

Loss Control “Best Practices”

Recreation Safety

Two very basic controls which should be in place to protect children participating in recreation programs include conducting criminal background screening for individuals with exposure to the youth and educating staff, volunteers, and parents regarding concussion awareness.

In addition to protecting the participants, these basic steps will also help to control potential liability to the municipality in the event of claims which may arise from recreational activity.

Criminal Background Checks:

Criminal background checks should be conducted for all staff and volunteers with exposure to youth participating in municipal recreation programs. While focusing on recreational activity, this screening should also be extended to any municipal staff and volunteers with potential exposure to youth, including library and social service staff, as well as any emergency responders including fire and EMS departments, many of which operate cadet programs.

Screening can be done utilizing the Sagem Morpho program, with sites available throughout the state. Funding for this is available through the Megan Nicole Kanka foundation upon approval of a municipal ordinance mandating that criminal background checks are conducted. A sample municipal ordinance codifying these checks can be found at [http://www.ecode360.com/10115446?highlight=background checks,background check,criminal#10115446](http://www.ecode360.com/10115446?highlight=background%20checks,background%20check,criminal#10115446).

Additional information regarding the Megan Nicole Kanka foundation can be found at <http://www.megannicolekankafoundation.org/>.

Additional information regarding Sagem Morpho can be found at <http://www.state.nj.us/lps/ca/chbcfaq2.htm>.

Incurring some of the cost of such screening is typically well received by parents of participants, who recognize the potential risk.

At minimum, an online background check can be conducted through various other sources, one of which includes Sterling Testing at <http://www.sterlinginfosystems.com/>. Although not as thorough as a fingerprint check, these screenings can be a valuable asset in identifying individuals with criminal records that should preclude their participation as staff or volunteers working with children.

A waiver form permitting these checks should be completed by all participants. Use of this alone may act as a deterrent.

If municipal facilities are used by outside organizations such as Pop Warner football, Little League, etc., these organizations should demonstrate the extent of their screening program, and at the very least provide a copy of a current certificate of insurance reflecting appropriate coverages and naming the municipality as an additional insured. These certificates of insurance and any contracts or shared service agreements entered into should be forwarded to your risk manager for review to verify that your insurance interests are protected.

Concussion Awareness Training:

The Centers for Disease Control has established a website entitled Heads Up For Concussion in Youth Sports (www.cdc.gov/concussioninyouthsports). This website highlights the importance of safety education for coaches and parents monitoring youth who participate in any athletic activity. It also provides some important guidance for participants to be aware of to help identify signs of a potential concussion.

All coaches and assistants should go through this training program which is available online at the CDC website <http://www.cdc.gov/concussion/headsup/>. Upon completion of the video training program, the website will issue a certificate that can be printed out and submitted to the recreation department/organization sponsoring the activity. There are information sheets which should also be printed and provided to parents, and fact sheets to be maintained by the coaches to help identify potential signs of concussion. This training is being incorporated with the Rutgers Safety Course, an excellent resource in education of coaches which should also be required if not already in place.

For more information on concussions and traumatic brain injury, visit www.cdc.gov/injury. Additional information on the Rutgers Safety program can be found at <http://youthsports.rutgers.edu/>.

Completion of this training program is being required by an increasing number of leagues/municipalities, to protect both the participants as well as the leagues and municipalities from potential liability.

If you have any questions regarding implementation of these important loss control measures, contact your municipal attorney, risk manager, or I-Core Systems at 732-446-5958 for additional information.