



**MOUNTAINEER FIELD HOUSE AND CAMPUS RECREATION
WAIVER, RELEASE, ASSUMPTION OF RISK AND INDEMNIFICATION AGREEMENT
AND ACKNOWLEDGEMENT OF EQUIPMENT USE AND EQUIPMENT CODE OF CONDUCT**

In consideration of Western State Colorado University (the “University”), acting by and through its trustees, directors, officers, agents, employees, volunteers, representatives and any other persons or entities acting on their behalf (the “Released Parties”) allowing me and my minor child(ren), if any, to participate in the University’s Recreation programs, and all related events and activities, including the use of the Mountaineer Field House and its equipment (the “Program”), I do voluntarily and willingly acknowledge and enter into the following agreement (the “Release”).

I am exercising my own free choice to participate voluntarily in the Program and I promise to take due care during such participation by following all applicable rules and guidelines. I hereby release, waive, discharge, indemnify and hold the University harmless for any and all claims, liability and demands of any kind or nature whatsoever relating to injury, disability, death, losses, costs or other harm, to person or property, or both, arising from my participation in the Program, regardless of whether or not caused in whole or in part by the negligence or other fault of the Released Parties. My signature on this Release is also intended to bind my successors, heirs, representatives, administrators and assigns.

In choosing to participate in the Program, I understand that I will have the opportunity to engage in many activities, potentially including but not limited to use of, or participation in, the following: Mountaineer Field House facilities and equipment; Climbing/Bouldering Wall; Trampoline and Foam Pit; Aquatics; Weight Lifting and Weight Training; Cardio; Intramural and Club Sports, such as basketball, soccer, volleyball, football, and softball; Racquet Sports, such as tennis and racquetball; Running; Stretching; Group Activity and Fitness Classes, such as kickboxing, pump, step, yoga, cardio, spin/cycling and martial arts; Fitness and Exercise Programs, including training, instruction, and Personal Training; Track and Field Equipment, such as throwing cages, long jump pit, pole vault and high jump; Batting and Golf Cage. I further understand that I may not have the proper approval to use equipment intended for collegiate athletic use, such as the track equipment and other athletic equipment. I further understand that I am free to choose those activities that my physician and I deem are safe for my participation. I understand that there are some discomforts and risks associated with physical activity and the above activities, such as muscle soreness, strains, and sprains, as well as cardiovascular problems including abnormalities of blood pressure or heart rate, ineffective heart function, and, possibly heart attack or cardiac arrest and death. I understand that I should report promptly to my physician any signs or symptoms indicating any injury, abnormality or distress.

I acknowledge and understand that there are known and unknown hazards involved in my participation in the Program, including, but not limited to, pulled/strained muscles, dislocations, amputations, injuries or damages to head, teeth, joints and ligaments, cuts and bruises, concussions, sprains, broken bones, paralysis, damage that can result from increased heart rate including heart attack or stroke, drowning, and death, as well as property or other damage. I acknowledge there are special risks and unknown hazards involved in my use of the Climbing/Bouldering Wall and Trampoline and Foam Pit. These risks include but are not limited to, injuries from falling, loose holds, slippery surfaces, pinching hazards, suffocation, pulled/strained muscles, dislocations, amputations, injuries or damages to head, teeth, joints and ligaments, cuts and bruises, concussions, sprains, broken bones, paralysis, damage that can result from increased heart rate including heart attack or stroke and death. I agree to adhere to all rules set forth for the use of the Climbing/Bouldering Wall, Trampoline and Foam Pit and all other Program rules. I also understand that the hazards described herein are only a partial list of the risks and hazards and that other hazards may be involved that have not been identified in this Release or otherwise disclosed, and I fully assume those hazards as well. By signing this Release and choosing to participate in the Program, I expressly and knowingly assume the risks of the hazards described herein, and any other known or unknown hazards involved in participating in the Program, and waive all claims against the University. I understand that I am solely responsible for any costs

arising out of any bodily injury or property damage sustained through my participation in normal or unusual acts associated with the Program.

