



Wisconsin Heights Middle-High School  
Elizabeth Dostal, Principal  
Andrew Pickett, Asst. Principal/AD  
10173 US Highway 14  
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## **COVID-19 WAIVER OF RIGHTS AND RELEASE OF LIABILITY AGREEMENT FOR SPORTS**

In exchange for Wisconsin Heights School District (“District”) allowing the undersigned Student Participant to participate in Athletic events during the 2020-2021 school year (“the Activity”), Participant agrees as follows:

### **1. 2019 Novel Coronavirus (“COVID-19”)**

The 2019 novel coronavirus (“COVID-19”) has been declared a worldwide pandemic by the World Health Organization. COVID-19 is reported to be extremely contagious. The state of medical knowledge is evolving, but the virus is believed to spread from person-to-person contact, by contact with contaminated surfaces and objects, and by exposure to aerosolized droplets that contain the virus. Sports/training may cause heavier breathing which can increase spread of aerosol and virus transmission. People reportedly can be infected, show no symptoms, and spread the disease. The exact methods of spread and contraction are not fully known, and there is no cure, or vaccine for COVID-19 and treatment options are limited. Evidence has shown that COVID-19 can cause serious and potentially life-threatening illness and even death.

### **2. Safety Precautions**

In order to protect the health and safety of our employees, student participants, and the public, the District has taken precautions for this Activity, in accordance with the Wisconsin Interscholastic Athletic Association (“WIAA”), the Centers for Disease Control and Prevention (“CDC”), and other applicable guidelines.

### **3. Acknowledgement of Risk**

By signing below, Participant and, if Participant is a minor, each Parent and/or Legal Guardian, is agreeing that they:

- a) Are familiar with federal, state, and local laws, orders, directives, and guidelines related to COVID-19, including, but not limited to, the CDC and WIAA guidance on COVID-19.
- b) Acknowledge that Dane County Public Health recommended that winter sports activities, including this Activity, should be limited or canceled, but nevertheless, Participant wishes to participate in the Activity.
- c) Agree to comply with all such orders, directives, and guidelines applicable to the Activity.

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jsinz@wisheights.k12.wi.us

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Dale Green, Principal  
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Black Earth Elementary School  
Scott Moore, Principal  
1133 Center Street  
Black Earth, WI 53515  
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- d) Will follow all instructions of the District’s employees and volunteers while participating in the Activity.
- e) Agree to notify the District promptly and not to engage in the Activity if the Participant is experiencing symptoms of COVID-19 or has a confirmed or suspected case of COVID-19, or has come into close contact in the last 14 days with a person who has been confirmed to have or suspected of having COVID-19.
- f) Understand that participation in the Activity is voluntary and that Participant may decline to participate in the Activity.
- g) Understand that while the District has implemented reasonable precautionary measures designed to reduce the spread of COVID-19, the District cannot guarantee that the Participant will not become infected with COVID-19 while participating in the Activity and that participating in the Activity may increase Participant’s risk of contracting COVID-19. It is not possible to prevent the presence of COVID-19 completely in the Activity. Therefore, if Participant chooses to participate in this Activity, Participant may be exposing their self to and/or increasing their risk of contracting and/or spreading COVID-19.
- h) Are aware of the contagious nature of COVID-19 and the risk that Participant may be exposed to or contract COVID-19 or other infectious diseases by participating and engaging in the Activity.
- i) Understand and acknowledges that such exposure or infection may result in serious illness, personal injury, permanent disability, and/or death to myself or other and acknowledges that this risk may result from or be compounded by the actions, omissions, or negligence of others, including District employees and volunteers.
- j) The Activity will take place in a public setting, in which those coordinating the Activity will, in many cases, not have total control over the environment or surroundings.
- k) Participant may engage in such activities as, but not limited to: being in close physical proximity to other participants; being in close physical proximity to members of the general public; being transported in close physical proximity to others; participating in athletics and training where it may not be possible, practical, or safe for everyone to wear a cloth face covering during games and/or practices; participating in athletic activities that might cause heavier breathing which could increase the potential spread of COVID-19, and sitting near other participants for several hours.
- l) That the risks associated with the Activity include all of the risks associated with the activities described above as well as other risks that may arise during the Activity.
- m) If they need more information regarding the Activity before they waive their rights, as described below, acknowledge that they may seek additional information or may refuse to participate in the Activity.

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- n) Acknowledge that *the risks listed above, along with other risks inherent to participation in the Activity, may result in severe bodily and/or emotional injury, including permanent disability or death*, and recognize that participation in the Activity involves other inherent risks, and that all such risks cannot be described as a part of this COVID-19 Waiver and Release of Liability Agreement.

#### **4. Waiver of Rights and Release of Liability**

*Participant, and, if Participant is a minor, each Parent and/or Legal Guardian, hereby releases, waives and discharges the District, its officials, officers, board members, employees, agents, volunteers, attorneys, insurers, representatives, successors and assigns, and any other person or entity which might derive liability from each of them, whether past or present and individually and in their official capacities (collectively "Releasees") from all liability, claims, and causes of action based upon the negligent acts or omissions of the Releasees arising in connection with Participant's participation in the Activity described above; provided, however, that this waiver and release does not address injury, damage, or loss resulting from the intentional or reckless acts of any Releasee.*

#### **5. Opportunity to Negotiate**

You are encouraged to carefully review the contents of this COVID-19 Waiver of Rights and Release of Liability and take the time you feel is necessary to review it thoroughly. DO NOT SIGN this Agreement unless you understand and agree to the terms and conditions of this Agreement. You may wish to consult an attorney. IF YOU WISH TO NEGOTIATE any of the terms of this Agreement and propose modifications, deletions, or additions, please contact Mr. Andrew Pickett (athletic director) at 608-767-2586 or [apickett@wisheights.k12.wi.us](mailto:apickett@wisheights.k12.wi.us) prior to signing and executing this Agreement. If you do not contact Mr. Andrew Pickett prior to signing and executing this Agreement, the District understands that you are accepting the terms and conditions as set forth above, and that you do not wish to pursue any further negotiations regarding the terms and conditions of this Agreement.

#### **6. Miscellaneous**

The parties agree that the provisions of this COVID-19 Waiver of Rights and Release of Liability, are severable, and that the invalidity or unenforceability of any one or more of the provisions or clauses hereof, or any portion thereof, shall not affect the validity or enforceability of the other provisions or clauses of this Agreement, or any other portion thereof. The terms of this Agreement constitute the entire agreement and understanding between the parties concerning these subject matters. This Agreement is made pursuant to and shall be construed according to the laws of the State of Wisconsin.

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**I CERTIFY THAT I HAVE READ AND UNDERSTAND THIS COVID-19 WAIVER OF RIGHTS AND RELEASE OF LIABILITY, AND MAY TAKE THE OPPORTUNITY TO CONSULT WITH AN ATTORNEY, MAY NEGOTIATE CHANGES, UNDERSTAND THAT I AM GIVING UP SUBSTANTIAL RIGHTS AND AM ASSUMING SUBSTANTIAL RESPONSIBILITIES BY SIGNING BELOW, AND I SIGN BELOW VOLUNTARILY.**

Date: \_\_\_\_\_  
\_\_\_\_\_ (Participant)

Date: \_\_\_\_\_  
\_\_\_\_\_ (Participant's Parent/Legal Guardian) \*

Date: \_\_\_\_\_  
\_\_\_\_\_ (Participant's Parent/Legal Guardian) \*

\*All parents/legal guardians must sign if Participant is under age 18.