

# At Issue

A RISK MANAGEMENT NEWSLETTER FOR AMERICA'S PRIVATE SCHOOLS



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## Private School Premises Loss Exposures: Seven Serious Hazards

by Nancy Coyne  
Senior Loss Control Specialist

*At Issue: What arrangements has your school made to ensure the safety of every individual who enters the property? Given that large numbers of students, teachers, parents and employees transverse school property every day, there is a great potential for accidents and injuries.*

Sound risk management practices can go a long way to help private schools avoid problems that could lead to injuries and litigation. This article outlines seven common liability loss exposures and "house-keeping" tips to help your school avoid risk.

### 1. Slips Trips and Falls

Private schools are finding their workers' compensation claims rising due to staff falling or tripping on school property. Most often, these claims arise from situations created by inclement weather. Walk-off mats in entrances can help reduce slippery, wet surfaces. Wet Floor signs can warn staff of a potentially slippery surface. Good snow and ice removal on the exterior is important to ensure a smooth walking surface to the building.

### 2. Proper Egress

Take proactive measures to ensure



that all children can safely and quickly leave the building in an emergency. Verify that there are extra exit light bulbs and provision for emergency lighting, and make sure that all paths of egress are unobstructed. This would include emergency rescue windows for fire personnel to gain access to the classroom. If classroom doors are fire-door rated, they should not be propped open. The only



mechanism that is approved for keeping fire doors open is a magnetic one. Proper egress is critical not only for fire evacuation but for security issues as well. For example, schools would require an evacuation of all students and staff if there was a dangerous intruder in the building.



### 3. Fire Safety

Inspect fire extinguishers, alarms and fire suppression systems. Fire extinguishers should be checked monthly and serviced by a qualified technician. Fire suppression systems usually found in a cooking kitchen should be serviced every six months. Fire blankets are needed anywhere in the building where there is an open flame. Stage curtains must be flame retardant and recoated every five years unless they are permanently sprayed. Over-decorated classrooms, corridors and exit ways present additional fire hazards. Never wrap classroom doors in paper or decorate on or around exit doors.

### 4. Small Cooking Appliances

Because of the risk associated with them, small cooking appliances should be limited to the faculty rooms. It is also important to evaluate the power source capability when adding appliances, for large-use items as refrigerators and microwaves can put large demands on electrical power or "exhaust" the building causing additional risks and hazards. Also, appliances connected to extension cords are a trip and fall danger as well as a fire hazard.

### 5. Athletics

While there is always important focus put on field inspections, there are other athletic facilities that require careful attention. Wrestling mats should not be stored in exit ways; padding around the perimeter of the gymnasium is needed to reduce injuries to students. Bleachers need to be inspected to ensure that they are up to code. Weight rooms must have a clear egress path, and rules for machines, and requirements for supervision and spotters should be stated. Post maximum bather/swimmer occupancy rules by pools. Also in and around pools, diving blocks must be located only in the deepest end, and chlorine products must be stored carefully and according to requirements.

### 6. Playgrounds

A leading cause of accident, school playgrounds become safer when careful attention is paid to the basics. Playgrounds should be inspected frequently by a qualified



technician. Old equipment must be taken out of service or replaced. Surfacing underneath the equipment should be uncompressed or added as needed.

### 7. Dormitory Safety

When a school houses boarding students, it is critically important to provide a secure access protocol to protect against trespassers, including other students, who have no need to be in the building. This can be accomplished with a pass or electronic "swipe" card system, security guards and most importantly, restricting access to one or two controlled entrances. Students should be aware of the school's policy concerning visitors and curfews. Fire drills are also necessary to ensure a safe and efficient exit by students. ■

# When the Weather Outside is Frightful: Keeping Roofs, Roadways and Parking Lots Safe

Ninety percent of all nationally declared disasters are weather related. Unfortunately every region of the United States experiences severe weather either in the form of thunderstorms, floods, high winds, tornadoes or snowstorms. Severe weather can cause serious injury, costly damage to school buildings and disrupt our daily lives. Because of the potential devastation that can occur as a result of severe winter storms, private schools should prepare for the dangers associated with winter weather. Winter weather presents risks for private schools, but vigilance and anticipation of potential problems go a long way in preventing accidents or damage. As of the beginning of February, FEMA (Federal Emergency Management Agency) has issued seven major disaster declarations, all resulting from severe winter storms.

review the snowfall totals in your area and consult your school architect and engineer. For many schools, the local county Engineering Department, and county or state office of emergency management may be available to assist with this effort.

