INSURANCE AND LOSS PREVENTION GUIDE

This publication has been developed to assist PTA leaders in selecting appropriate **fund-raising activities,** sponsored programs and events. Using this publication will help prepare for the risks associated with these activities.

PTA Insurance Carrier:

Comprehensive General Liability:
- Alliance of Nonprofits for Insurance Risk Retention Group

Directors and Officers Liability:
- Alliance of Nonprofits for Insurance Risk Retention Group

Fidelity Bond:
- Travelers Insurance Company

PTA Insurance Broker:

Knight Insurance Services (MD License 2145628)
535 N. Brand Blvd., Suite 1000, Glendale, CA 91203
Toll Free (800) 733-3039
Contacts are: Jennifer and Manuel
FAX (818) 662-9312
Email: PTAMD@Knightins.net

Red Light — Certain activities and events are **prohibited** and are not covered under a policy of insurance for the PTA. Individual PTA officers may be held personally liable for conducting any of the events listed on the prohibited list. The **RED** page in this guide lists **prohibited** activities.

Yellow Light — Occasionally, PTAs wish to sponsor activities that may require additional insurance coverage, waivers of liability and certificates of insurance. PTAs must strictly adhere to PTA guidelines and/or other special arrangements. All conditions must be met before undertaking any activities listed on the **YELLOW** pages. The insurance broker must be consulted.

Green Light — Approved activities and events are listed on the **GREEN** pages of this guide. Please refer to the National PTA **Annual Resources for PTAs** for more information about appropriate PTA fund-raising activities.

Maryland PTA®

*every*child.*one*voice.

Maryland PTA
5 Central Avenue, Glen Burnie MD 21061-3441

(410) 760-6221 • FAX (410) 760-6344 • E-mail office@mdpta.org
http://www.mdpta.org

July 2015

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ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 07/01/2015

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Knight Insurance Services
535 N. Brand Blvd. Suite 1000
Glendale, CA 91203
818 662-4200

CONTACT NAME: MD PTA Insurance office
PHONE (A/C, No, Ext): 800 733-3036 FAX (A/C, No):
E-MAIL ADDRESS: ptamd@knightins.net

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : Alliance of Nonprofits Ins RRG	10023
INSURER B :	
INSURER C :	
INSURER D :	
INSURER E :	
INSURER F :	

INSURED
Maryland Congress of Parents & Teachers
5 Central Avenue
Glen Burnie, MD 21061-3441

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY	X		20152774ANPO	07/01/2015	07/01/2016	EACH OCCURRENCE	$1,000,000
	X COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence)	$500,000
	CLAIMS-MADE X OCCUR						MED EXP (Any one person)	$20,000
							PERSONAL & ADV INJURY	$1,000,000
							GENERAL AGGREGATE	$2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						PRODUCTS - COMP/OP AGG	$2,000,000
	POLICY PRO-JECT LOC							$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	$
	ANY AUTO						BODILY INJURY (Per person)	$
	ALL OWNED AUTOS / SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	HIRED AUTOS / NON-OWNED AUTOS						PROPERTY DAMAGE (Per accident)	$
								$
	UMBRELLA LIAB / OCCUR						EACH OCCURRENCE	$
	EXCESS LIAB / CLAIMS-MADE						AGGREGATE	$
	DED RETENTION $							$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						WC STATU-TORY LIMITS / OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y / N	N / A					E.L. EACH ACCIDENT	$
	(Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

This Certificate is hereby issued to any entity requiring evidence of insurance coverage.

CERTIFICATE HOLDER

Units

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Mary Machard

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OVERVIEW OF INSURANCE

COMPREHENSIVE GENERAL LIABILITY

Maryland PTA provides Comprehensive General Liability coverage with a $1,000,000 limit that covers all **allowable** PTA activities.

The policy insures the PTA unit, its members and volunteers in case they are held legally liable for bodily injury or property damage to another person that results from a covered PTA event. The PTA insurance does not cover booster clubs or other organizations. The policy is not a medical policy. The policy covers the PTA legal liability for injuries to other parties. If someone is injured, but the injury is not the result of the PTA negligence, the individual should utilize his/her own medical insurance for coverage.

