



The School Board of Polk County

Special Events

Insurance and Loss Prevention Guide



General Information

In an organization the size of Polk County Public Schools (PCPS), it is difficult for the Risk Management department to evaluate all of the risk exposure in Board operations. All activities of the Board's organization involve some level of risk and should be managed to eliminate as much exposure as possible to protect taxpayer assets.

All vendors providing goods and or services on School Board property are required to provide proof of current insurance according to the scope of services being provided. The utilization of school property by individuals, groups, or organizations must also provide proof of current insurance before activities are held.

All employees, especially Principals and Directors, need to learn how to recognize, evaluate, and mitigate risk within their respective schools and operations. A basic understanding of risk is needed to make informed strategic decisions, successfully deliver organizational change, and breakdown silo decision-making. Strategic decisions result in increased operational efficiency and can also enhance community support. This guide is intended to:

- Assist Administrators to effectively evaluate and manage the various risks that our Board encounters while attaining the objectives of our Mission and Vision, avoiding unnecessary expenses from injuries or property damage, avoiding risk from contractual risk transfer, and allowing management to use those resources to achieve better outcomes for our students.
- Administrators are encouraged to use risk-informed decision making, balanced with innovation and resources available to plan activities, and/or resolve issues to improve the way we work to achieve educational objectives. Risk-informed decision making is understanding the potential risk using tools in this guide.
- To establish the context for identifying, analyzing, evaluating, and treating risk associated with school sponsored activities and non-school sponsored activities held on PCPS property and/or campuses.

Throughout the school year, special events, both school-sponsored and non-school sponsored, are organized for fundraising, student entertainment, and student/community enrichment. School sponsored activities may occur during school hours, outside the normal school day, and/or on or off campus. This Special Events Planning Guide is designed to assist you in being risk informed and is to be used in planning special events.

How to Use This Guide

There are three different categories for events held on school property;

Red: Never permitted.

Yellow: Permitted with specific documents.

Green: Permitted with standard documents.

- 1) Determine the type of activity that most closely fits into the categories listed in this document. If it is not clear or you are not sure, please contact Risk Management for further information.
- 2) Follow this guide for each and every activity that you are planning at any given point in time. Be sure to recognize when new or different hazards may apply to an event.
- 3) For Yellow activities, simply provide the required documents as noted in the appropriate section to the school principal and Risk Management. The school should maintain a copy of the completed documents in accordance with the records retention policy.
- 4) Green activities require standard documentation, proceed with caution.
- 5) **Red** activities are **NEVER permitted**. Do not allow these activities to be held at any time or any other location, not even off campus.
- 6) The Appendices attached to this document may need to be completed. Depending on the activity and the participants, more than one of the forms may need to be completed.
- 7) For events and activities that require Risk Management approval, send the required completed forms for the activities that you want to hold to your school principal and to Risk Management no less than two (2) weeks prior to the event.
- 8) For events and activities that require Risk Management approval, submit the request prior to signing any contractual agreements or purchase orders, purchasing or renting equipment, or obtaining services.
- 9) **Under no circumstances should any school-based organization or school administrator sign a Hold Harmless/Indemnity Agreement, contract, lease, or event rental agreement without advance written approval from the school board attorney and/or Risk Management. Polk County Public Schools should not agree to be held responsible for liability to the vendor. Review all contractual agreements including memos of agreement or understanding very carefully and seek advice from the school board attorney and/or Risk Management prior to signing. Vendors who conduct activities at the request of Polk County Public Schools are required to sign the Hold Harmless Agreement and provide the necessary proof of insurance.**
- 10) Contracts, Leases, and Agreements (including an Event Rental Agreement and Vendor quotes and/or Vendor agreements for goods and/or services):

A. The Superintendent has authorization to sign contracts under \$50,000. Administrative staff DO NOT have the authority to sign contracts, agreements, or leases unless expressly written and authorized to do so by the Superintendent. All contracts, agreements, and leases shall be reviewed by the school board attorney and Risk Management. Prior to signing you must confirm:

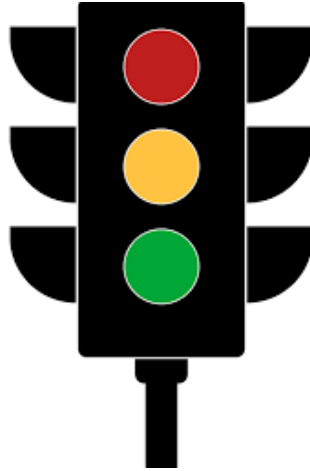
- The contracting party should be the School Board of Polk County, **not the school site**.
- Do not sign anything that makes the person signing individually responsible or liable.
- Carefully review any "Events Detail" sheet to make sure there are no surprises.
- Utilize the "Special Event Questionnaire" to plan your event properly and assure that you have addressed the risks associated with your event.
- PCPS cannot agree to hold any entity harmless for the facilities and the property;
 - these clauses should be part of the attorney review.
- Follow the appropriate chain of command for review and approval before signing ANY contract, lease, or agreement for services.

