Districts are underinsured with respect to the type of coverage and coverage amounts to sufficiently protect them from litigation arising from the conduct of youth sports on city or district property.**

Response to Conclusion-03: Disagree. The District regularly reviews insurance and ensures that the coverage that we have is sufficient to protect the District from any associated liabilities. The District's insurance program currently provides adequate coverage and protection from liabilities associated with youth sports leagues using District facilities.

### **Recommendations**

**Recommendation-01: The Grand Jury recommends that all cities and Districts require proof from non-affiliated sports leagues that they are in compliance with California law regarding concussion-related sports injuries and that they have child physical or sexual abuse prevention and reporting procedures in place as a condition of the use of public facilities for practice or play.**

Response to Recommendation-01: Disagree. The District does not require youth sports leagues to provide proof that they address concussion-related sports injuries, nor is it required to under the law. Under the law, the obligation and responsibility lies with the youth sports leagues themselves and the regulatory agencies that are provided for in the law. If the District is put in the position of enforcing these laws when not required by the law, taking on the responsibility actually exposes the District to assume additional risk. Additionally, the District does not have the resources to assume regulatory oversight and compliance for all of the activities and undertakings of youth sports leagues. The District does require adequate insurance coverage for youth sports leagues as a condition of the use of public facilities that we receive when the sports league uses the facility. In addition, the District maintains its own coverages, beyond those provided by the youth sports league, which provide adequate coverage for the District. While the District certainly appreciates and supports the goal and intent of the laws relating to concussions and physical and sexual abuse,

it is not in the position to assume the liability and resources that would be needed to regulate the enforcement of these laws as recommended. For these reasons, the recommendation will not be implemented. The District will ensure that its own programs meet the law as required.

**Recommendation-02: The Grand Jury recommends that all cities and Districts require proof of adequate parental waivers from participants and sufficient insurance coverage from non-affiliated sports leagues as a condition of the use of public facilities for practice or play.**

Response to Recommendation-02: Disagree. The District issues permits for the use of District facilities, as it does with other community groups. The District does not maintain oversight over all of the individual organization and groups, nor is it required to by law. The District has and requires adequate insurance for the various community groups that rent or use District facilities. Assuming the role of ensuring proof of parental waivers exposes the District to additional risk and places the District in an oversight role that it does not have the responsibility or resources to assume. The District does require sufficient insurance coverage for those youth sports leagues and other community groups that use public facilities for practice or play. The District also holds its own insurance coverages that provide adequate coverage for the exposure that the District assumes for permitting such groups for the use of the District's public facilities. The District will not be implementing the recommendation that the District require proof of parental waivers from all of the individuals that may be affiliated with non-District sponsored leagues and activities.

**Recommendation-03: The Grand Jury recommends that all cities and Districts review their own insurance coverage to ensure that they are adequately protected with respect to potential claims arising from the conduct of youth sports on city or district property.**

Response to Recommendation-03: Agree. The District regularly reviews its insurance coverages to ensure that the District is adequately protected from any claims that may occur resulting from youth sports groups and community groups that conduct their activities on District Property.

The District certainly welcomes and appreciates the Grand Jury review of our activities and programs. We appreciate the opportunity to share our responses to the Grand Jury's report.

Sincerely,

A handwritten signature in black ink, appearing to read 'Elaine Freeman', written over a horizontal line.

Elaine Freeman, Chair

Rancho Simi Recreation and Park District Board of Directors