The policy is designed to cover allowable PTA events. **It is critical that the RED, YELLOW, and GREEN pages be reviewed before planning any PTA activities.** Certain activities and events are prohibited because they are excluded by the insurance policy and/or because they are dangerous and/or jeopardize the safety of our children and youth. If the PTA sponsors a RED page event and someone is injured because of the PTA negligence, the individual PTA officers could **personally** be held liable.

HIRED AND NON-OWNED AUTO LIABILITY

Coverage protects the PTA unit if they are sued because of the use of automobiles by volunteers while acting on behalf of PTA business. You are still required to have your own automobile liability insurance. There is no coverage for any physical damage to your vehicle.

DIRECTORS & OFFICERS LIABLITY

Maryland PTA offers $1,000,000 Directors & Officers Liability insurance. This covers the PTA unit, the directors, officers, members, and volunteers. You can be sued when acting in the above capacity because of failure to act within established guidelines.

BONDING INSURANCE

Maryland PTA provides bonding insurance. Coverage provides $25,000 Employee or Volunteer Theft, $25,000 Forgery, and $25,000 theft of money by an outsider. The policy includes a $500 Deductible. For higher limits, please contact the PTA Broker.

PROCEDURES FOR REPORTING INCIDENTS AT PTA EVENTS

The Incident Report Form must be completed by the PTA President. It is a confidential communication between the PTA and the Maryland PTA broker, informing the Maryland PTA broker of the *potential* problem. It is not a claim; it is merely notification of an incident. The Incident Report Form is **not** to be completed by the injured party, but by the PTA President. In addition, the PTA President may ask the injured party questions that will help complete the report.

It is important you have full/complete information; however you **must not** give the impression that because you have completed an Incident Report Form that the PTA is responsible and will "take care" of the injured party. The Maryland PTA broker will file the Incident Report Form with the insurance carrier who will investigate the incident and determine responsibility.

The Incident Report Form must be completed for every incident and accident that occurs. If a very serious incident/accident is being reported, you may also want to call the Maryland PTA broker at (800) 733-3039.

The PTA President should follow-up with anyone injured at a PTA event to express concern for the individual and inquire about any injuries sustained. **As PTA President you must never promise to compensate a victim for his/her injuries or accept fault.** Demonstrating concern for the individual may avert many claims.

The Incident Report Form (page 4) is part of the *Insurance and Loss Prevention Guide*.

Make three (3) copies of the completed Incident Report Form and distribute as follows:

- ☐ The original to be mailed to the Maryland PTA Broker:
  Knight Insurance Services
  535 N. Brand Blvd., Suite 1000
  Glendale, CA 91203

- ☐ Mail one (1) copy to the Maryland PTA
  5 Central Avenue
  Glen Burnie, MD 21061-3441

- ☐ Retain one (1) copy for your files

Maryland PTA
5 Central Avenue, Glen Burnie, MD 21061

INCIDENT REPORT FORM

Prepare three (3) copies

Name of PTA Unit _____
Address _____ County _____
City _____ State _____ Zip _____ Date _____
EMAIL Address_____ FAX #_____

Name of Injured (if any)_____ Age _____
Address _____City _____ State_____ Zip _____
Phone (____) _____ Date of Incident _____

Type and Extent of Incident _____
_____

Narrative description of how the incident occurred. _____
_____
_____

Was injury due to any act or negligence of PTA? Explain. _____
_____
_____

Was activity under supervision and/or sponsorship of PTA? Describe. _____
_____
_____

What were injured party's duties (if any) in the activity? _____
_____

WITNESS NAME _____Phone (____) _____
Address _____City _____ State _____ Zip _____
PERSON IN CHARGE _____Phone (____) _____
Address _____City _____ State _____ Zip _____