## Snow Removal

New methods for snow and ice control are helping schools prevent vehicular and pedestrian accidents this winter. The most noteworthy advance is the use of anti-icing, a proactive method that prevents precipitation from bonding to the pavement. Snow removal down to bare pavement can be facilitated with this technology that is far more effective than the old method of plowing and de-icing. The old method usually results in a layer of ice and packed snow that necessitates excess use of sand. Sand has been identified as a major contributor to particulate air pollution. The new strategy involves applying salt or other chemicals that lower the freezing point of water to the pavement before a storm hits. When sleet, freezing rain, or snow begin to fall, the freezing-point depressant will prevent ice from forming on the pavement. Instead of freezing over, the pavement stays wet or slushy which means travel is safer and clean-up is easier. ■



## School Roofs

Knowing whether to clear snow from building roofs is a matter of concern for many private schools. Although many areas of the country did experience a mild winter, we have weeks of potentially stormy weather ahead and the threat of heavy snow still exists. To determine whether snow removal is a prudent measure for your buildings,



# Soccer Tournaments Are "In" This Winter!

by Robert Bambino, CPCU, ARM  
Vice President, Risk Management

Private schools receive requests from local youth soccer clubs and/or leagues to host indoor soccer tournaments. These tournaments attract teams, spectators and vendors. The larger number of people on campus increases the potential for accidents and injuries.

## The Game

Indoor soccer is played differently than conventional, outdoor soccer. Games are played in a gymnasium within the boundaries of a standard high school basketball court. Because of the smaller size playing "field", different rules are adopted. Instead of 11 players, most indoor soccer teams field a goalie and four or five other players. Games are usually 20 minutes in length with no intermission and substitutions are done "on the fly." Goalies throw the ball to put it into play, and rebounds off the ceiling result in an indirect kick!

## The Challenges

Along with its obvious advantages, sponsorship carries challenges. Giving permission for soccer games to be played on school property increases the overall liability exposure for the school. As the owner, the school has the obligation to provide safe facilities for athletes, referees, coaches and



spectators. Therefore, an inspection of the gymnasium before a tournament is in order. This inspection should include the gymnasium floor, padding, ceiling and bleachers. Make sure that lights, clocks, scoreboards and other glass or fragile objects are covered and protected, and complete repairs as needed. Goal posts must be anchored and secured so that they do not move about.

Players need to wear kneepads and indoor soccer shoes or sneakers to protect the gym floor. Obviously - cleats are out! Indoor tournaments are played on weekends, many times during Presidents' Day or Martin Luther King, Jr. Day weekends, so large crowds on school property should be expected. Check restrooms, cafeterias, entranceways, parking lots and hallways. Security personnel may be needed during the tournament, as well.

It's also a good idea to be sure to post regulations or rules on signs for spectators. One school, for example, lists the following outside the gym door:

*Parents and players are reminded that no drinks (even water) can be brought into the gym. As the winter weather sets in we are all going to have to make a combined effort to keep snow and slush off the gym floor. Just a bit of water can make the surface quite slippery for our players. On snowy days please bring a dry pair of shoes as wet footwear must remain outside the gym.*

Schools can further reduce their liability exposure by transferring a portion of the liability risk associated with an indoor tournament. They can do this by securing insurance certificates from the team or league sponsoring the tournament. Evidence of Commercial General Liability with limits of \$1M each occurrence and \$2M aggregate are recommended. If a large tournament is scheduled, evidence of an excess policy with limits of at least \$3M is in order. Soccer organizations are usually insured through programs designed to issue insurance certificates to sponsoring organizations such as private schools. The school must be listed as an additional insured. ■

# Workplace Violence Prevention

by Robert Bambino, CPCU, ARM  
Vice President, Risk Management

Although rare in the private school environment, workplace violence is not unheard of. It is beneficial to the administration of the school to have a policy in place that provides guidelines for the enforcement of a zero-violence program. We have provided a sample policy statement here that schools have found useful as they develop the specifics of their own policies.