I declare that I am currently in good health and have not been diagnosed with a medical condition and/or heart condition that would disqualify me from participating in the Program. I understand that medical services or facilities may not be readily available during the Program. In the event of an emergency, I hereby authorize, consent and give my permission to the University to obtain medical treatment for me at the nearest hospital, medical facility, or doctor, at my sole expense. I further authorize appropriate University personnel to treat any injury or illness as they think best for my welfare, if necessary. I acknowledge my obligation to immediately inform the nearest supervising employee of any pain, discomfort, fatigue, or any other symptoms that I may experience during and immediately after my participation in the Program.

If I use my private motor vehicle to transport myself, fellow students, and/or any other persons to and from any Program, I hereby agree to have insurance coverage for my vehicle and any passengers as required by law, and I hereby certify that I presently have a policy of vehicle insurance providing at least, and as a minimum, coverage levels required by applicable law.

I agree not to use drugs or alcohol during my participation in the Program and understand that doing so will place me and others at risk. I will bring no weapons except as provided by law, make no threats of violence or engage in any conduct that threatens the safety of others. I agree that if I fail to abide by the agreements herein, I will be prohibited from further Program participation. I assume full responsibility for my choices during my involvement in the Program that may endanger my safety and/or the safety of other patrons.

Mountaineer Field House Codes of Conduct

Activity Room Code of Conduct

- Please respect: yourself, others, personal property and this facility.
- Know your personal fitness level, and exercise at an appropriate intensity and pace. Stop exercising and contact Rec Center staff if you become dizzy, light headed, disoriented, exhausted or experience other symptoms.
- Wipe equipment with disinfectant after every use.
- When finished, please return all exercise equipment to its proper location.
- Water in spill-resistant, unbreakable containers is welcome. Please enjoy food, gum and other beverages in the lobby areas.
- Please wear appropriate athletic attire. Keep your shirt on and wear non-marking, clean, spike-free, closed-toed shoes.
- Keep personal belongings in lockers or cubbies.
- Weights are not permitted in Activity Room 1.
- This is a drug, alcohol, and tobacco-free facility.

Aquatic Center Code of Conduct

- Please respect: yourself, others, personal property and this facility.
- Please shower before entering the pool or spa.
- Swim attire is required.
- No jewelry or hair pins in pool or spa.
- Do not enter the water if you have a cut, any skin disease, a cold, a fever, an infection or any contagious disease.
- Do not spit or release other bodily fluids in the water.
- Do not apply oils, body lotions or soaps while in the spa or pool.
- No glass or sharp objects in the Aquatic Center.
- No running or rough play.
- Anyone suspected of being under the influence of alcohol or drugs is prohibited from entering the water and will be asked to leave.
- Do not consume food or beverages, other than water, in the Aquatic Center.
- Do not enter the Aquatic Center if a University lifeguard is not present.
- No diving into the shallow end of the pool.
- Only one person at a time on the diving board.
- Only one bounce on the diving board.
- Do not swing back on the rope.
- All children under the age of 6 must have adult supervision.
- This is a drug, alcohol, and tobacco-free facility.

