

NCEL & Experiential Consulting

Outdoor Risk & Safety

Briefing Book

Optimizing the benefits of encountering risk outdoors for a healthier society



NCEL

National Caucus of
Environmental Legislators



2026





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An Introduction to the Outdoor Risk & Safety Briefing Book

Outdoor engagement is a core [public health](#), [climate](#), and [economic](#) intervention. Yet the increasing frequency and intensity of climate-related disasters are drastically expanding the scope and severity of outdoor risk and liability. Whether it's a nature center or camp facility responding to wildfires, an outdoor education program managing around storms, or an outdoor operator facing a changing liability landscape, insurance is harder to come by, the resilience of outdoor spaces is being tested, and new approaches to managing natural spaces and outdoor programs are emerging. Risk and liability are critical issues schools and non-profit organizations face when developing and implementing effective outdoor spaces and programs.

Simultaneously, well-managed encounters with outdoor risk can offer significant health, community, and economic benefits that outweigh the downside of the risk. Avoiding all potential risks can leave people, especially children, less risk-aware, less capable of handling risk when it arises, and [more exposed to risks](#) in the long term. "Risky Play," (or "[Active Play](#)") as some are starting to call it) is a structured approach to healthy risk-taking that includes boundaries, supervision, and the ability for children to learn from success and failure in safe ways. Risky Play is now emerging as a [key tool](#) for improving social and emotional learning outcomes.

States are leading the way in responding to, adapting to, and challenging risk across liability, insurance, 'risky play,' psychological safety, wildfires, climate, and equal opportunity. Just as interconnected risks compound on one another, risk and liability management strategies can combine to produce outcomes greater than the sum of their parts.

How to Use This Briefing Book

This Briefing Book is written broadly for policymakers and their communities, as well as outdoor education programs (like camps and schools), to foster new ways of solving old problems. It offers strategies to best assess emerging challenges and reframing risk using current thinking informed by the evolution of risk management in outdoor spaces.



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Overview

Outdoor risk management has evolved to recognize (and even pursue) the role of healthy risks in outdoor experiences. Rather than seeing risk as something that should — or can — be eliminated, many have come to understand that risks are inherent to some environments and activities, and can even be beneficial if the activities are well-designed and optimized for positive learning outcomes.

Systems Thinking

It is important to identify and manage undesired risks too, and contemporary approaches encourage the use of ‘**systems thinking**’ (Smith, 2026) to look beyond individual errors and understand the deeper causes of risk. Systems thinking is a non-judgmental and efficient framework for understanding risk; it provides a method for promoting public accountability and targeting legislative measures toward fixing the underlying causes of risk, rather than simply reacting to isolated incidents. Systems thinking looks at how all interconnected parts of an operation — people, technology, policies, and budgets — interact to create hazards or safety outcomes. It shifts the investigation focus away from who made an error and toward understanding what organizational conditions allowed the error to happen.

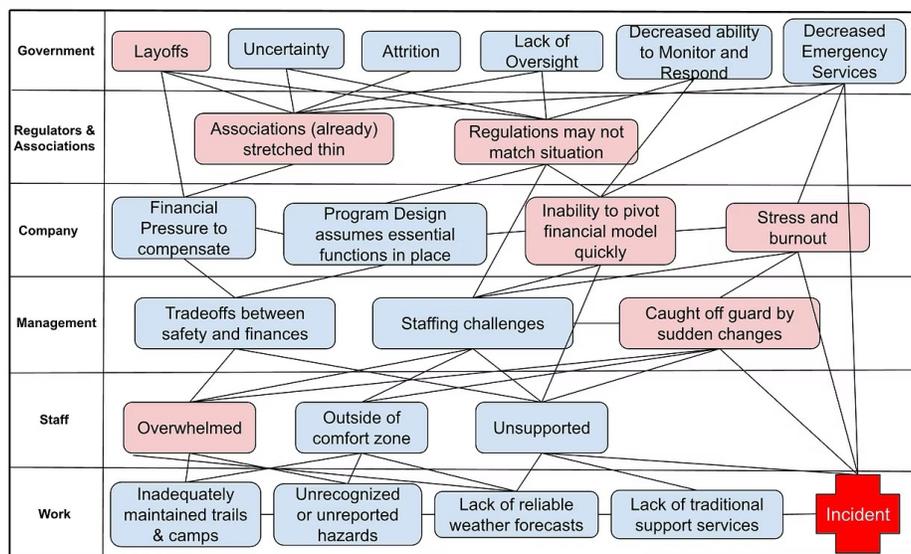


Figure 1: This graphic shows *Rasmussen's AcciMap* approach, in analyzing factors that contributed to an incident. A systems-level approach allows analysis to be comprehensive. (Source: *Experiential Consulting*)