The purpose of this section is to reaffirm with PCPS locations that review of these types of contracts by both the school board attorney and Risk Management is important in limiting our collective risk. In other words, get legal review and authorization before you sign.

As with any event, it is important to determine if the activity is an official Polk County Public Schools event that is sponsored, planned, and controlled by the District. Questions that must be asked include:

- a. Who will be leading, organizing, and/or controlling the event?
- b. Who will benefit from the event?
- c. Will any Board employee be compensated by the participants?
- d. Will Board employees be acting in their official capacity as a Board employee, or are they individually volunteering?

Activities and events that are sanctioned and approved by PCPS must sponsored by an employee of PCPS, approved by the school principal and/or department director, and be limited to support specific curriculum-related projects and activities.

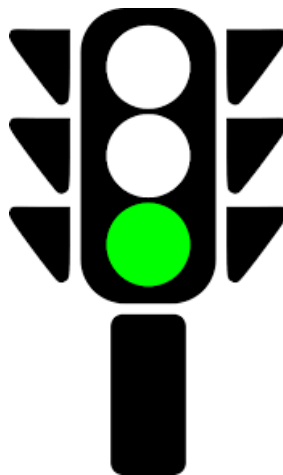


Green light: GO Yellow Light: Caution Red light: NO.

In order to make the content easy to understand, examples of school activities have been divided into three categories; Green Light Activities (Go!), Yellow Light Activities(Allowed with Conditions) and Red Light Activities(Not Allowed!)

Green Light
GO

Approved activities and events are listed on the GREEN pages of this guide.



Yellow Light
Caution



Occasionally, schools and school based organizations want to sponsor activities that may require additional insurance coverage, waivers of liability, and a certificate of insurance. Schools, PTA's, and PTO's must adhere to any special arrangements and conditions. Risk Management may require the event sponsor (i.e. PTA, PTO) to complete a Special Event Questionnaire designed to help assess the risk(s) involved with any special events on Board property.

Red Light

NO



Certain activities and events that are prohibited.

Certain activities and events are **PROHIBITED**. In order to minimize risk exposure, Polk County Public Schools has deemed certain activities prohibited because they are dangerous and jeopardize the safety of our students and/or our communities. Such activities may also jeopardize the financial strength of the School Board's insurance program diverting resources that may otherwise be available for student achievement.

Due to the inherent dangers posed by mechanical rides, no school or school-based organization is permitted to allow any mechanical rides on School Board property or at any school-sponsored activity for any activities whatsoever.

Prohibited Red Light Activities

(These Activities Are Not Allowed Even If The Vendor Has Its Own Insurance)

- Alcohol Sales, Possession, or Consumption
- Aircraft or helicopter rides or demonstrations
- Animal Rides of any kind
- Archery of any kind
- Bounce Houses
- Bungee Jumping
- Donkey Baseball/Basketball
- Drones except when in compliance with FAA Rules (see limitations in **Yellow** section)
- Fireworks including sky lanterns
- Flaming Baton Twirling
- Fog Machines
- Hamster Ball
- Hot Air Balloons/Balloon Rides (on ground or in the air)
- Human Cannon Balls (or any variation)
- Inflatables (of any kind)
- Mechanical Rides of any sort whatsoever
- Monster Trucks
- Paint Ball Games
- Pyrotechnics
- Slam Dancing (Moshing, Stage Diving)
- Sumo Wrestling
- Trampolines
- Watercraft (except commercial craft 26 feet or more operated by a qualified vendor with evidence of insurance)
- Zip Lines

Prohibited Red Light WATER-Related Activities

- Airboat
- Banana boat ride
- Big Wave Surfing
- Body boarding and boogie boarding
- Cave Diving
- Cliff Jumping
- Diving Boards
- Diving, SCUBA, SNUBA, HOOKAH System, and Third Lung Diving
- Fishing (Saltwater nor Freshwater)
- Hot tubs/Jacuzzi
- Inflatable water activities (such as inflatable pools, water slides)
- Jet Ski
- Kayaking, canoeing, and paddle boarding
- Motorized Watercraft (except commercial craft 26 feet or more operated by a qualified vendor with evidence of insurance, proper license and USCG Auxiliary safety inspections, proper first aid, safety equipment and life guards)
- Parasailing
- Surfboarding
- Tubing behind a boat
- Water Catapults or Aqua jumps
- Water Jet Packs
- Water Parks
- Water Skiing
- Water Walking (inside a ball)
- White Water Rafting

This list is not all inclusive, as new rides and events are continually created. Call Risk Management if an event is not listed and there is a question of whether the event is allowed.

Yellow Light Activities

Occasionally, schools or school-based organizations want to sponsor activities that may require additional insurance coverage, waivers of liability, and certificates of insurance. Organizers allowing **YELLOW** light activities must strictly adhere to these guidelines and/or other special arrangements. All conditions must be met before undertaking any activities listed on the **YELLOW conditions** sheet.