Climbing Wall Code of Conduct

- Please respect: yourself, others, personal property and this facility.
- Know your personal fitness level, and exercise at an appropriate intensity and pace. Stop exercising, and contact Rec Center staff should you become dizzy, light headed, disoriented, exhausted or experience other adverse symptoms.
- You must wear a shirt and climbing shoes, or proper athletic, non-marking, closed-toed shoes. No bare feet.
- Keep personal belongings in lockers or cubbies.
- Please climb on the roped wall only when it is officially open and a staff member is present, unless you have prior authorization from Campus Rec staff.
- You must wear University climber wristbands any time you are climbing, belaying, lead climbing or using the belay ledge. To receive a wristband, you must successfully complete the applicable orientation and skills checks.
- You may only use ropes, belay devices and locking carabiners provided by Campus Rec staff.
- No sitting or lying down while belaying.
- You should have a spotter and use crash pads when bouldering.
- Loose chalk is not permitted. Chalk balls are available for purchase at the Front Desk.
- Do not cross-climb, swing or flip upside down on the roped wall.
- Do not top out, climb behind the wall or climb above the belay bars or anchors.
- No more than two people at one time are allowed on the belay ledge.
- All lead climbers, any climber placing gear, and their belayers must wear helmets.
- You must clip every draw on lead routes. No skipping clips.
- Do not climb above or below other climbers.
- Do not put fingers in metal bolts or grab draws on the roped wall.
- Please do not weight pro placed in cracks. Use the belay bar or lead the bolted routes to the sides of the cracks.
- Enjoy food, gum and beverages in lobby areas, with the exception of water in spill-resistant, unbreakable containers.
- An adult must accompany any child younger than 16.
- This is a drug, alcohol and tobacco-free facility.

Field House Code of Conduct

- Please respect: yourself, others, personal property and this facility.
- Know your personal fitness level, and exercise at an appropriate intensity and pace. Stop exercising and contact Rec Center staff if you become dizzy, light headed, disoriented, exhausted or experience other symptoms.
- Please wear appropriate athletic attire. Keep your shirt on and wear non-marking, clean, spike-free, closed-toed shoes.
- Curtains must be down prior to ball use of any kind.
- We welcome all ADA-approved devices. Please leave other wheeled devices outside.
- Recreational track use is limited to outside lanes.
- Please leave pets – other than trained service animals – at home.
- Keep personal belongings in lockers or on the bleachers.
- Please do not hang on basketball rims or nets.
- Water in spill-resistant, unbreakable containers is welcome. Please enjoy food, gum and other beverages in the lobby areas.
- Please do not spit or snot on our floors.
- Please respect the posted schedule for facility use.
- Children under age 14 must have adult supervision.
- This is a drug, alcohol, and tobacco-free facility.

Fitness Center Code of Conduct

- Please respect: yourself, others, personal property and this facility.
- Know your personal fitness level, and exercise at an appropriate intensity and pace. Stop exercising and contact Rec Center staff if you become dizzy, light headed, disoriented, exhausted or experience other symptoms.
- Wipe equipment with disinfectant after every use.
- When finished, please return all weights and exercise equipment to their proper locations.
- Allow others to work in or take turns on exercise equipment. Do not sit on equipment between sets. Limit cardio workouts to 30 minutes when others are waiting.
- Water in spill-resistant, unbreakable containers is welcome. Please enjoy food, gum and other beverages in the lobby areas.
- Please wear appropriate athletic attire. Keep your shirt on and wear non-marking, clean, spike-free, closed-toed shoes.
- Keep personal belongings in lockers or cubbies.
- Personal trainers must be authorized – in advance – by the Fitness Center manager.
- Children under the age of 14 are not allowed in the Fitness Center.
- This is a drug, alcohol, and tobacco-free facility.

Trampoline/Foam Pit Code of Conduct

- Please respect: yourself, others, personal property and this facility.
- A jumper must wear a University trampoline wristband any time they are jumping or observing. To receive a wristband a jumper must successfully complete the applicable orientation and skills check.
- Jumpers and observers must understand that jumping on a trampoline involves certain inherent risk and that the Mountaineer Field House does not recommend attempting anything beyond their personal skill level.
- Make sure all padding is in place before jumping.
- An observer must be present at all times when jumping.
- Please remove your shoes and jewelry, and empty your pockets before jumping.
- You must not wear shoes on the trampoline.
- A jumper may not throw another jumper into the pit.
- A jumper may not get a running start onto the trampoline.
- One jumper at a time on the trampoline and in the foam pit.
- Do not sit or stand on pads or edge of the foam pit.
- No intentional jumping onto the floor, walls or mats.
- Keep personal belongings in lockers or on the bleachers.
- ONLY current students, staff, faculty, and employees are allowed to use the trampoline. Community members, children (even those of current students, staff, faculty, and employees) are not allowed.