Policy Approaches for System Thinking

States can leverage the systems thinking approach for outdoor risk in two key ways:

- **Prevention and Resilience (Proactive):** This approach is used to proactively map and strengthen weak points across an entire system. This allows for the development of resilient policies that anticipate and absorb common human or process errors without leading to major incidents.
- **Accountability and Targeted Fixes (Reactive):** Following an incident, this approach ensures analysis looks beyond the immediate event to uncover the deeper organizational causes. This directs policy intervention toward systemic improvements, ensuring that corrective action fixes the process and prevents the same type of failure from recurring.





Overview

Liability is a major barrier for outdoor education programs and outdoor recreation spaces, especially when it comes to the relationship between providers and insurers. Effective state policies can allow providers to prioritize pursuing a quality program — defined by accurate risk assessment, professional management, and effective incident response — rather than solely focusing on avoiding legal liability.

Risk and Liability Policy Options

- **Weigh the Enforceability of Liability Waivers:** Liability waivers can extend limited protections to outdoor providers against the often-unpreventable risks inherent to some outdoor activities, such as unpredictable natural sites, rapidly-changing weather conditions, or the [extreme nature](#) of an outdoor activity. Waivers do not protect against gross negligence and can require providers to proactively identify risks and inform participants of risks. The enforceability of liability waivers [varies significantly by state](#).
 - » **State Policy Example:** Idaho ([6-1206](#)) upholds the value of liability waivers to protect organizations offering outdoor recreation opportunities while still ensuring providers are legally responsible for negligence or wrongdoing.
- **Limit Liabilities for Public Recreational Use of Private Land:** Landowners who allow the public to use their land for recreational purposes sometimes face liability disincentives that could — [and previously have](#) — otherwise close privately-owned and municipality-owned parks, trails, and other major recreation areas the public relies on. For example, at least [25,000 miles](#) of the National Trail System are privately owned; in most states, around half of all state trails are privately owned. Without reasonable recreational use liability protections, landowners often cannot afford the legal risks of opening their property to the public.
 - » **State Policy Example:** States like Iowa ([H.F. 35](#), 2024), Oregon ([S.B. 1576](#), 2024), and Tennessee ([H.B. 2859/S.B. 2827](#), 2024) closed loopholes in public recreational use liability protections that could otherwise close recreational sites. While these policies refer to public sites, closing these loopholes may set an important precedent for liability on private property as well.
- **Limit Liabilities for Private Air Search & Rescue:** Many state and municipal governments do not have adequate resources to conduct expedient air search and rescue (SAR) without contracting private operators, but often lack consistent criteria to judge an operator's readiness. Private SAR operators often also struggle to secure insurance due to the inherent risks of rescue operations. SAR aircraft are also vulnerable to collisions as they move between different localities.
 - » **State Policy Example:** Colorado [H.B. 24-1309](#) (2024) sets criteria for SAR aircraft and operators, extends specific liability protections for government public safety operations to qualified aircraft, and clarifies operations communications.

Re-Prioritizing Safety Outcomes: Prioritizing legal liability over genuine physical and psychological safety can lead to negative safety outcomes and failure to identify weak spots. States can identify common opportunities to re-prioritize safety over liability by reducing reporting disincentives and rethinking restrictive medical policies.





