

WAIVER AND RELEASE FOR TUBE-FEEDING

IMPORTANT INFORMATION

Please recognize that assisted feeding is not considered a “reasonable accommodation” under the Americans With Disabilities Act (“ADA”). The Warren Special Recreation Association (“SRA”) reviews requests for accommodations outside the scope of the ADA on a case-by-case basis, taking into consideration staff concerns, impact on the program, and the ability to safely accommodate the needs of the participant, among other factors. Where the SRA agrees to make an accommodation that is outside the scope of a “reasonable accommodation” under the ADA, it must be understood that the SRA cannot guarantee its ability to comply with the specific accommodation request for the duration of the program. Various factors may warrant reconsideration of the accommodation at any time. Therefore, parents/guardians requesting assisted tube feeding as an accommodation, must understand and agree that the SRA reserves its right to exercise discretion in determining whether, and to what extent, it will comply with such accommodation requests.

WARNING OF RISK AND PARENT/GUARDIAN RESPONSIBILITY

Despite careful and proper preparation, instruction, medical advice, and equipment, there is still a risk of serious injury when providing assisted feeding, such as tube feeding. Understandably, not all hazards and dangers can be foreseen. Depending on the particular participant an/or nature of the assisted feeding, certain risks and dangers include, but are not limited to tube clogging, tube dislodgment, improper mixture, bacterial infection and all other potential complications associated with tube feeding. In this regard, it must be recognized that it is impossible for the SRA to guarantee safety for tube feeding.

You are solely responsible for providing necessary and adequate instructions, procedures, training and demonstrations to SRA staff, and any failure to cooperate will result in denial of your accommodation request and possible suspension of your child/ward’s participation in this program.

WAIVER AND RELEASE OF ALL CLAIMS AND ASSUMPTION OF RISK

Please read this form carefully and be aware that in consideration for the SRA accommodating your request to tube feed your child/ward, you will be expressly assuming the risk and legal liability and waiving and releasing all claims for injuries, damages or loss (including state and federal civil and constitutional rights claims) which you or your minor child/ward might sustain as a result of assisted tube feeding.

I acknowledge and understand that tube feeding is not recognized as a “reasonable accommodation” under the Americans With Disabilities Act (“ADA”) and that the SRA is under no legal obligation to accommodate my request to tube feed my child/ward. I understand and agree that the SRA retains the right to exercise its discretion and to discontinue its accommodation of this request at any time. I further recognize and acknowledge that there are certain risks of physical injury and complications associated with tube feeding, and I voluntarily agree to assume the full risk of any and all injuries, damages or loss, regardless of severity, that my minor child/ward or I may sustain as a result of tube feeding. I further agree to waive, relinquish, and forever discharge the SRA from any and all claims I or my minor child/ward may have (or which may hereafter accrue to me or my child/ward) as a result of tube feeding against the SRA, including its officials, agents, volunteers and employees (collectively referred to herein as “SRA”).

I have read and fully understand the above important information, warning of risk and parental/guardian responsibility, assumption of risk and waiver and release of all claims. If registering on-line or via fax, I agree that my on-line, electronic or facsimile signature shall substitute for and have the same legal effect as an original form signature.

Please print:

Participant’s Name: _____

(Signature of Parent/Guardian)

(Date)

PARTICIPATION WILL BE DENIED

If the signature of adult participant or parent/guardian and date are not on this waiver.