Spa Code of Conduct

- Hot-water tolerance varies from person to person. Pregnant women and small children should not use the spa without medical approval.
- The elderly, anyone under a physician's care, and people with heart disease, diabetes, high or low blood pressure, or other health problems should consult their doctor before entering the spa.
- Do not use the spa while under the influence of alcohol or other drugs that cause sleepiness, drowsiness or raise/lower blood pressure.
- Check the spa temperature before entering. Do not use if the temperature is above 104° F (40° C).
- Spend no more than 15 minutes in the spa during a single session. Overexposure to hot water may cause nausea, dizziness and fainting.
- Children under age 12 may not use the spa without adult supervision.

This Agreement shall be governed by and in accordance with the laws of the State of Colorado and venue for any action related to this Agreement shall be in the State of Colorado. I understand that this Release shall be construed broadly to provide a release and waiver to the maximum extent permissible under applicable law, and that if any portion of this Release is declared invalid, for whatever reason, the remaining portions shall continue to be valid and legally binding. I affirm that I have read the terms and provisions of the Release prior to its execution and that I have had the opportunity to consult with whomever I wish, including an attorney, and that the University has made no representation, statement or inducement, directly or indirectly, on which I rely, and that this Release contains the entire agreement between the University and myself. I fully understand and acknowledge that the University has never expressly or impliedly assumed any responsibility for my participation in the Program. On my own free will, I hereby personally assume all risks in connection with participation in the Program or any other activity connected therewith. This Release shall be binding upon me, my spouse, my children, my heirs, administrators, personal representatives and assigns, forever.

I agree that this Agreement shall not be construed or interpreted as a waiver, express or implied, by Western State Colorado University, its trustees, officers, agents, employees, or representatives of any of the immunities, rights, benefits, or protections provided to them under, or other provisions of, the Colorado Governmental Immunity Act, CRS §24-10-101 et seq., or the Federal Tort Claims Act, 28 U.S.C. §§1346(b) and 2671 et seq., as applicable now or hereafter amended.

I certify that the age and date of birth that I have written below is my true age and date of birth. If I am at least eighteen years of age, I certify that I am competent to execute this Release. If I am under eighteen years of age, one of my parents or my legal guardian must also sign this Release.

CAUTION: THIS IS A WAIVER, RELEASE, ASSUMPTION OF RISK AND INDEMNIFICATION AGREEMENT. ITS EFFECT IS TO RELEASE THE RELEASED PARTIES FROM ANY LIABILITY RESULTING FROM PARTICIPATION IN THE ABOVE-REFERENCED PROGRAM. I AGREE TO ABIDE BY ALL MOUNTAINEER FIELD HOUSE AND CAMPUS RECREATION CODES OF CONDUCT.

Participant Signature: _____

Printed Name: _____

Date: _____

Date of Birth: _____ Age: _____

Western State Colorado University ID#: _____

My minor children (and age): _____

IF STUDENT/PARTICIPANT IS UNDER EIGHTEEN (18) YEARS OF AGE, SIGNATURE OF A PARENT OR LEGAL GUARDIAN IS REQUIRED.

Parent or Legal Guardian Signature: _____

Printed Name: _____

Date: _____

The Following Information to be filled out by Mountaineer Field House Staff Only:

- **Staff member name:** _____
- **Daily waiver participant paid: \$** _____
- **Payment was check or cash:** _____
- **Checked Photo ID:** _____
- **This daily waiver was put into the front desk computer:** _____
- **This daily waiver after being put in the computer is now put in Jessica's mailbox:** _____