

## **Duty to Instruct: Correct and Proper**

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The duty to instruct is one of the most comprehensive duties placed upon coaches. Injuries are inherent in contact sports and while everyone expects a coach to do his/her best to minimize both injuries and severity of injuries, no one expects a coach to completely prevent them although that is the goal of any risk management program.

There are several aspects related to adequacy of instruction. One is the instruction of skill techniques or fundamentals of a game. A second aspect is the methodology of teaching skill techniques. A third pertains to safety, which includes the rules and regulations of the game and selection and use of proper equipment. Another aspect is an important one as it is concerned with the conditioning of the athlete. Some authorities include the duty to warn as an aspect of instruction and rightly so. However, since duty to warn is very comprehensive and important in itself, I consider it as a duty in and of itself.

What is proper instruction of coaching? The court in Louisiana defined proper instruction as "explanation of basic rules and procedures, suggestions or proper performance, and identification of risks" (van der Smissen, 1990). In an Oregon case, "inadequate in-depth instruction" had been given to a 12-year old girl involving the use of a springboard in class (*Grant v. Oswego*, 1973). Failure by a coach regarding the proper and safe technique of performing shoulder stands in cheerleading stunts was allegation in the *Kirk* case at Washington State University (1987).

In *Hobbs v. Kent School District* (1986), the young man sustained a neck injury which resulted in quadraplegia while sliding head-first into home plate. The allegation against the coach and school district included the failure of defendants to teach safe sliding techniques.

The *Thompson* case in Seattle (1982) included the allegation that the coach and school district failed to instruct on how to perform a specific skill.

What about methods used for instruction in coaching? Probably the most important element in correct methods of teaching is that the order in which skills are taught is progressive. It is the foolish football coach who scrimmages or has live tackling practice on the first day of practice. One must build complex skills on simple skills. A coach should not skip any basics or fundamentals that are necessary

to perform a harder and more complex task. This same rule applies to conditioning. One must condition in a progressive manner. Not only does this apply to endurance type conditioning, but conditioning relative to the sport, i.e. preparing and getting in shape for knocks and bruises, a toughening and hardening of muscles.

Demonstration is an important aspect of teaching and coaching. Proper demonstration is a must. The court in the *Thompson* case (1982) indicated that improper technique should be demonstrated, especially as it related to the injury; i.e. the improper position of the head in warding off tacklers, and the improper position of the head in tackling.

Rules and regulations must be known and taught. This implies that coaches must be current on rule changes and be able to teach them. Rules are established for the safety of participants and this must be emphasized. The consequences of possible injury to either the violator of a rule or the victim of a rule violation should be made clear to participants. In a 1985 New Jersey case (*Nydegger v. Don Bosco Preparatory H.S.*) the plaintiff, a member of the high school varsity soccer team, brought action against the opposing school and its coach alleging that the coach taught his players to compete in an aggressive and intense manner and instructed in moves that would intentionally injure an opposing player. Plaintiff was injured when he was undercut by a member of the opposing team. It was the plaintiff's allegation that the coach instructed his players to commit wrongful (illegal) acts or moves.

Rules and regulations not only include national, state, district and conference rules but rules established by the school and coach. There is an obligation to establish rules for safety purposes and then to carry out the rules established. Rules that are not enforced are not rules at all. Many of these rules are supervisory in nature and may be printed and/or posted. In an Everett case a physical education instructor allowed two girls to participate in an activity in the gymnasium in socks although he had established a rule that stated no one could participate in the gymnasium except in tennis shoes. One girl, while running lines, slipped and fell headlong into the brick wall of the gymnasium suffering a severe head injury.

It is important that athletes be instructed in the selection and use of equipment. They need to understand why equipment is used, how it is used, what it does not protect, and proper fitting procedures.

Suggestions on how to fulfill a coach's responsibilities in duty to properly instruct are:

1. Correct and proper instruction in techniques of the sport must be known and taught.
2. Whenever incorrect technique is observed by the coach, it must be corrected.
3. Skill development drills and conditioning must be progressive.
4. Demonstration of proper technique is a must. In some cases, such as when incorrect technique can result in injury, it should be demonstrated.
5. Instructors' skills should match the risk of the activity.
6. Wrongful acts should not be taught, however, they may be demonstrated and emphasized as to the injury they could cause to an opponent.

7. Detailed records of instruction and training should be maintained.
8. All school personnel in the sports program should keep abreast of new developments.

A coach who fails in the duty to instruct is negligent. But when a coach has used reasonable care to instruct athletes, neither the coach nor the school district is legally responsible for the injuries sustained by an athlete during the course of an athletic event. In *Vendrell v. School District*, although a high school football player became a permanent paraplegic as a result of being injured in a game, the coach and school district were absolved of liability because the athlete had been properly instructed and conditioned for playing the game.

### ***References***

*Christopher Burke Thompson and Louisa Ann Thompson v. Seattle School District #1*, 1982. App 1982, (appeal docket #4971912) and settled of court in 1984 for \$3.78M).

*Grant v. Lake Oswego School District*, 515 p. 2nd 947 (Or App 1973).

*Hobbs v. Kent School District* (1986).

*Nydegger v. Don Bosco Preparatory H.S.*, 202 N.J. Syker 535, 495 A. 2d 485 (1985).

van der Smissen, Betty, *Legal Liability and Risk Management For Public and Private Entities*. Anderson Publishing, Cincinnati, Ohio, 1990.

*Vendrell v. School District, Malheur County*, 226 Or. 263, 360 P. 2d 282 (1961) rev. rem'd 223 Or 1,376 P. 2d 406 (1962).