IF INCIDENT INVOLVED A VENDOR/CONCESSIONAIRE/SERVICE PROVIDER:
Name _____Phone (____) _____
Address _____City _____ State _____ Zip _____

PERSON PREPARING REPORT:
Name _____Phone (____) _____
Address _____City _____ State _____ Zip _____

PLEASE USE ADDITIONAL PAGES FOR MORE COMPLETE DESCRIPTIONS

Please complete this original report, make three (3) copies and distribute as follows:

- ✓ Original to KNIGHT Insurance Services, 535 N. Brand Blvd., Suite 1000, Glendale, CA 91203
- ✓ Copy to Maryland PTA, 5 Central Avenue, Glen Burnie, MD 21061-3441
- ✓ Retain 1 copy for your files

RED LIGHT

The Maryland PTA has adopted certain policies regarding permissible PTA activities in order to minimize the risk of exposure. It is the policy of the Maryland State PTA that certain activities be prohibited because they are dangerous and jeopardize the safety of our children and youth. Such activities also jeopardize the insurance coverage for **all** PTAs in the state. Other activities and events are excluded by the insurance underwriter.

****The following activities and events are prohibited. Individual PTA officers may be personally held liable for conducting any of the events listed below. All PTAs should be aware that violation of established Maryland PTA policies, including the sponsoring of prohibited activities, can result in withdrawal of the PTA's charter.****

THESE ACTIVITIES ARE NOT ALLOWED, EVEN IF VENDOR HAS THIER OWN INSURANCE.

- ☹ Alcohol * See Maryland PTA Alcohol Sale and Use Position Statement at the bottom of this page.
- ☹ Aircraft Demonstrations
- ☹ Animal Rides
- ☹ Block Parent
- ☹ Blood Testing (Blood Drives are Acceptable)
- ☹ Booster Clubs or Other Parent Organizations and Non-PTA Community Events
- ☹ Bungee Jumping and Bungee Ball
- ☹ Community Supported Agriculture (CSA's)
- ☹ Concessionaire operations at Stadiums, Speedways or Arenas. Concession Stands at School Premise are OK.
- ☹ Cosmetic Services
- ☹ Donkey Baseball/Basketball
- ☹ Enrichment Programs — these activities are prohibited: Contact insurance broker for certain exceptions.
- ☹ Martial Arts, Gymnastics, Physical Education Classes, Contact Sports, Skateboarding, Roller Blading, Other Athletic-type Activities
- ☹ Fireworks Sales
- ☹ Health Services (National Flu Busters are allowed)
- ☹ Hot Air Balloons/Balloon Rides (on ground or in the air)
- ☹ Human Canon Balls (or any variation)
- ☹ Monster Truck
- ☹ Paint Ball Guns
- ☹ Pyrotechnic (Fireworks) Displays
- ☹ Safe House
- ☹ Slam Dancing (Moshing, Stage Diving)
- ☹ Surfing Contests
- ☹ Trampolines
- ☹ Transportation (except by Chartered Service, refer to YELLOW LIGHT list)
- ☹ Watercraft (except commercial craft of 26 feet or more operated by a qualified vendor with evidence of insurance)
- ☹ Zip Line

***In accordance with the Maryland State PTA insurance program, PTAs may not engage in the sale of alcoholic beverages. (Red Light Item)**

Many PTAs hold silent auctions and dinners as fundraisers in which bottles and/or cases of wine are donated for use as auction items. These donated bottles and/or cases of wine may be used as auction items provided the auction is held at a non school site location and the contents are not decanted during the event or on the premises.

PTAs may auction donated beverages but not sell alcoholic beverages under any circumstance.

Serving of Alcohol at PTA Events -- The Maryland State PTA strongly urges its constituent organizations to refrain from serving alcoholic beverages at PTA functions. If alcoholic beverages are served at a PTA function, the PTA may not serve them. Any alcoholic beverages must be provided and served by a licensed establishment or catering company that has the appropriate permits and insurance. When a PTA is planning an event that will include alcoholic beverages, the PTA may not collect for the cost of the alcoholic beverages through ticket sales. This cost must be paid separately to the licensed establishment or catering company with the valid permits and insurance.