- **Reduce Reporting Disincentives:** Policies such as mandatory drug tests following minor vehicle incidents can create a presumption of staff guilt, incentivizing employees to conceal or minimize minor incidents and near-misses. This can make it more difficult to identify weak spots for management.
 - » **State Policy Example:** [California](#) removes some disincentives for incident reporting by requiring employers to have a reasonable suspicion of substance use in order to require non-random substance testing.
- **Rethink Restrictive Medical Policies:** Overly stringent medication management rules, intended to reduce legal exposure, can impede urgent care. For instance, in 2013, a California camper had a sudden allergic reaction and was unable to quickly administer life-saving epinephrine due to overly strict access protocols despite a doctor being present. In response, California enacted [SB 669](#), which authorizes a prehospital emergency medical care person or layperson to use an epinephrine auto-injector to render emergency care, removing restrictive and unnecessary rules.
 - » **State Policy Example:** Alaska [H.B.277](#) (2009) extends Good Samaritan protections to administering epinephrine in order to promote responsible, life-saving interventions in remote outdoor settings. It also permits people over 18 to complete a training program to obtain an epinephrine auto-injector for use on other persons. Similar laws have been enacted to provide access to glucagon and albuterol for emergencies, typically through schools.



Case Study: Subsidize Unavoidable, Lower-Cost Liability Claims

Prescribed burns — a controlled, intentional burn of high-risk wildfire areas — can drastically reduce the risk and severity of wildfires by creating fire breaks and clearing underbrush and dead wood that fuel wildfires. However, small organizations often cannot get insurance to protect themselves against the rare complications of prescribed fire liability claims. Because claims tend to be fairly limited and prescribed burns offer significant public benefit, states like California ([S.B.926](#), 2022), Oregon ([H.B.4016](#), 2024), and Washington ([H.B.1563](#), 2025) established Prescribed Fire Liability Claims Pilot Programs to provide financial coverage for those losses.

States can cover losses incurred from prescribed fires by practitioners and private landowners who follow state guidelines with liability limited to the fund's amount. California's [S.B.310](#) (2024) extended the claims program to Tribal government-approved prescribed and cultural burns.



Overview

Both outdoor providers and insurers share a common interest in creating conditions that reduce risks across all dimensions. Both share the burden of increasing costs from wildfires, climate change, and an often unpredictable legal landscape — though insurers can choose to mitigate their burden by increasing costs or dropping coverage. However, providers often cannot choose to operate without insurance coverage due to overlapping industry, local, state, and federal regulations. States can strengthen the insurance landscape to shift burdens off of smaller organizations, especially outdoor providers such as outdoor schools, camps, and other community-based programs.

Insurance Policy Options

- **Allow Civil Action for Underlying Causes:** Hawaii [S.B.1166](#) (Introduced, 2025) would allow insurers and individuals to file civil actions against parties responsible for climate-related damages and require insurance rates to consider proceeds from such claims, effective in 2050.
- **Establish a Wildfire Recovery Fund:** Hawaii [H.B.982/S.B.1201](#) (2025) establishes a wildfire recovery fund and an administrative claims process to expedite compensation for wildfire damages, funded by contributions from utilities. The fund provides financial stability for utilities while ensuring expedited compensation for property damage caused by wildfires.
- **Protect Consumers From Utilities Liability Costs:** California [A.B. 1054](#) (2019) enforces utility safety standards, assesses when and how costs arising from utility-caused wildfires can be passed on to ratepayers, and provides tools for utilities to manage liabilities.
- **Prohibit Use of Fire Risk Maps for Policy Cancellations:** Oregon [S.B. 82](#) (2023) mandates that insurers provide detailed notices to policyholders if an insurance policy is canceled, not renewed, or if premiums are increased due to wildfire risk. The bill also prohibits using state wildfire risk maps as grounds for such actions.
- **Study a Wildfire Insurance Compact:** Hawaii [S.R. 79](#) (2024) directed the Insurance Commissioner to research and initiate discussions with stakeholders about establishing a Wildfire Insurance Compact to address the increasing wildfire risks exacerbated by climate change.
- **Offer Last-Resort Insurance:** California Fair Access to Insurance Requirements (FAIR) Plan ([1968](#)) ensures that all homeowners can obtain basic home insurance coverage, [regardless of their fire risk level](#). States can extend similar coverage for small outdoor businesses, schools, and nonprofits, especially those that have invested in fire resilience, operate with minimal permanent infrastructure, and otherwise are low-risk to insure in ways that insurance providers generally do not consider.
- **Allow Nonprofits to Collectively Self-Insure:** Washington [S.B.5869/H.B.1840](#) (2004) authorizes nonprofit organizations to establish self-insurance risk pools under the same regulatory standards and oversight as local government entities. Self-insurance can mitigate risk by setting aside money to cover potential future losses; self insurance risk pools allow similar organizations to pool money and share risks to provide their own collective and custom insurance. Risk pools can allow nonprofits to collectively manage their own risks and jointly purchase reinsurance, providing a cost-effective alternative when traditional insurance markets are unaffordable or unavailable. A coalition of Washington nonprofits worked with legislators on S.B.5869 and established the [Non Profit Insurance Program](#) shortly after the bill was enacted.





