



Certificates of Insurance— what, why, how, when

Scott Moss, JBL & K

WHAT is a Certificate of Insurance?

A certificate of insurance summarizes the essential terms, conditions, and duration of the specified policy at the time that the certificate is prepared.

A certificate must have the following:

- Who is the insured
- Contact information for the broker or agent who issued the certificate
- Dates of policy period.
- Your company name.
- The name of all insurers providing coverage's.
- Type of coverage and limits of insurance
- Signature of broker or agent.
- Your company named as the additional insured.
- The “Endeavor to Notice” requirement for cancellation or material change in the policy.

Most certificates come on ACORD forms. Sometimes you will see insurance companies or self-insured entities make up their own form. Be sure to have a professional review non-standard certificates.

WHY Certificates?

You can request to see a contractors policy but it is cumbersome. Certificates are easier and faster to obtain. But keep in mind they do not mean much in court. **BE SURE A COPY OF THE ADDITIONAL INSURED ENDORSEMENT IS ATTACHED TO THE CERTIFICATE.**

A certificate of insurance shows you that 1) the contractor has insurance, 2) the policy dates, 3) the insurers, and 4) that you are an additional insured.

There are several limitations to the use of certificates. A certificate of insurance only confirms that the certificate provider carried the specified insurance at the time the certificate was prepared. It does not guarantee that the insurance will not be cancelled after certificate issuance and before the completion of the contractual arrangement, that the coverage limits will not be exhausted by other

claims, that all required endorsements have been added to the policy, or that the policy does not contain other endorsements that reduce coverage. The certificate does not grant coverage nor does it create a contractual relationship between the certificate holder and the insurance company issuing the policy. This is reinforced by disclaimers placed in the standard ACORD forms that the certificates are for “informational purposes only” and do not “amend, extend, or alter the coverage's afforded by the policies.” Because of this, as a general rule, courts will enforce the language of the policy not the certificate in the event of a conflict between the two documents.

WHEN to Require Certificates of Insurance?

As a general rule, all contracts must include a requirement for a certificate of insurance. Below is sample language. You must also describe the coverage's desired.

As evidence of the insurance coverage's required by this Contract, the Contractor shall furnish Certificate (s) of Insurance to the _____ prior to the award of the Contract. The Certificate(s) will specify _____ as endorsed on the policy as an Additional Insured. Insurance coverage's required
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Making playgrounds safe

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Playgrounds are one of the primary concerns related to student liability at schools. The National Injury Foundation statistics show playgrounds in primary schools as the most injury-intensive.

Each year, approximately 250,000 school children receive emergency care in a hospital, and 570,000 receive medical treatment (other than first aid) from playground injuries. Children age 10 and under suffer 85% of these injuries. (Public playgrounds include those located at schools, parks and other recreational areas.)

Of the total injuries, 79% were from falling from an object. Falling to the surface contributed to 68% of injuries. In 1998 the total estimated cost of playground equipment-related injuries was \$9.9 billion.

Children fall because they slip, lose their grip or lose their balance while playing on playground equipment including monkey bars, swings, slides, merry-go-rounds and seesaws. They are often hurt not only by the fall but by striking the equipment as they fall. Other injury causes include children being struck by moving apparatus, catching an extremity (arm, leg or other body part) and running or falling against a protruding portion of the playground equipment.

What instigates playground accidents? Some of the primary causes are:

- Inadequate fall surfacing protection
- Defective and improper equipment
- Inadequate supervision
- No written rules
- Rules not being taught to children
- No enforcement of rules

How do we combat children getting hurt while using the playground? Do we eliminate the use of playground equipment? This is not feasible nor would it be a good idea. Children need time outside on the playground to help release energy that has been building up from being in the classroom as well as to help develop physical coordination.

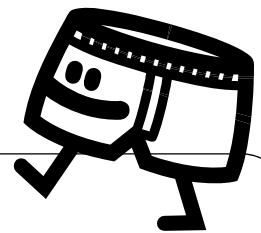
Two of the most cited recommendations that the PACE Loss Control Consultants document are inadequate shock absorbing material and lack of supervision while students are using the playground during school hours. These are two items that school

districts have control of that can help limit student playground liability exposures.

As risk managers or safety/loss control professionals we all know that shock absorbing materials should be between 6 to 12 inches of loose fill material. The most common types include, but are not confined to, sand, gravel, shredded wood products and shredded tires. Loose fill materials should not be installed over hard surfaces such as asphalt or concrete. The Consumer Product Safety Commission's "Handbook for Public Playground Safety" is a great resource to help determine how much loose fill material is needed for your playgrounds.