Under no circumstances may PTA funds be used to purchase alcoholic beverages or bottles of alcohol. Remember, the purpose of PTA is to work on behalf of all children and speak for "Every child. One voice."

YELLOW LIGHT

Occasionally, PTAs want to sponsor activities which may require additional insurance coverage, waivers of liability, certificates of insurance or other special arrangements. PTAs must strictly adhere to PTA guidelines. All conditions must be met and/or the Maryland PTA Insurance Broker consulted before undertaking any activities listed on the **YELLOW** pages.

- ✓ **Under no circumstances should any PTA unit, council or district sign a Hold Harmless Agreement for a vendor/concessionaire/service provider, or agree in any way that the PTA will be held responsible for liability. Review all contractual arrangements very carefully to make sure that they do not contain such provisions. If a contract includes a Hold Harmless Agreement contact the Maryland PTA Insurance Broker prior to signing.**

*The numbers [e.g., (1)] following each activity refer to the **CONDITION(S)** that must be met prior to a PTA voting to sponsor an activity or event.*

- ☐ After Prom (2) and (21)
- ☐ Athletic Events (2), (3), (4), (18), and (21)
- ☐ Babysitting at PTA Meetings (5)
- ☐ Bingo and Raffles (7) and (8)
- ☐ Bounce House & Inflatable Slides / Obstacle Course (11), (17), and (21)
- ☐ Camps — Outdoor Enrichment and Science (2) and (21)
- ☐ Car Wash-Fund Raiser (20)
- ☐ Carnivals with Powered Rides and Amusement Vendors (1), (2), (11) and (21)
- ☐ Chartered Services, Bus, or Limousine Services, Any For-Hire Transportation (1), (14) and (21)
- ☐ Childcare (2), (5), (9) and (21)
- ☐ Climbing Walls (1), (19), (21)
- ☐ Craft Fairs, Holiday Boutique and Swap Meets (2)
- ☐ Dart Games (1)
- ☐ DJ (1)
- ☐ Dunk Tanks (1), (11), (17) and (21)
- ☐ Enrichment Classes (16) and (21)
- ☐ Field Trips (2) and (21)
- ☐ Food Cater / Food Trucks for an event (1)
- ☐ Go-Carts (1), (11), and (21)
- ☐ Hayride (1) and (11)
- ☐ Helmet Fairs (12)
- ☐ Jog-A-Thon or Walk-A-Thon (4) and (21)
- ☐ Grad Night (1), (2), (3), and (21)
- ☐ Litter Cleanups (10) and (21)
- ☐ Opportunity Drawing Tickets (7) and (8)
- ☐ Petting Zoo (1), (15) and (21)
- ☐ Purchase of Playground Equipment (13)
- ☐ Running Events (4) and (21)
- ☐ Slides, Water or Inflatable (1) (2) (11), (17), and (21)
- ☐ Snack Food Concessionaire — Hired (1) and (2)
- ☐ Skate / Rollerblading Night (only at an indoor roller skating establishment) (21)
- ☐ Swim Classes / Swim Party (6) and (21)
- ☐ Virtual Realities / Game Truck (1)

CONDITIONS

(1) Obtain a Certificate of Insurance and an endorsement naming the PTA as Additional Insured on the policy. The vendor/concessionaire/service provider must also sign the Hold Harmless Agreement (page 9). The Hold Harmless Agreement part (b) spells out the insurance requirements for the vendor/concessionaire/service provider. Advise your vendor to provide a copy of the agreement to their insurance broker.

(2) Call the Maryland PTA broker with details of the event at (800) 733-3039

(3) If a PTA unit or council chooses to sponsor allowable activities or events that the insurance company has excluded (Athletic Events) the unit or council must purchase the necessary additional participant liability insurance for that activity, and the entire organization (the Maryland PTA, its units and councils) must be named as Additional Insured. Please contact the Maryland PTA broker, KNIGHT Insurance Services, for requirements for additional insurance and to confirm if your event would be covered or excluded. The Maryland PTA broker understands the necessity of protecting the entire organization and will make sure that such additional coverage will match the existing PTA liability insurance and that Maryland PTA will be protected.

(4) The only exception for which additional insurance need not be purchased is a Running Event (K-runs), Jog- or Walk-A-Thon. Parents and teachers **(and now the general public)** may participate but must sign a Participant's Waiver (page 12) for themselves. Keep in mind that the PTA does not have accident coverage for Jog- or Walk-A-Thon events. These are your requirements: a) prearranged course, separate from traffic b) proper supervision-security or police in place c) water stations d) signed waivers.

(5) Babysitting is only allowed at PTA meetings where parents are continually on campus **AND** the following conditions are met: the babysitters do not change diapers, there are at least two unrelated adults (18 years or older-may be under 18 if a Certified Babysitter) in attendance at all times, and coffee or other hot fluids are kept outside of the babysitting room or area. If over 11 children are in attendance, then one additional person, who may be under 18, is recommended to be onsite.

(6) Certified lifeguard required for all swim events.

(7) Bingo and Raffles: Refer to the Constitution of Maryland State. Information is available on their website www.state.md.us. Licensing is required and you must follow the state rules.

(8) Please consult local government for ordinances.

(9) If you have Childcare or Day Care you are required to be licensed by the State of Maryland. You will also need to obtain a separate policy of insurance. Please call the Maryland PTA insurance broker.

(10) Adequate supervision must be provided. Reflected vests and rubber gloves must be used. Clean-up must not be done on freeways.

CONDITIONS (continued)

(11) If you are required to sign a contract by the vendor/concessionaire/service provider you **Review all contractual arrangements very carefully to make sure that they do not contain such provisions. If a contract includes a Hold Harmless Agreement contact the Maryland PTA Insurance Broker prior to signing.**

(12) If you sponsor a helmet fair do not accept payments for the helmets but instead have the purchases be made directly to the vendor.

(13) When you purchase playground equipment it is best to gift the money to the School and allow them to purchase and install the equipment. PTA's must not install the equipment.

(14) The Maryland PTA does **not** have excess coverage over the bus companies insurance. We recommend that y**ou** gift the money to the school and allow them to arrange and pay for the bus when making field trips.

(15) Children are being exposed to dangerous E. coli bacteria at petting zoos and fairs. Children pet the animals then put their hands in their mouths or touch food they are going to eat. Have your children wash their hands immediately and/or use antibacterial hand gel.

(16) You are required to have two unrelated adults in all classrooms. One can be the teacher and the other a parent volunteer. Refer to the Red Light page for restricted activities, call the broker with questions.

(17) No homemade dunk tanks, bounce houses or slides. You must rent from a vendor who has appropriate insurance. Dunk tanks must be fully enclosed so water is not splashing on the ground. An example of this is the Royal Flush Dunk Tank. (See the Bounce House Guidelines, available at the www.ani-rrg.org secure website or contact the Director of Loss Control at 831-621-6076 or via email: www.losscontrol@insurancefornonprofits.org)

(18) No team sports with a roster.

(19) Climbing walls need a harness.

(20) When holding a car wash fund raiser, only the owner of the vehicle is allowed to move the vehicle. Additionally, no one should wear a belt or any objects that might scratch the vehicle.

(21) A Participants Waiver, page 12 and/or Parents Waiver, page 13 are need for the activity.

Maryland PTA insurance does not cover vendors/concessionaires/service providers. Consequently, all vendors/concessionaires/service providers are required to provide Evidence of Insurance to each PTA.

HOLD HARMLESS AGREEMENT

FOR PTA FUND RAISING VENDORS/CONCESSIONAIRES/SERVICE PROVIDERS

Insurance Requirements:

(a) Workers' Compensation Insurance. Required if you have employees engaged in the performance of work under the agreement.

(b) Comprehensive General Liability, Required $1,000,000 Combined Single Limit. This policy shall cover, among other risks, the contractual liability assumed by vendor/concessionaire/service provider under the indemnification provision set for in the agreement, and includes Bodily Injury, Property Damage and Personal Injury. Food vendors are required to have $1,000,000 Products Liability.

(c) Automobile Liability Insurance. Required only if you are providing transportation (e.g., limousine or bus service) at PTA event. $1,000,000 limit required.

If you (vendor/concessionaire/service provider) fall under (b) or (c), a Certificate of Insurance showing policy limits and an endorsement to the policy MUST be submitted with your contract.

Contract containing the following language MUST be added to the above policies (b) and (c) as an Additional Insured:

The Maryland Congress of Parents & Teachers, (Maryland PTA) including all units and councils, and all their officers, directors, members and volunteers. The insurance afforded by this policy shall be primary insurance to any other valid and collectible insurance available to PTA and

_____ .
(Name of vendor/concessionaire/service provider)

I/We _____(vendor/concessionaire/ service provider) agree(s) to defend and to indemnify and hold harmless, the Maryland Congress of Parents and Teachers, (Maryland PTA) including all units, councils and all of their officers, directors, members and volunteers, but only with respect to liability for bodily injury or property damage or personal and advertising injury caused, in whole or in part, by my/our acts or omissions or the acts or omissions of those acting on my/our behalf:

A. In the performance of my/our operations; or
B. In connection with my/our premises rented to you; or
C. In the sale or distribution of my/our products.

NOTE: The terms and conditions of this agreement shall apply with respect to Vendor's/Concessionaire's/Service Provider's operations for any PTA unit that is part of Maryland State PTA.

_____

DATE: _____ SIGNED: _____
(Vendor/Concessionaire/Service Provider)

NAME OF ENTITY: _____ TITLE: _____

Name of Witness_____ Witness Signature_____

NOTE: Failure of Vendor/Concessionaire/Service Provider to keep the required insurance policies in full force and effect during the work covered by this agreement shall constitute a breech of this agreement. In the event of a breach, the PTA shall have the right but not the duty to procure insurance covering the vendor for the period of this agreement. The cost of this insurance will be deducted by the PTA from the proceeds due to the Vendor/Concessionaire/Service Provider.

Cert

Client#: 1283925 306MARYLCON

ACORD™

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 8/18/2011

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Insurance Producer
Address

CONTACT NAME: Insurance Agent
PHONE (A/C, No, Ext): 888-888-8888 FAX (A/C, No):
E-MAIL ADDRESS:
PRODUCER CUSTOMER ID #:

INSURED
Vendor's Name
Address

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : Insurance Company	
INSURER B : Insurance Company	
INSURER C : Insurance Company	
INSURER D :	
INSURER E :	
INSURER F :	

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY	X		Policy #	Dates	Dates	EACH OCCURRENCE	$1,000,000
	X COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence)	$100,000
	CLAIMS-MADE X OCCUR						MED EXP (Any one person)	$10,000
							PERSONAL & ADV INJURY	$1,000,000
							GENERAL AGGREGATE	$2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						PRODUCTS - COMP/OP AGG	$2,000,000
	POLICY PRO-JECT LOC							$
B	AUTOMOBILE LIABILITY			Policy #	Dates	Dates	COMBINED SINGLE LIMIT (Ea accident)	$1,000,000
	ANY AUTO			Required if providing transportation of students			BODILY INJURY (Per person)	$
	ALL OWNED AUTOS						BODILY INJURY (Per accident)	$
	SCHEDULED AUTOS						PROPERTY DAMAGE (Per accident)	$
	HIRED AUTOS							$
	NON-OWNED AUTOS							$
	UMBRELLA LIAB OCCUR						EACH OCCURRENCE	$
	EXCESS LIAB CLAIMS-MADE						AGGREGATE	$
	DEDUCTIBLE							$
	RETENTION $							$
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY			Policy	Dates	Dates	WC STATU-TORY LIMITS / OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y / N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N/A		Required if vendor has employees working event			E.L. EACH ACCIDENT	$100,000
							E.L. DISEASE - EA EMPLOYEE	$500,000
							E.L. DISEASE - POLICY LIMIT	$100,000

SAMPLE

* * DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Maryland Congress of Parents & Teachers, all units, councils and districts including officers, directors, members and volunteers are hereby named as Additional Insured per attached Additional Insured endorsement.
Re: Event Date:

CERTIFICATE HOLDER

Maryland State PTA
Unit Name & Address

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Signature

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THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – DESIGNATED PERSON OR ORGANIZATION

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s)
Any person or organization that you are required to add as an additional insured to this policy, under a written contract or agreement currently in effect, or becoming effective during the term of this policy. The additional insured status will not be afforded with respect to liability arising out of or related to your activities as a real estate manager for that person or organization **The Maryland Congress of Parents & Teachers, Maryland PTA, including all units, councils, and all their officers, directors, members, and volunteers.**
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

Section II – Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

A. In the performance of your ongoing operations; or

B. In connection with your premises owned by or rented to you.

MARYLAND STATE PTA
5 Central Avenue, Glen Burnie, MD 21061-3441

ADULT PARTICIPANT'S WAIVER

In the consideration of the acceptance of my entry in the

_____
Name of PTA Unit City

Date of Event_____ Name of Event_____

_____ I the undersigned participant, intending to be legally bound, do hereby for myself and heirs, executors, administrators and assigns, forever waive, release and discharge any and all rights, claims and actions for damages that I may have, or that may hereafter accrue to me against the Maryland PTA including all units and councils, and all of their officers, directors, members and volunteers.

I attest and verify that I am mentally & physically fit and able to participate in this event and acknowledge that I am aware of the inherent risks in participating in an athletic event of this type.

_____
Signature Date

_____
Print Name

_____
Address City Phone

Maryland State PTA
5 Central Avenue
Glen Burnie, MD 21061

PARENT'S (FAMILY) APPROVAL; STUDENT WAIVER; AND PARTICIPANT'S WAIVER

_____has my (our) permission to participate
Name of Minor(s)

in all PTA sponsored events for the school year _____ to _____.

The undersigned parent or guardian assumes all risks in connection with the student's participation in any and all of the PTA sponsored activities. I, the undersigned participant, intending to be legally bound, do hereby for my self and heirs, executors, administrators and assigns, forever waive release and discharge the Maryland State PTA, all PTA officers, employees, agents, and volunteer from all liability, claims or demands for any damage, loss or injury to the student, the student's property, or parent's property or to myself in connection with participation in these activities, unless caused by the negligence of the PTA.

I do hereby certify that to the best of my (our) knowledge and belief said minor is in good mental and physical health. In case of illness or accident, permission is granted for emergency treatment to be administered. It is further understood and agreed that the undersigned will assume full responsibility for any such action, including payment of costs.

I attest and verify that I am mentally & physically fit and able to participate in this event and acknowledge that I am aware of the inherent risks in participating in any athletic event.

I (we) hereby advise that the above named minor has had the following allergies, medicine reactions or unusual physical condition which should be made known to a treating physician or which could limit participation:

_____

If none please write none.

1. _____ _____
Parent/Guardian/Participant Signature Print Name

_____
Address City Phone

2. _____ _____
Parent/Guardian/Participant Signature Print Name

_____
Address City Phone

GREEN LIGHT

Approved activities and events are listed on the **GREEN** pages. The National PTA **Annual Resources for PTAs** must be referred to for more information about appropriate PTA fund-raising activities and PTA policies and procedures.

- ✓ **Under no circumstances should any PTA unit or council sign a Hold Harmless Agreement for a vendor/concessionaire/service provider, or agree in any way that the PTA will be held responsible for liability. Review all contractual arrangements very carefully to make sure that they do not contain such provisions. If a contract includes a Hold Harmless Agreement contact the Maryland PTA Insurance Broker prior to signing. Vendors for these activities are still required to sign the PTA Hold Harmless Agreement and provide the necessary proof of insurance.**

- ✓ After-School Treats
- ✓ Apple Bobbing
- ✓ Art & Craft Activities
- ✓ Auction/Silent Auction
- ✓ Bake Sales (be sure your school district and/or local health department allow homemade products)
- ✓ Balloon Artist
- ✓ Band Concerts
- ✓ Baseball Toss through Target
- ✓ Bean Bag Toss
- ✓ Bike Displays & Bike Rodeos
- ✓ Book Fair
- ✓ Bowling
- ✓ Broom Hockey
- ✓ Cake Walks
- ✓ Calendar Sales
- ✓ Candy Sales
- ✓ Carnivals without Powered Rides and Amusement Vendors (refer to Yellow Light List)
- ✓ Christmas Tree Sales (No cutting)
- ✓ Colored Sand Painting
- ✓ Community Forums
- ✓ Confetti Eggs
- ✓ Cookbook Sales
- ✓ Cooking Classes
- ✓ Costume Carnival and Costume Rentals
- ✓ Cow Bingo
- ✓ Craft Fairs, Holiday Boutique, Yard Sales and Swap Meets. Food vendors must have Products Liability.
- ✓ Craft Workshops
- ✓ Dances and Dance Dance Revolution
- ✓ Dinners (pasta, crab, international, barbecue, etc.)
- ✓ Enrichment — Academic only (refer to exclusions on **RED LIGHT** list)
- ✓ Egg Toss
- ✓ Face Painting
- ✓ Family Portraits
- ✓ Fashion Shows
- ✓ Fish Ping Pong
- ✓ Food Sales by PTA only
- ✓ Football Throw through Target
- ✓ Fortune-Telling, Terra Card Reading
- ✓ Gift Wrap Sales
- ✓ Gift Wrapping
- ✓ Golf Tournament

Continued

GREEN LIGHT Approved Activities and Events (continued)

- ✓ Greeting Card Sales
- ✓ Haunted House
- ✓ Hobby Shows
- ✓ Hypnotist
- ✓ Ice Cream Socials
- ✓ I.D. Bracelets
- ✓ Jail Auctions
- ✓ Karaoke
- ✓ Laser Tag
- ✓ Leg-A-Thon
- ✓ Line Dancing
- ✓ Life Time Fitness
- ✓ Magazine Sales
- ✓ Magic Shows
- ✓ Math Fair
- ✓ Mouse Trap Maze
- ✓ (Wear Velcro suits, move through Velcro maze, and try not to touch sides. No launching devices.)
- ✓ Movie Night
- ✓ "Nerf" Bow and Arrow
- ✓ Parent Education Workshops
- ✓ Pee Wee Golf
- ✓ Performing Arts
- ✓ Pencil Sales
- ✓ Picnic-Type Games (Not competing against other schools or classes)
    - 3-Legged Race
    - Basketball Shoot
    - Bowling
    - Jump Rope
    - Obstacle Course
    - Potato Race
    - Puzzle Race
    - Sack Race
    - Softball Throw
    - Tug-of-war
    - Volleyball
- ✓ Pizza Night
- ✓ Plant Boutiques
- ✓ Popcorn Sales
- ✓ Reading Night
- ✓ Ring Toss
- ✓ Roll Reversal Plays
- ✓ Rummage Sales (ALL sales receipts going to PTA)
- ✓ White Elephant Sale/Flea Markets
- ✓ Sale of Logo Items
- ✓ Scarecrow Competition
- ✓ School Play
- ✓ Science Fair
- ✓ Silhouettes
- ✓ Snack Food Sales
- ✓ Snow Day
- ✓ Spelling Bee
- ✓ Sponge Toss Using Goggles
- ✓ Storytellers/Performers
- ✓ Taffy/Sucker tug-of-war
- ✓ T-shirt Sales, Sweatshirt, Jacket, etc.
- ✓ Talent Shows
- ✓ Water Balloon Toss
- ✓ Water Bottle Sales
- ