



MEARTH RELEASE OF LIABILITY, HOLD HARMLESS AND INDEMNIFICATION AGREEMENT

_____ (Name of Student/Camper/Volunteer/Contractor/Visitor) and, if under 18 years old, his/her parent or legal guardian _____ (Parent/Legal Guardian Name, if applicable), collectively, "Applicant," agrees at all times to protect, indemnify, and hold MEarth, its Board of Directors, representatives, agents, guests, invitee, and/or employees free and harmless, and to provide legal defense, from any and all liabilities, claims, losses, judgments, damage, demands or expenses resulting from the Applicant's use or occupancy of the Carmel Unified School District's (CUSD) facilities and/or the active or passive negligence of the Applicant or of the District or MEarth, its Board of Trustees, Board of Directors, officers, members, representatives, agents, guests, invitee, and/or employees, specifically including, without limitation, any liability, claim, loss, judgment, damage, demand, or expense arising by reason of: **1.** The loss of or damage to any of the District's facilities including any building, structure, or improvement thereon, or any equipment to be used therein; **2.** The injury to or death of any person including, but not limited to, the officers, members, representatives, agents, guests, invitee, and/or employees of the Applicant or of the District and MEarth; or **3.** Damage to any property arising from the use, possession, selection, delivery, return, condition or operation of the District's facilities. Applicant further agrees to reimburse MEarth for all liabilities, claims, losses, judgments, damage, demands, expenses, fines, penalties, including reasonable attorneys' fees imposed or incurred by the MEarth because of the Applicant's use or occupancy of the District's facilities and/or active or passive negligence of the Applicant or of the District, MEarth, its Board of Trustees, Board of Directors, officers, members, representatives, agents, guests, invitee, and/or employees.

MEARTH IS AN OUTDOOR NATURAL HABITAT WITH VEGETATION, GARDENS, FOOD AND CULINARY PROGRAMS, WATER FEATURES, UNEVEN GROUND AND WILDLIFE. IT IS EXPRESSLY UNDERSTOOD AND AGREED THAT ITS DIRECTORS, OFFICERS EMPLOYEES, VOLUNTEERS AND OTHER AGENTS SHALL NOT BE HELD RESPONSIBLE NOR LEGALLY LIABLE FOR ANY LOSSES OF PERSONAL PROPERTY, OR FOR ANY BODILY INJURIES, INCLUDING COVID-19, OR THE RESULTS THEREOF, INCURRED AND SUFFERED DURING MY VISIT, UNLESS SUCH LOSS OR INJURY RESULTS DIRECTLY FROM GROSS NEGLIGENCE OR A WILLFUL ACT OF MEARTH EMPLOYEES ACTING WITHIN THE SCOPE OF THEIR EMPLOYMENT.

BY CHOOSING TO ENTER THE HILTON BIALEK HABITAT PROPERTY OR/AND ENGAGING IN ANY MEARTH PROGRAMS, I ACCEPT THE RISK THAT I MAY BE EXPOSED TO AND/OR CONTRACT THE COVID-19 VIRUS ON THE PROPERTY AND AGREE THAT I WILL NOT BRING A LAWSUIT OR OTHER LEGAL ACTION AGAINST MEARTH OR ITS AGENTS IF I BECOME SICK AFTER VISITING THE HABITAT PROPERTY.

Student/Camper/Volunteer/Contractor/Visitor Name (Print) _____

Parent/Guardian Name (if child is under 18) (Print) _____

Applicant Signature _____ Date _____

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MEDIA CONSENT: MEarth publishes information or artwork through various media forms including but not limited to print, electronic, and audio-video recordings. The purpose of these publications is to provide the MEarth community (participants, members, supporters and the general public) with an opportunity to learn more about the Hilton Bialek Habitat and to showcase MEarth’s programs, projects and activities. Examples of these publications may include but are not limited to newsletters, brochures, reports, websites, slideshows, PowerPoint presentations, program photo albums, and / or audio-visual public service announcements. No media shall be used for exploitation or promotion of activities unrelated to MEarth.

PLEASE CHECK ONE BOX:

- I give MEarth permission to publish my name, image, written work and/or artwork for the purposes stated above.

- I DO NOT give MEarth permission to publish my name, image, written work and / or artwork for the purposes stated above

Signature _____

Date _____

DEMOGRAPHICS: *This optional information helps secure funding for our programs.* **Please circle all that apply.**

Non-Hispanic White or Euro-American

Hispanic American or Latino

Black, Afro-Caribbean or African American

Hawaiian or other Pacific Islander

South Asian or Indian American

Middle Eastern / Arab American

East Asian or Asian American

Two or more ethnicities

Native American or Alaskan Native

Other

Age

Gender

Zip Code