

22. NRS WAIVER GUIDELINES

GENERAL RULES:

- Waivers conform to legal standards and ***cannot be altered*** in any way.
- Reserve-Specific, Multi-Reserve Waivers, and Group Signature pages may be downloaded from the NRS web site.
- In addition to signed hard copies, waivers with electronic signatures or that are faxed or in pdf format are acceptable.
- Use English or Spanish versions only. Spanish Waivers consist of *two pages*, the Spanish followed by the English version, and either page or both may be signed.
- These rules must be enforced consistently. When Waivers are required, execution of a Waiver is an express condition for entry. Any person who fails or refuses to do so, or who alters a Waiver (e.g., by adding or crossing out terms) will be denied entry onto the reserves.

WHO IS EXEMPT FROM NRS WAIVERS:

- ***UC employees*** acting within the course and scope of their employment.
- ***UC students who are supervised by the faculty/instructor on a field trip to a reserve.*** "Supervision" means that the faculty/instructor must *accompany* his/her class to the reserve. Although *NRS* waivers are not required, UC faculty/instructors are responsible for obtaining campus waivers from students and forwarding them to the appropriate campus administrators (but not the Reserve Manager) prior to a trip to a reserve.
- ***Members of the public*** who visit reserves open to the general public (e.g., Stebbins Cold Canyon Reserve, Scripps Coastal Reserve, Angelo Coast Range Reserve). *However*, a person or group (e.g., K-12, college class, or

researcher) who makes *prior arrangements* to use a reserve via a Use Application or other request will be required to execute Waivers. Signs should be posted at the entrance of such "open" reserves containing pertinent information and other language recommended by Risk Management.

- ***Persons with a legal right*** to enter a reserve under a *contract or other legal document* (e.g., license, use or cooperative management agreement, deed restriction, conservation easement). Examples include: (a) contractors working on reserve projects; (b) federal/state/other employees (e.g., BLM, NPS, CDFG, The Nature Conservancy) entering a reserve under an agreement; (c) docents leading groups under an agreement.
- ***Non-UC employees*** who enter a reserve within the course and scope of their employment. Examples include BLM or CDFG employees, utility workers, or members of the media, who visit the reserve, even in the absence of an agreement. This does not include persons who conduct research or use a reserve for instructional purposes.
- ***Family members or personal guests of resident reserve staff, and past/potential donors, provided they are under close supervision of reserve staff.***

WHO MUST SIGN NRS WAIVERS:

All other persons who do not fall under any of the exempt categories above. They include, but are not limited to, the following persons:

- **Faculty/instructors, researchers, or administrators from other institutions** who conduct research or use a reserve for instructional purposes.
 - **Family members and personal guests** of *resident* reserve employees, or past/potential donors who will walk the reserve *unaccompanied by reserve staff*. Waivers obtained from such visitors will be valid *indefinitely*.
 - **Students.**
 - ❖ *All UC students* who visit a reserve not accompanied by that student's professor/instructor.
 - ❖ *All non-UC students.* This category includes, for example, visiting Stanford or CSU classes and *all K-12 students*, including those who visit an "open reserve" after seeking official permission to visit by way of a Use Application.
- 1) Reserve staff are not expected to "police" compliance. The person in charge of the class will be required to obtain the Waivers and verify that each student has a properly signed Waiver.
 - 2) Schools should mail Waivers to the Reserve Manager *prior* to the visit if Reserve staff will not be present to accept the Waivers at the time of entry.
 - 3) A parent/guardian of a minor (including college minors) must sign a Waiver, but the minor need not sign.

SPECIAL CIRCUMSTANCES:

- ***Volunteers.*** Please consult your *campus risk manager* for guidance on the campus policy regarding volunteers.

GROUP SIGNATURE PAGE(S):

- Multi-signature pages for *adult* groups or classes may be used. A Group Signature page(s) may be attached to either the Reserve-Specific or Multi-Reserve Waiver and be signed by members of the group. This will eliminate the need to obtain individual Waivers from such groups. If these multi-signature pages are used, the signatories may ignore the first signature line at the end of the first paragraph.
- These group signature pages *cannot* be used for K-12 minor students, whose parents must sign Waivers.

RETENTION OF WAIVERS

- Adults: 3 years *after* conclusion of the participation.
- Minors: 2 years beyond the age of maturity (18 + 2 = 20 years old).
- For long-term users, obtain a *new waiver* every 5 years.
- Waivers may be scanned and stored in electronic form or retained in hard copy.
- Waivers submitted with an electronic signature should be stored in electronic form. It is prudent to regularly backup or store waivers that are in electronic form on other media (i.e. burning to a CD) in case of hard drive failure.