Under no circumstances should any school-based organization or school administrator sign a Hold Harmless or Indemnity Agreement without the written approval from the school board attorney. Polk County Public Schools shall not agree to be held responsible for liability to the vendor. Review all contractual agreements including memos of agreement or understanding very carefully and seek advice from the school board attorney's office or Risk Management prior to signing. All vendors are required to sign the standard Hold Harmless Agreement and provide the necessary proof of insurance before the event is scheduled.

List of Yellow Light (Caution) Activities

(The conditions listed adjacent to each activity refer to the **CONDITION(S)** that must be met prior to a school or school-based organization agreeing to sponsor an activity or event)

Activity	Conditions
After Prom Event	<ol style="list-style-type: none">1) Call Risk Management Department at (863) 519-3858, with details of the event. A Special Event Questionnaire, (Appendix A) may be required.2) Field Trip procedures employed.
Animals on District Property	<ol style="list-style-type: none">1) Call Risk Management Department at (863) 519-3858, with details of the event. A Special Event Questionnaire, (Appendix A) may be required.2) Employ applicable field trip procedures (parental permission slips, etc.)

<p style="text-align: center;">Athletic or Sports/Summer Camps</p>	<ol style="list-style-type: none"> 1) Call the Risk Department at (863) 519-3858 with details of the event. A Special Event Questionnaire (Appendix A) may be required to be completed. 2) If a school or school-based organization chooses to sponsor allowable activities the vendor must purchase the necessary commercial general liability and additional participant liability insurance for that activity, and the School Board of Polk County must be named as an Additional Insured. 3) Parents, teachers, and the general public who participate must sign a Participants Waiver for themselves. The requirements are; a) pre-determined course b) proper supervision-security or police in place c) water stations d) signed waivers (Appendix F). 4) Vendor Athletic Activities are excluded.
<p style="text-align: center;">Babysitting at School or School sponsored events</p>	<ol style="list-style-type: none"> 1) Babysitting that is allowed is at school-based organization meetings where parents are continually on campus AND the following conditions are present: 2) The babysitters do not change diapers. 3) There are always at least two unrelated adults (18 years or older in attendance). 4) Coffee and other hot fluids are kept outside of the babysitting room or area.

<p align="center">Bingo and Raffles</p>	<ol style="list-style-type: none"> 1) Schools are not permitted to sponsor raffles or games of chance. However; PTA/PTO/Booster Clubs may hold raffles subject to review by Risk Management. 2) Consult local government for ordinances.
<p align="center">Camps or Outdoor Enrichment and Science Not athletic or Sports Camps</p>	<ol style="list-style-type: none"> 1) Call Risk Management at (863) 519-3858, with details of the event. A Special Event Questionnaire (Appendix A) may be required to be completed.
<p align="center">Car Wash</p>	<ol style="list-style-type: none"> 1) When holding car wash fund raisers, the owner must move the vehicle. 2) Individuals washing cars should not wear belts or other clothing or jewelry that may scratch the vehicle. 3) Ensure that the activity does not involve standing in roadways or medians. 4) Shoes must always be worn. Climbing on vehicles is to be avoided.
<p align="center">Carnivals with Amusement Vendors</p>	<ol style="list-style-type: none"> 1) Call Risk Management (863) 519-3858, with details of the event. A Special Event Questionnaire (Appendix A) will be required to be completed. 3) No dunk tanks. 4) No mechanical rides.
<p align="center">Climbing Walls</p>	<ol style="list-style-type: none"> 1) See Rock Climbing Walls, Appendix D.

<p>Craft Fairs, Holiday Boutique and Swap Meetings (Run by outside Vendor/Service providers).</p>	<p>1) Call Risk Management (863) 519-3858 with details of the event. A Special Event Questionnaire (Appendix A) will be required to be completed.</p>
<p>Activity</p>	<p>Conditions</p>
<p>Drones</p>	<ol style="list-style-type: none"> 1) Drone flights will be approved for agriculture, research and development, educational and academic use, powerline, pipeline and antenna inspections. They also include aiding certain rescue operations, bridge inspections, aerial photography and wildlife nesting area evaluations. 2) Register UAS that weigh less than 55 lbs. and more than 0.55 lbs. online. 3) Permitted drones are those that weigh less than 55 pounds (25 kg) and fly up to 400 feet (122 m) high and 100 miles per hour (161 km per hour). 4) Drones must fly within sight of an operator and not over people. 5) Drones are not permitted to fly at night unless they have special lighting. 6) Drones must stay at least 5 miles (8 km) away from airports unless prior notification is provided to the airport and air traffic control. 7) Drone operators must be at least 13 or 16 years

<p style="text-align: center;">Food Trucks</p>	<ol style="list-style-type: none"> 1) Call Risk Management at (863) 519-3858, with details of the event. A Special Event Questionnaire (Appendix A) will be required to be completed 2) Obtain a Certificate of Insurance (Appendix E Sample) from the vendor/service provider and an endorsement naming School Board of Polk County as Additional Insured on the policy. 3) The vendor/service provider must also sign a Hold Harmless Agreement (Appendix B). The Hold Harmless Agreement spells out the insurance requirements for the vendor/service provider. 4) A copy of the food truck vendor’s most recent Department of Health Inspection Certification must be submitted to the Risk Management office. 5) Must comply with all Department of Health requirements.
<p style="text-align: center;">Go-Carts and Soap Derbies</p>	<ol style="list-style-type: none"> 1) Obtain a Certificate of Insurance (Appendix E Sample) from the vendor/service provider and an endorsement naming School Board of Polk County as Additional Insured on the policy. The vendor/service provider must also sign a Hold Harmless Agreement (Appendix B). The Hold Harmless Agreement spells out the insurance requirements for the vendor/service provider. Advise the vendor to give a copy of the hold harmless agreement to their insurance broker. 2) School or school-based organizations should obtain some type of written document outlining what is being purchased. You must email a copy of the contract to the Risk Department. Legal review is recommended.

Hayrides
(Provided by an outside
Vendor/Service provider)

- 1) Complete the facility use procedures. (see Facility Use Guide).
- 2) Obtain a Certificate of Insurance (Appendix E Sample) from vendor/service provider and an endorsement naming the School Board of Polk County as an Additional Insured on the policy. The vendor/service provider must also sign a Hold Harmless Agreement (Appendix B). The Hold Harmless Agreement spells out the insurance requirements for the vendor/service.
- 3) Advise your vendor to give a copy of the agreement to their insurance broker. If the school or school-based organization is required to sign a contract by the vendor/service provider, you must FAX or email a copy of the contract to the Risk Department at (863) 519-3740 two weeks prior to the event date.

<p style="text-align: center;">Helmet Fairs</p>	<ol style="list-style-type: none"> 1) If the school or school-based organization sponsors a helmet fair does not accept payments for the helmets. Payment for purchases must be made directly to the vendor. 2) No used helmets.
<p style="text-align: center;">Jog-a-thon, Relay for Life, Walk-a-thon</p>	<ol style="list-style-type: none"> 1) Jog-A-Thon or Walk-A-Thons need no additional liability insurance, however; parents, teachers, and the general public who participate must sign a Participants Waiver for themselves. These are the requirements a) pre-arranged course b) proper supervision-security or police in place c) water stations d) signed waivers. 2) Ensure that the activity does not involve standing in roadways or medians.
<p style="text-align: center;">Litter and Beach Clean-up</p>	<ol style="list-style-type: none"> 1) Follow Field Trip Guidelines. 2) Adequate supervision must be provided. 3) Reflective vests and rubber gloves must be used. 4) Ensure that the activity does not involve standing in roadways or medians.

<p>Opportunity Drawing Tickets</p>	<ol style="list-style-type: none"> 1) Contact Risk Management for guidance. 2) Please consult local government for ordinances.
<p>Project Graduation</p>	<ol style="list-style-type: none"> 1) Call Risk Management at (863) 519-3858, with details of the event. A Special Event Questionnaire (Appendix A) will be required to be completed. 2) Obtain a Certificate of Insurance from the event planner or vendor/ service provider and an endorsement naming the School Board as Additional Insured on the policy. The vendor/service provider must also sign. 3) Execute the Hold Harmless Agreement (Appendix B). The Hold Harmless Agreement spells out the insurance requirements for the vendor/service provider. 4) Advise the vendor to give a copy of the hold harmless agreement to their insurance broker. 5) If a school or school-based organization chooses to sponsor allowable activities or events that the school board's vendor liability has excluded (Athletic Events or high hazard) the school-based organization must purchase the necessary additional commercial general liability and participant liability insurance for that activity, and the School Board of Polk County must be named as Additional Insured.

<p style="text-align: center;">Slip and Slides</p>	<ol style="list-style-type: none"> 1) Limited to grades K-5. 2) A Participation Waiver is required for each student. 3) Follow Field Trip Guidelines.
<p style="text-align: center;">Snack Food Concession - Hired</p>	<ol style="list-style-type: none"> 1) Facility Use Agreement required (see Facility Use Guide). 2) Contact our Legal Department for review. 3) Obtain a Certificate of Insurance and an endorsement naming the School Board of Polk County as Additional Insured on the policy. 4) The vendor/service provider must also sign a Hold Harmless Agreement. The Hold Harmless Agreement spells out the insurance requirements for the vendor/service provider. Advise the vendor to give a copy of the hold harmless agreement to their insurance broker. 5) Call Risk Management (863) 519-3858 with details of the event. A Special Event Questionnaire may be required to be completed. 6) This activity shall not conflict with School Food Service. 7) A copy of the vendor's most recent Department of Health Inspection Certification must be submitted to the Risk Management office. 8) Must comply with all Department of Health requirements.

<p>Swimming and Snorkeling</p>	<ol style="list-style-type: none"> 1. Certified lifeguard required for all swim events along with adequate supervision. 2. Adhere to all posted warnings for participation in the event. 3. Employ Field Trip Procedures.
<p>Transportation – Other Than School Provided Transportation or Charter Bus (limousines, etc.)</p>	<p>Risk management does not recommend the transporting of students in private vehicles for school related activities.</p> <ol style="list-style-type: none"> 1. Per Florida law, the driver’s auto insurance is primary. 2. The driver must provide a copy of the driver’s license and Certificate of Insurance with at least \$500,000 combined single limit, or \$100,000 per person and \$300,000 per accident in Auto Liability coverage to the Risk Management department. 3. Parents must be notified that Transportation is not via a school provided vehicle on the Field Trip Permission Slip. 4. Employ Field Trip Procedures.
<p>Transportation –Charter Bus (limousines, etc.)</p>	<ol style="list-style-type: none"> 1. Charter bus insurance requirements are identified in the agreement. 2. Obtain a copy of the charter bus company’s Certificate of Insurance as required in the agreement. 3. Submit the executed charter bus agreement and the company’s Certificate of Insurance as required in the agreement to the Risk Management department for approval. 4. Employ Field Trip Procedures.

Virtual Realities

1. Field Trip Guide referenced.
2. Obtain a Certificate of Insurance and an endorsement naming the School Board of Polk County as Additional Insured on the policy.
3. The vendor/service provider must also sign a Hold Harmless Agreement. The Hold Harmless Agreement spells out the insurance requirements for the vendor/service provider.
4. Obtain Certificate of Insurance from the vendor.
5. Advise the vendor to give a copy of the Hold Harmless Agreement to their insurance broker.
6. Call Risk Management (863) 519-3858 with details of the event. A Special Event Questionnaire may be required to be completed.

Green Light Activities

Under no circumstances should any school based organization or Board Administrator sign a Hold Harmless or Indemnity Agreement without the written approval from Risk Management or School Board Attorney. The School Board of Polk County should not agree to be held responsible for liability to the vendor. Review all contractual agreements including memos of agreement or understanding very carefully and seek advice from the School Board Attorney's Office and Risk Management prior to signing. Vendors for these activities are still required to sign the Hold Harmless Agreement and provide the necessary Proof of Insurance.

After-School Treats	Food Sales (Prepackaged)	Reading Night
Apple Bobbing	Football throw through target	Ring Toss
Art & Craft Activities	Gift Wrap/Wrapping Sales	Roll Reversal Plays
Auction/Silent Auction	Golf Tournament	Rummage Sales (All receipts go to PTA)
Bike Display & Bike Rodeo	Greeting Card Sales	Scarecrow Competition
Book Fair	Haunted House	School Play
Bowling	Hobby Shows	Science Fair
Broom Hockey	Ice Cream Socials	Silhouettes
Cake Walks	I.D. Bracelets	Skate Night
Calendar Sales	Karaoke	Snack Food Sales
Candy Sales (no home-made food items)	Laser Tag	Snow Day
Carnivals without Powered Rides and Amusement Vendors (refer to Yellow list)	Leg-A-Thon	Spelling Bee
Christmas Tree and Wreath	Line Dancing	Sponge Toss using goggles

Sales (No cutting)		
Colored Sand Painting	Fashion Sales	
Cookbook Sales	Magazine Sales	
Cooking Classes	Magic Shows	
Costume Carnival Costume Rentals	Math Fair	
Fish Ping Pong	Mouse Trap Maze	
Craft Fairs, Holiday Boutique and Swap Meets (operated by PTA members with all receipts going to PTA)	Popcorn Sales	Plant Boutiques
DJ's with standard SDIRC contract.	Movie Night	Pizza Night
Dancers and Dance Revolution	"Nerf" Bow and Arrow	Storytellers/Performers
Dinner (pasta, international, BBQ, etc.)	Parent Education Workshops	T-shirt Sales
Enrichment – Academic only (refer to exclusions on Red Light list)	Pee Wee Golf	Talent Shows
Egg Toss	Performing Arts	Water Balloon Toss
Face Painting	Pencil Sales	Water Bottle Sales
Family Portraits with standard SDIRC contract.	Picnic Type Games	Yearbook Sales with standard SDIRC contract.

Additional Resources

Page 25. Hold Harmless Agreement

Page 27. Amusement Type Equipment

Page 29. Bounce Houses, Moonwalkers, Air-Filled Slides or Equipment

Page 32. Dunk Tanks or other Amusement Type Equipment

Page 33. Rock Climbing Walls or other Similar Equipment

Page 35. Certificate of Liability Insurance (Sample)

Page 36. Participation Waiver-Students

Page 37. Participation Waiver-Adults

SCHOOL BOARD OF POLK COUNTY
HOLD HARMLESS AGREEMENT
FOR VENDORS/SERVICE PROVIDERS
(without a formal PCPS contract or agreement for services.)

HOLD HARMLESS AGREEMENT AND INSURANCE REQUIREMENTS

In order for the School Board to be protected from damages to or caused by each Vendor/Service Provider, the Vendor must sign the Hold Harmless Agreement. Each Vendor/Service Provider must also comply with the insurance requirement as listed in the Hold Harmless Agreement.

School-based organizations (third-party) are required to have their own general liability insurance. Each PTA should have acquired commercial general liability insurance. School sites should acquire a certificate of insurance from the school based organizations and have the School Board of Polk County listed as Additional Insured. Provide the copies of the certificates to the Risk Management Department.

Insurance Requirements: A **current** Certificate of Insurance showing policy limits and the Additional Insured endorsement listing the School Board of Polk County to the policy **MUST** be submitted with your contract or lease agreement. Failure of Vendor/Service Provider to keep the required insurance policies in full force and effect during the work covered by this agreement shall constitute a breach of this agreement.

- (a) Workers' Compensation Insurance. Required if you have employees engaged in the performance of work under this agreement.
- (b) Commercial General Liability. Required \$1,000,000 per occurrence and a \$2,000,000 Aggregate. This policy shall cover all risks, the contractual liability assumed by vendor/concessionaire/service provider under the indemnification provision set for in the agreement, and include Bodily Injury, Property Damage, Personal Injury. Coverage for Sexual Abuse and Molestation must be included in the commercial general liability insurance and/or an endorsement must be attached to the certificate of insurance.
- (c) Automobile Liability Insurance. Required only if transporting students or if you are bringing automobiles onto Board property at the event. \$500,000 combined single limit, or \$100,000 per person and \$300,000 per accident limit is required.

I/We _____ (name of the vendor / service provider) shall save, defend, indemnify, and hold harmless, the School Board of Polk County, including all officers, directors, instructors, support staff, and volunteers with respect to my/our liability for "bodily injury," "property damage", or "personal and advertising injury" caused by my/our acts or omissions for the acts or omissions of those acting on my/our behalf:

- i. In the performance of my/our ongoing operations; or

- ii. In the sale or distribution of my/our products; or
- iii. In connection with my/our property or premises rented to you.
- iv. In following, all requirements of the School Board use of facilities.

WAIVER OF SUBROGATION:

In the event of loss, damage or injury to the Vendor and/or the Vendor's property, the vendor shall look solely to any insurance in its favor without making any claim against the Purchaser. The Vendor hereby waives any right of subrogation against the Purchaser or the School Board of Polk, for loss, damage or injury within the scope of the Performer's insurance, and on behalf of itself and its insurer, waives all such claims against the Purchaser and the School Board of Polk County.

NOTE: The terms and conditions of this agreement shall apply with respect to Vendor's, Concessionaire's and or Service Provider's operations for any school or ancillary owned by the School Board of Indian River County.

Vendor, Concessionaire, Service Provider name: _____

Signature: _____ Date: _____

School Official Name: _____ Signature: _____

Submit executed copy by email to: RiskManagement-AllStaff@polk-fl.net

AMUSEMENT TYPE EQUIPMENT

(All equipment should be set up according to the manufacturer's recommendations)

The vendor shall:

1. Adhere to the equipment's maximum weight limitation in operation that must be maintained during use according to manufacturer's specifications.
2. Inspect the tie down or set up details to make sure the unit is securely fastened to the ground. These areas may require a minimum safe distance from any passersby and the vendor must provide details regarding safe distances.
3. Provide trained employees to supervise all students and participants when using the equipment and provide details to trained employees on how to properly supervise children when in, on, or around the equipment. The vendor should make sure those providing supervision are doing so according the manufacturer's recommendations.
4. The vendor should, after set up, be the sole operator of the equipment from start to finish. The only individual authorized to operate the vendor's equipment or verify students are safely participating in the unit prior to and/or during operation is the vendor or vendor's employees.
5. Complete a facility use agreement form listing their equipment as well as complete Hold Harmless Agreement found in this manual and provide it to the school, PTO/PTA/Booster Club, or Facility User.
6. Provide school, PTO/PTA/Booster Club or Facility User with a certificate of insurance with at least \$1,000,000 per occurrence and \$2,000,000 general aggregate in general liability coverage and at least statutory limits for Workers' Compensation Coverage. The certificate shall name the School Board of Polk County as additional insured to the General Liability policy.
7. **Not require any student, participant, or the school to sign a waiver of liability.**

The school, PTO/PTA/Booster Club or Facility User shall:

1. Complete the facility use procedures. (see Facility Use Guide).
2. Obtain Participation Waiver-Adults

3. Carefully view and observe the equipment for any potential safety issue. This could include rusted gearings, equipment that fails to operate properly, metal areas that could expose people to injury, rust, and tears in the seating area, filth, or unkempt issues. Prior to use the vendor should repair and/or clean these areas to your satisfaction. If the items cannot be repaired or cleaned the equipment cannot be used.
4. Obtain all the documents listed above.
5. Once the vendor sets up the equipment, the vendor shall actively supervise students or participants waiting to utilize the equipment, which includes making sure maximum occupancy is not violated.
6. Send the Risk Management Department the original copy of the facility use agreement form, certificate of insurance, and Hold Harmless Agreement at least fourteen (14) days prior to the event to obtain approval before the event.

BOUNCE HOUSES / MOON WALKERS / AIR FILLED SLIDES OR EQUIPMENT

(All equipment should be set up according to the manufacturer's recommendations. Do not set up over hard surfaces.)

The vendor shall:

1. **Verify that there is no lead based paint used on the inflatable.**
2. **Provide inflatables with "Finger Safe" netting that is small enough that little fingers cannot fit in the openings, but still easy to see through.**
3. **Provide equipment with Deflation/Rapid Collapse Prevention – inflatables must have a "safety flap" on the blower tube that closes if blower pressure stops. A blower alarm system must be used to alert the vendor of interruption of airflow to unit. Primary concern is the ability to safely/properly evacuate the inflatable if the vendor is unable to correct the blower problem. Inflatable slides must have a sealed chamber per the consumer products safety commission to prevent rapid collapse.**
4. **Have an emergency plan in place and include as part of their operator training.**
5. **Provide trained employees to supervise all students and participants when using the inflatable(s) the entire time.**
6. **Provide the school, PTO/PTA/Booster Club, or Facility User with a written copy of the equipment's maximum Height and Weight limitation in operation, maximum number of occupants, and required cubic feet per minute (CFM) of air that must be maintained during use.**
7. **Show the school, PTO/PTA/Booster Club, or Facility User all air intake areas, CFM measuring equipment on the unit, all tie down areas, and verify the unit is secure and properly fastened to the ground. The areas may require a minimum safe operation distance from any passerby and the vendor must provide the school, PTO/PTA/Booster Club, or Facility User with details regarding safe distances.**
8. **Provide the school, PTO/PTA/Booster Club, or Facility User with a certificate of insurance with at least \$ 2,000,000 in general liability coverage and at least statutory limits for Workers Compensation Coverage. The certificate shall name the Polk County School Board as additional insured to the General Liability policy.**
9. **Vendor cannot require a student, participant, or the school to sign a waiver of liability.**
10. **Manufacturers set up manual needs to be on site with equipment.**
11. **Mechanical compensator zip lines not allowed.**
12. **Not to exceed 16 18 feet high.**
13. **Vendor shall bring equipment, set up, supervise and tear down. There is no "Drop & Go" of equipment allowed.**

The school, PTO/PTA/Booster Club or Facility User shall:

1. **Provide additional supervision on the operation of the inflatable units.**
2. **Carefully view and observe the equipment for any potential safety hazards. This could include tears, filth, or similar unkempt issues. Prior to use the vendor should repair and/or clean these areas to your satisfaction. If equipment cannot be repaired or cleaned it should not be used.**

- c. Once the vendor sets up the equipment, the vendor shall actively supervise students or participants waiting to utilize the equipment, which includes making sure maximum occupancy is not violated.
- d. Send the Risk Management Department the original copy of the use agreement form, certificate of insurance, and Hold Harmless Agreement at least fourteen (14) days prior to the event.
- e. Once the vendor sets up the equipment, the vendor shall actively supervise students or participants waiting to utilize the equipment, which includes making sure maximum occupancy is not violated.

DUNK TANKS OR OTHER AMUSEMENT TYPE EQUIPMENT

All equipment should be set up according to the manufacturer's recommendations)

The vendor shall:

1. Adhere to the equipment's maximum weight limitation in operation that must be maintained during use.
2. Inspect the tie down or set up details to make sure the unit is securely fastened to the ground. These areas may require a minimum safe distance from any passerby and the vendor must provide details regarding safe distances around the equipment that participants or spectators must stand.
3. Provide trained employees to supervise all students and participants when using the equipment and provide details to trained employees on how to properly supervise children when in, on, or around the equipment. The vendor should make sure those providing supervision are doing so according the manufacturer's recommendations.
4. Be the sole operator of the equipment from start to finish. The only individual authorized to operate the vendor's equipment or verify students are safely harnessed in the unit prior to and/or during operation is the vendor or vendor's employees.
5. Complete a facility use agreement form listing their equipment as well as complete Hold Harmless found in this manual and provide it to the school, PTO/PTA/Booster Club, or Facility User.
6. Provide school, PTO/PTA/Booster Club or Facility User with a certificate of insurance with at least \$1,000,000 per occurrence and \$2,000,000 general aggregate in general liability coverage and at least statutory limits for Workers Compensation Coverage. The certificate shall name the School Board of Polk County as additional insured to the General Liability policy.
7. **Not require any student, participant, or the school to sign a waiver of liability.**

The school, PTO/PTA/Booster Club, or Facility User shall:

- a. Make sure students are not allowed to be in the dunk tank at any time. (Supervision may only be provided by vendor's trained employees.)
- b. Carefully view and observe the equipment for any potential safety issue. This could include, rusted gearings, equipment that fails to operate properly, metal areas that could expose people to injury, rust, and tears in the seating area, filth, or unkempt issues. Prior to use the vendor should repair and/or clean these areas to your satisfaction. If the items cannot be repaired or cleaned the equipment cannot be used. Use fresh clean water.
- c. Obtain all the documents listed above.
- d. Once the vendor sets up the equipment, the vendor shall actively supervise students or participants waiting to utilize thee equipment, which includes making sure maximum occupancy is not violated.

ROCK CLIMBING WALLS OR OTHER SIMILAR EQUIPMENT

Reviewing certificates of insurance is important. It is a vital practice in assisting Risk Management with claims management. Please refer to the attached sample Certificate of Insurance (COI), and note the following general guidelines when reviewing vendor's certificates of insurance for compliance.

Each guideline is reflected in the attached sample certificate of insurance by corresponding number:

1. **The date of the certificate was issued should not be more than 30 days from the date of its request. Check with the Insurance Specialist prior to using a COI issued for a prior event or different event date(s).**
2. **The name of the "Lessee/Vendor" must be the name of the entity with whom we are contracting, unless noted in the Description of Operations section explaining the relationship (i.e. ownership) between the insured and the party you are contracting with.**
3. **The Commercial General Liability (CGL) form generally should be provided on an "Occurrence" basis, and the box should be checked for that form. The "Claims Made" form is not acceptable, contact the Insurance Specialist if you notice a "Claims Made" has been indicated and the box is checked. It is required by that the School Board of Palm Beach County be listed as "Additional Insured". This must be shown in the box marked ADDL INSR.**
4. **"A Policy Number" should be indicated in the Policy number box.**
5. **The "Effective Date" should be no later than the lease / event agreement date or the first date that the vendor begins leasing the facility or the event date.**
6. **The "Expiration Date" should be monitored to ensure that the renewal certificates of insurance are received on a timely basis. Especially if it is an annual "full year" lease or ongoing school event.**
7. **The Limits of Liability for damage to rented premises "Each occurrence" must be at least \$ 1,000,000 and should indicate all of the required coverage (i.e. "products-completed operations").**
8. **The Limits of Liability for "Med Expense" should be not less than \$ 5,000 any one person. This provides accident coverage for participant.**
9. **Business automobile is required only if bringing automobiles on School Board property as part of an event. Automobile liability if applicable needs to be properly marked in the additional insured box as well as subrogation waived. The combined single limit is a minimum of \$500,000. Please note that in some instances the proof of coverage will be submitted from a different carrier on a separate certificate of insurance.**
10. **Workers Compensation is required only if "Lessee/Vendor" will have employees engaged in work and on the premises under this Agreement. Workers compensation and employers liability in accordance to and in compliance with Chapter 440, Florida Statutes. It will need to be marked with subrogation waived and the WC Statutory limits of \$500,000/\$500,000 or provide a letter of exemption.**
11. **Participant coverage is required for any type of athletic activity. Sometimes this coverage will be purchased separately and a spate coverage sheet will be presented. The limit is \$25,000.**
12. **The Certificate Holder must be listed as the the School Board of Polk County. The Polk County Public Schools is not a legal entity it must say School Board.**
13. **The certificate should be signed by the insurance agent or an insurance company representative.**
14. **This box can be left blank and or a description of activities. Please remember to keep a copy of the Certificate of Insurance with your lease!!**

HOW TO REPORT A CLAIM FOR “VENDORS LIABILITY”

If you learn of an incident that happened while your facility was being “leased” by a Vendor, you must report the incident to Risk Management.

- 1) Claims reporting for Vendor Liability or any Lessee should be done on the Student or Visitor Accident Report . Please contact Risk management in regards to the incident if it appears severe. Be prepared to have the date, time and location of the loss, details of the incident/accident and name, address and phone numbers of involved parties.
- 2) Property damaged to rented/leased premises should be reported to Risk Management. If applicable, please retain the name of law enforcement agency or fire department along with the incident/report number.

HOW TO REPORT A CLAIM FOR “EVENT INJURY or PROPERTY DAMAGE”

- 1) Claims reporting for ANY INJURY should be done on the Student or Visitor Accident Report. This form is accessed through the Johns Eastern website and it is routed to Risk Management. Please contact Risk management in regards to the incident if it appears severe. Be prepared to have the date, time, and location of the loss, details of the incident/accident and name, address, and phone numbers of involved parties.
- 2) Property Damage to the facility by a vendor should be reported to the Risk Management department and the Facilities department. If applicable, please retain the name of law enforcement agency or fire department along with the incident/report number.