## Sample Workplace Violence Prevention Program Policy Statement

*Our school [School Name] is concerned and committed to our employees' safety and health. We refuse to tolerate violence in the workplace and will make every effort to prevent violent incidents from occurring by implementing a Workplace Violence Prevention Program (WPVP). We will provide adequate authority and budgetary resources to responsible parties so that our goals and responsibilities can be met.*

*All administrators, faculty and staff are responsible for implementing*

*and maintaining our WPVP Program. We encourage employee participation in designing and implementing our program. We*

*require prompt and accurate reporting of all violent incidents*

*All employees are responsible for using safe work practices, for following all directives, policies and procedures, and for assisting in*

*maintaining a safe and secure work environment.*

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***It is beneficial to the administration of the school to have a policy in place that provides guidelines for the enforcement of a zero-violence program.***

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*whether or not physical injury has occurred. We will not discriminate against victims of workplace violence.*

*A copy of this Policy Statement and our WPVP Program is readily available to all employees from the Head of School's office. Our program ensures that all employees, including administrators, faculty and staff, adhere to work practices that are designed to make the workplace more secure, and do not engage in verbal threats or physical actions, which create a security hazard for others in the workplace.*

*The Head of School is responsible for ensuring that all safety and health policies and procedures involving workplace security are clearly communicated and understood by all employees and that all rules are fairly and uniformly enforced.*

*Our Program will be reviewed and updated annually.* ■

# Establishing an Automobile Use Policy

By Robert Bambino, CPCU, ARM  
Vice President, Risk Management

A building and grounds employee was driving a school-owned pickup truck back from a landscaping vendor. Noticing the beautiful late-spring weather, he decided to detour from the route back to the school. He exited the highway, and drove 10 miles to a friend's house. He picked up his friend and another fellow and then headed to the beach for a ride. Along the way, he lost control of the vehicle and hit a concrete pillar. One passenger was ejected and killed; the other was seriously wounded.

When the business manager heard about the accident, her first questions were, "What were you doing at the beach? Didn't you know school-

owned vehicles are for business use only?" Sadly, the answer was no. There was no policy, and no proof that any prohibitions were placed on drivers, except to get vehicles back to the transportation lot by the end of the day. Since it couldn't be proved otherwise, the insurance company was forced to provide coverage for the driver, and settled the claim for more than \$1 million.

## Sample Driver Use Policy

A properly drafted motor vehicle use policy will help control loss and loss-related expenses resulting from the use of school-owned vehicles. Involve your school attorney in drafting a policy for your school or have him/her review the completed policy to make certain your school is adequately covered.

Generally, an employer can be held responsible for accidents involving vehicles that it owns. A major exception is when the operator – including an employee – is operating the vehicle beyond the scope of permission, for example, using a vehicle to

moonlight after hours or on weekends. Schools must decide if employees who are assigned vehicles will have unlimited, non-restrictive use, or if limitations will be imposed. The following questions may help clarify the issue:

- Is personal use allowed?
- Are side trips permitted during the workday?
- Can spouse/children/friends use the vehicle?
- Where can the vehicle be kept after hours and on weekends?
- What type of record keeping is required?

If the answer to any of the first three questions is no, then the school should:

- Establish a clear policy that lists all prohibitions, rules and procedures that apply to use of district owned vehicles. Explain the ramifications of failing to follow guidelines.
- Communicate the policy to all employees.
- Obtain proof that employees are aware of the policy.
- Implement and enforce the policy.



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