The biggest problem with loose fill material is that it

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BOARD BRIEFS

By Dan Davenport

The board met in November following a very successful October conference. We received some of our highest scores in recent years on the evaluations. The overall score from the conference was excellent. At the conference we discussed the preference of moving the conference back to the summer time. The board has decided to move the conference back to Central Oregon for the conference next July. The conference will be held in conjunction with OASBO at Eagle Crest the last week of the July. If we can, we are considering a golf tournament including vendors, speakers, members and their families on the day before the conference. Following the tournament we will have a BBQ for everyone. We are discussing topics for the next conference so if members have any ideas please contact a board member.



Check out our web site for important safety information and links.

- Safety topics
- Links to on-line resources
- Conference registration
- Past Newsletter issues

www.ossoa.org



Annual Workshop in July

Mark your calendars. The OSSOA Annual Workshop will be held in Redmond at Eagle Crest Resort, July __, 2007

The workshop content has yet to be set, so here's your chance to suggest a topic. If you have an issue you'd like OSSOA to cover at the workshop let one of the board members know.

A room block will be available for those needing to stay the night before. Breakfast, lunch and snacks for attendees will be included in the registration fee.

Look for registration and program information in April by visiting OSSOA's web site, www.ossoa.org.

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gets moved out of the areas that need it when children use the equipment. A school district (in a perfect world) should rake the loose fill material back into place to protect the children while falling on a daily basis. The main thing to do when loose fill material is found to be insufficient in fall zones is to add more material or redistribute existing material to make sure that it remains between 6 to 12 inches deep. The one thing that will help to keep a child safe during a fall to the ground is having enough material under them to absorb the impact of the fall.

Playground supervision is the second issue that is lacking and can impact liability exposure. Frequently, supervision of students on the playground is an important factor towards district liability in a playground injury case. Insufficient or inadequate supervision may be alleged as a contributing cause of the student's injury. Having adequate playground supervision is essential for the safety of the students and the protection of the school district.

The definition of a playground supervisor is "any adult, paid or volunteer, charged with the job of supervising students on a school playground." A school district is not required to ensure constant supervision for every moment a child is on the playground or to supervise the playground around the clock. However, a school district has a duty to adequately supervise playground activities.

A study of playground safety has found that 44% of playground injuries are due to lack of supervision and improper student behavior. Adequate supervision on the playground is another way of protecting students from dangerous activities or hazards that result in injury. In order to be effective, playground supervisors need training for their duties, which are supported by written policies and rules and they should be able to handle emergency situations. The training should be done on an annual basis since the people conducting the supervision may change from year to year.

Often student behavior needs to be governed. One of the major causes of playground accidents is equipment misuse. Effective playground supervisors actively monitor student conduct, interact with students to learn from free play without compromising the student's ability to do it in a comfortable, safe and secure environment.

There are many factors that make playgrounds a safe place for the children using them, but these are just a couple of examples of how your district can make an impact on safety with little or no cost.

(Safety continued from page 1)

under this Contract shall be obtained from insurance companies acceptable to the _____.

Please note that you will not be listed as an additional insured for the following coverage's: Professional Liability, Errors and Omissions, and Workers' Compensation.

HOW to Reviewing Certificates of Insurance

You should review all certificates provided to you for accuracy and for conformance to your specified insurance requirements. This initial review can reduce the occurrence of disputes later on, in the event you must file a claim. Important areas of review include:

- Is the certificate of insurance provided on an ACORD form?
- Is the company named on the certificate precisely the same name that is in the contract?
- Have you been named as the certificate holder?
- Has (have) the policy (policies) been issued by (a)

reputable insurer(s)?

- Has the certificate been signed by an insurance company or agency representative?
- Are the types and limits of insurance listed on the form the same or greater than those required by you under the contract?
- Is (Are) the policy number(s) listed in the certificate?
- Are the dates of coverage adequate for the specified work?
- Are the "notice of cancellation" provisions acceptable?
- Does the certificate indicate all the special insurance requirements that you have specified?
- Does the certificate cite the contract number or job location to tie the insurance to the work?
- Has the provider made any unapproved modifications to the certificate?

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Calendar of Events

2007

February	OSSOA Board Meeting	Tigard
March	OSSOA Board Meeting	TBD
April 11-13	OSFMA Conference <i>Go to www.osfma.org for more conference information.</i>	Albany
May	OSSOA Board Meeting	TBD
June	OSSOA Board Meeting	TBD
July 25	OSSOA Annual Workshop <i>More information to come. Check out our web site for registration and agenda information closer to the conference.</i>	Eagle Crest, Redmond

This calendar of events is also available on-line. Check the web site for the most updated information.



The OSSOA Newsletter is produced by the Oregon School Boards Association liaison to the association as a service for the Oregon School Safety Officers Association membership.

Any questions regarding this publication or OSSOA may be answered by calling the OSBA office at (503)588-2800 or by sending an e-mail to apeterman@osba.org.