Case Study: Canadian Mountain Guide Association

Until recently, in Canada, families who had lost loved ones in guided mountaineering incidents had been encouraged by the transparency and progress they were seeing from guide services. They came together to create an incident reporting system (now discontinued) to share lessons learned from incidents and near-misses on guided trips. However, under pressure from insurance providers and attorneys, the Association of Canadian Mountain Guides (ACMG) decided to [cancel the system](#) altogether, basically creating a structural learning disability out of the mandated secrecy. Rather than learning from incidents and making others safer, they chose liability avoidance instead.

Takeaway: States can learn from their international neighbors by pursuing policies that protect organizations and encourage them to share lessons learned from recent events, thereby fostering more learning across different communities.



Overview

Creating inclusive, welcoming outdoor programs and workplaces promotes *psychological safety*, empowering people to speak up about safety concerns, report incidents and near-misses, and work as active parts of risk management strategies. States can increase communication and awareness of risks to promote what organizational psychologist Clive Lloyd has [called the “Trust Loop”](#) — creating a virtuous cycle within organizations or communities in which people can speak up about safety concerns without fear of retribution. The opposite of a trust loop is what safety researchers call a Blame Cycle, where speaking up is punished, and safety concerns linger as a result, leaving people less safe.

Policy Options to Promote Psychological Safety

- **Protect Whistleblowers from Retaliation:** California [SB-497](#) (2024) protects both public and private employees from retaliation for reporting hazards and offers a 90-day statute of limitations.
- **Allow Sympathy After Accidents & Incidents:** [Michigan](#) (2011) protects healthcare providers who express sympathy, such as saying “I’m sorry this happened,” without it being treated as an admission of guilt for medical malpractice following an incident. The law doesn’t apply to a statement of negligence or culpable conduct. Multiple states have considered similar laws for other professions.
- **Temporarily Remove Bias Perpetrators From Outdoor Spaces:** Psychological safety also involves creating a culture of inclusion in the outdoors. Oregon [SB 289](#) (2021) bars those convicted of bias crimes on state waters or publicly owned outdoor recreation land from reentering those spaces for up to five years.

Trust Loop



Figure 2: The “Trust Loop” highlights a virtuous cycle within organizations or communities in which people can speak up about safety concerns without the fear of retribution. (Source: [Safety Science for Outdoor & Experiential Education \(2026\)](#))



Case Study: Psychological Safety in Design and Maintenance

Maintenance backlogs, poorly lit areas, or a lack of accessible information can create a psychological barrier for communities to feel safe using greenspaces and reduce the likelihood that park users will report issues to relevant authorities. Allowing funds designated for the acquisition of new greenspaces to be used for improving existing greenspace, such as Maryland’s Greenspace Equity Program ([SB 923/HB 503](#), 2023), can sometimes be key to improving meaningful outdoor access. Likewise, states can create informational resources and activities to create a sense of familiarity with parks and staff, such as through a state parks passport program (New York [A.7280](#) - Vetoed by Governor, 2025). States can also support existing parks’ efforts to offer safe, welcoming facilities by [identifying higher-risk areas](#) for mental health incidents and installing reasonable prevention solutions like [signage, barriers, art, and/or lighting](#).





Overview

When children do not have a chance to recreate and play outside, they lose out on significant mental and physical health benefits as well as opportunities to learn how to navigate risks. Avoiding all potential risks can leave children less risk-aware, less capable of handling risk when it arises, and more exposed to risks in the long term. Risky Play is a [well-researched](#), structured approach to healthy risk-taking that includes boundaries, supervision, and the ability for children to learn from success and failure in safe ways. States can promote healthy access to outdoor activities by promoting reasonable access to [healthy risky play](#) without fear of liability.

“Physical play outdoors ... is the healthiest, most beneficial sort of play. Play with some degree of physical risk is essential because it teaches children how to look after themselves and each other.”

- Jonathan Haidt, [The Anxious Generation](#)

What is Risky Play?

Risky play is play that is exciting but not actually dangerous beyond the potential for minor injury. Risky play is [essential for developing life skills](#) like risk management, problem-solving, resilience, and self-confidence in a controlled environment. Through this type of play, children learn to assess dangers and make decisions that help them avoid serious injury and manage fear. Risky play covers many familiar and beloved childhood activities, including:

- **Play at Heights:** Climbing and balancing on trees, playground equipment, or rocks.
- **Play at Speed:** Running down steep hills; Riding bikes, scooters, or skateboards.
- **Play With Risky Tools:** Supervised use of tools like knives, saws, axes, or hammers to whittle sticks or build things.
- **Play Near Potentially Dangerous Elements:** Supervised and safety-aware play around fire (e.g., toasting marshmallows) or around water (e.g., creeks, oceans, pools).
- **Rough & Tumble Play:** Play-fighting, wrestling, or chasing games.
- **Play With a Risk of ‘Getting Lost’:** Playing hide-and-seek, building secret hideouts, or exploring a new area or woods with appropriate supervision.
- **Play Involving Impact:** Jumping onto a mattress or crashing a tricycle into a bush for fun.
- **Vicarious Play:** Experiencing thrill and excitement by watching other children, often older ones, engage in risky play

Engaging in Risky Play can help children develop their ability to manage risk in the rest of their lives, a concept risk researchers call [“risk literacy.”](#)

Policy Options to Support Risky Play

- **Define Children’s Outdoor Rights:** At least 15 states (CA, CO, FL, GA, IL, IN, KS, KY, MD, MI, NJ, NM, OH, OR, and TN) have a [Children’s Outdoor Bill of Rights](#) establishing children’s rights to play and explore outdoors, including risky opportunities, such as watching wildlife, learning to swim, climbing a tree, and more.
- **Clarify That Outdoor Play is Not Neglect:** Following cases of families being investigated for neglect for allowing their children to play un- or semi-supervised outdoors, Colorado [H.B.1090](#) (2022) and Utah [S.B.65](#) (2018) established that children can play outside within a reasonable distance of caregivers without it being classified as neglect.
- **Guarantee Outdoor, Unstructured Recess:** Recess is often the most consistent access to time outside for youth and offers significant [social, emotional, and academic benefits](#), but access to recess is often inconsistent between districts





and dependent on income. Washington [S.B.5257](#) (2023) requires a minimum of 30 minutes of daily recess, outdoors when possible. South Carolina [H.B.3195](#) (Introduced, 2025) would build on this by requiring unstructured (play-based) outdoor recess.

- **Create Outdoor Education Positions:** Outdoor education guidance can help states provide students with time outdoors that is as safe as necessary, rather than requiring individual educators to be as safe as possible. New Mexico [S.B.32](#) (Introduced, 2022) would establish Outdoor Learning Specialist positions and funds for outdoor learning. Maine [L.D.1682/H.P.1081](#) (2023) establishes grants and cost-sharing guidance for public schools to establish outdoor educator positions.
- **Build Out Parks for Learning:** Washington [H.B.2138](#) (Introduced, 2023) would promote outdoor learning access and equity by directing the parks commission to consider outdoor learning uses for new infrastructure and coordinate with public schools and outdoor education program providers on outdoor education opportunities in state parks, including play opportunities.



(Source: [Gattonpark.org](#))

Case Study: Gatton Park and Certified Playground Safety Inspection

The Adventure Playground at Lexington, Kentucky’s [Gatton Park](#) is an example of a playground area that embraces the notion of well-designed, intentionally risky play — play that balances learning, engagement, activity, and safety management. The playground includes built-in safety features, such as fencing along the creek to prevent water access, slip-resistant concrete, and specialized play surfaces to cushion falls.

The playground was developed in partnership with a [Certified Playground Safety Inspector](#) (CPSI), a professional trained in identifying and mitigating the most comprehensive and up-to-date playground safety issues, including hazard identification, equipment specifications, surfacing requirements, and risk management methods.

As of 2023, [15 states require](#) playground inspections, and only [California](#) requires an inspection specifically by a Certified Playground Safety Inspector. Many municipalities like Lexington, Kentucky, have opted into such measures, but states can strengthen their bottom line of safety by mandating inspections by a CPSI.



Overview

Climate change and related risks are strongly connected and can create cascading effects on outdoor safety when recreating or providing an outdoor program. Climate change can drive more extreme and hard-to-anticipate events that can overwhelm people, communities, or organizations through the linked and often-compounding issues of wildfires, flash flooding, extreme heat, and storms (see Figure 3).

States can empower agencies, municipalities, and communities to proactively plan for and respond to changing climate risks, especially wildfires, through studies, planning assistance, grant-seeking assistance, and dedicated programs.

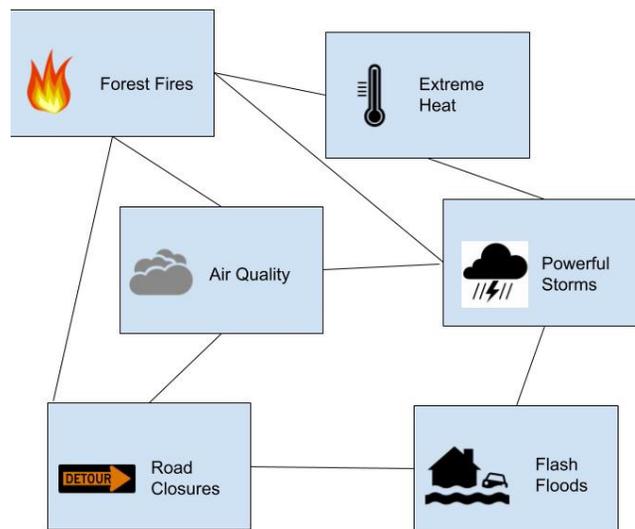


Figure 3: This figure shows the interconnections among climate-related risks and the way they compound. States can proactively plan for these risks by exploring the policy options below (Source: [Experiential Consulting](#)).

Policy Option: Study Wildfire & Climate Risks

- **Study Extreme Heat in Vulnerable Locations:** Hawaii [H.C.R.186](#) (Introduced, 2025) would mandate a study on heat exposure management in schools related to student safety during outdoor activities.
- **Study and Improve Wildfire Evacuation Models:** Colorado [HB 1075](#) (2023) mandates a study on the integration of evacuation and clearance time modeling into emergency management plans for wildfire risk areas.

Policy Option: Emergency Plans

- **Help State Experts Assist With Local Emergency Plans:** Texas [H.B.280](#) (Introduced, 2025) would require river authorities to coordinate with counties in emergency preparedness planning.
- **Develop a Comprehensive Approach to Wildfire Hazards:** Washington [H.B. 1578](#) (2023) directed the Department of Natural Resources to develop a comprehensive approach to improved community preparedness, response, recovery, and resilience to wildfires, smoke exposure, and postfire hazards.
- **Integrate Extreme Heat Mitigation in Master Plans:** Nevada [A.B.96](#) (2025) requires large Nevada counties and cities to include a comprehensive heat mitigation plan in their master plans, including managing extreme heat in outdoor public spaces through increased native tree canopy.





Policy Option: Vulnerable Communities

- **Protect Outdoor Employees from Wildfire Smoke:** Among other states, Washington ([WAC 296-820](#)) requires employers to monitor air quality, inform employees of air quality risks, and provide reasonable protections to safely work in low air quality conditions.
- **Create a Fund for Neglected Extreme Weather Events:** Washington [H.B.1012](#) (2023) created a grant program to support Tribal and municipal responses to extreme weather events that are especially dangerous for vulnerable populations, such as wildfire smoke and extreme temperatures.
- **Help Rural Communities Find Wildfire Grants:** Colorado [H.B. 1006](#) (2024) established a Rural Grant Navigator Program aimed at assisting rural communities in applying for federal or state grants related to wildfire mitigation and preparedness.



Case Study: Wildfire Mitigation in the Western U.S.

Wildfires can be started by utility companies, but can also [threaten the operation](#) of utility companies, amplified by liability concerns arising from insurance claims. States are being more proactive in [requiring utility companies](#) to develop wildfire management plans (WMPs) to help manage wildfire risks, while (in some cases) also protecting those companies that adhere to their WMPs. In addition, state funding pools can further provide a buffer of financial support to allow crucial utilities to continue to function even as wildfire risks increase.



Overview

Over the past few decades, many people have found outdoor recreation in their own backyards, neighborhoods, and nearby public lands. This growth in outdoor recreation and the outdoor industry was greatly accelerated by the COVID-19 pandemic. At the same time, this has also led to new conflicts and encounters between different user groups, revealing how historically underrepresented populations have not always been included in outdoor planning and management. States can enact policies that create safe spaces and normalize the idea of *outdoors for all*.

Policy Options

- **Reduce Drowning Risks:** Uniformly safe facilities and access to swimming lessons would prevent up to [88% of youth drowning deaths](#), which disproportionately impact Black, Indigenous, and Latine children.
 - » **State Policy Examples:** Maryland [H.B.303](#) (2022) adopts a uniform, evidence-based pool code closing loopholes previously impacting low-income youth and youth of color. California [A.B. 1005](#) (2025) requires public schools to distribute free, evidence-based water safety materials provided by qualified organizations and mandates state agencies to make water safety curricula available. Similarly, Hawaii ([H.B.1234/S.B.1223](#) - Introduced, 2025) explored creating a water safety education pilot program in public schools funded for two fiscal years to reduce drowning rates among children and young adults.
- **Expand Safe & Sanitary Public Greenspace Access:** Access to safe public greenspaces often depends on the history of where you live, with low-income people and people of color having the least access. Fortunately, many public schools are evenly distributed and can offer off-hours greenspace access.
 - » **State Policy Example:** Washington DC [B26-0132](#) (2025) will allow public access to schoolyards outside of school hours while also directing sufficient resources to maintain the public safety and sanitation needs of a larger greenspace user burden.
- **Invest in Diverse Emerging Leaders:** Outdoor workforces often [don't reflect constituencies](#), yet having diverse outdoor leaders can increase engagement with underserved communities.
 - » **State Policy Example:** Washington [S.B.5950](#) (2024) invests nearly \$200,000 annually into an emerging leaders program to increase diversity in the outdoor workforce.
- **Remove Barriers to Training Opportunities for Outdoor Leaders:** Maine [L.D. 1474](#) creates a pathway for Educational Institution Trip Leaders to acquire an Educational Trip Leader Permit for certain types of trips in Maine's woods and waterways, without first having to obtain a Maine Guide License. This [drastically increased access](#) to training in essential outdoor leadership and safety management for educational programs.



Funding Outdoor Opportunity for All

Many underserved communities have limited intergenerational knowledge about accessing the outdoors and may be excessively risk-averse without supportive first experiences. Outdoor Opportunity Funds can bridge the gap to make recreation safe and accessible for underserved users. New Mexico [SB 462](#) (2019), Colorado [HB21 1318](#) (2021), and California [AB 209](#) (2019) offer opportunity-focused grant programs helping Tribal nations, state agencies, local governments, community organizations, and schools create outdoor opportunities for all through bringing new young outdoor recreators to garden, hike, fish, camp, and much more outdoors.

Oregon's Outdoor School program is another model, which provides every fifth or sixth grade student the opportunity to attend up to a week of residential outdoor school. Passed in 2015 via [SB 439](#), and permanently funded via [Ballot Measure 99](#) in 2016, the program has since served hundreds of thousands of students. While statutorily funded by 4% of state lottery revenues, the legislature may also use lottery revenues to balance the budget; in 2023-2025, the program faced \$20 million in funding cuts, *including a 20% funding cut in 2025. As of January 2026, legislators are exploring restoring Outdoor School for All funding to statutory levels.*



Overview

The growth of specific high-risk sectors, such as outdoor behavioral healthcare in the 1980s, revealed a critical need for rapid-response oversight. To establish credibility and distinguish themselves from problematic providers, leading organizations developed robust, voluntary safety standards. This led to the formation of accreditation bodies such as the [Association for Experiential Education](#) (AEE) Accreditation Council and the standards set by the [American Camp Association](#) (ACA). For more highly technical operations, the [American Mountain Guide Association](#) (AMGA) demonstrates the industry's capacity to set essential, high-bar, and responsive standards for technical guiding and risk management.

States can sometimes manage undesired risks by formalizing partnerships with these industry bodies. The state's role can often be to codify, enforce, and audit these expert-developed standards, thereby providing the necessary legislative support and accountability that voluntary accreditation lacks. This model can prioritize rapidly changing technical expertise while addressing potential lapses in self-governance.

Policy Options

- **Diving & Water Safety:** Florida state parks work with private diving regulatory authorities (such as [PADI](#) or [NAUI](#)) to determine which specific bodies of water are appropriate for certain diving certification levels, integrating industry knowledge directly into public site management. Similarly, [New Hampshire](#) legislators partnered with diving bodies and determined that the state only needed to formally regulate diving between sunset and sunrise, leaning into the industry's existing high standards for safety during low-risk daylight hours while still offering regulatory oversight.
- **Educational Materials:** States can also reduce risk by providing educational materials and criteria. Arizona [S.B.1567](#) (2024) established the creation of educational resources for off-highway vehicles, and New York [A.5147](#) (Introduced, 2023) would link the establishment of an ATV trail fund with educational resources for users. States sometimes offer similar educational support for hunting and other higher-risk activities.





Conclusion

This briefing book has offered new approaches to old problems, drawing from different schools of thought and research. New research reconsiders the benefits of risk outdoors, the distinction between liability avoidance and operational safety, and the interdependence of physical and psychological safety. In the era of climate change, complex problems likely cannot be solved with linear thinking. Rather, systems thinking offers a means of assessing and managing risks. While outdoor experiences are beneficial for all, we have highlighted some of the unique risks faced by underserved or at-risk populations. Finally, while legislative action is highly effective, we have also offered examples of instances where allowing industries to self-regulate may be the most beneficial, allowing states to focus resources elsewhere.





Resources

1. [Make Space for Girls Resource Library](#) | **Make Space for Girls**

Resource library of case studies and research on how to make public spaces, especially outdoor spaces, more accessible to and useful to girls and young women.

2. [Field Inclusive Resource Library](#) | **Field Inclusive**

Resource library on safe and accessible outdoor workforces, especially natural resources.

3. [The Growing Risk Of Wildfires: A Discussion Of Prevention & Liability](#) | **NAMIC**

An overview of emerging wildfire risks and opportunities to intervene from the perspective of the insurance industry.

4. [Children & Nature Resource Library](#) | **Children & Nature Network**

Youth outdoor access resources, ranging from research papers to policy briefs.

5. [Association for Experiential Education](#) | **Association for Experiential Education**

One-page resources on key experiential education topics.

6. [Beneficial Risks - The Evolution of Risk Management for Outdoor & Experiential Education Programs](#) | **Experiential Consulting**

This book highlights the history of and current practices for risk management in outdoor education programs.

7. [Rethinking Crisis Planning in a Changing Climate](#) | **Wilderness Medicine Magazine**

This magazine highlights various aspects of outdoor risk and safety; specifically, this article contends with the need for a changing approach to match the changing climate.

8. [Safety Science for Outdoor & Experiential Education](#) | **Experiential Consulting**

Many of the concepts and some of the graphics from this Briefing Book are drawn from this 2026 book.

Glossary

Risk | Uncertainty, with the potential for either loss or gain.

Risk Literacy | Risk literacy refers to one's practical ability to identify and understand risk in order to make informed decisions. Encountering appropriate levels of risk as children and throughout life can help people develop resilience and improve their ability to navigate the risks of their daily lives more effectively.

Safety vs. Risk | While safety is often described in binary terms, meaning that something is either seen as safe or unsafe, it is more similar to risk. Risk is a spectrum from more risky to less risky. Similarly, safety can be considered a balance between safer and less safe.

Psychological Safety | Shared belief held by members of a team that it is safe to take interpersonal risks, speak up with ideas, questions, concerns, or mistakes without fear of negative consequences like being punished, humiliated, or rejected. Psychological safety makes it possible to communicate what's happening and to work together to resolve issues, making for a safer workplace. Organizational psychologists have called this virtuous cycle "The Trust Loop." Excessive risk aversion can unintentionally reduce safety by disrupting the "Trust Loop."

Physical Safety | The state of being protected from bodily harm.

The Interdependence of Psychological and Physical Safety | These forms of safety are both connected and interdependent. A lack of physical safety would inherently create a lack of psychological safety. Similarly, a lack of psychological safety can create a lack of physical safety due to people not asking for what they need, speaking up when they have concerns, reporting incidents or near-misses, and beyond.





Outdoor Risk & Safety Briefing Book

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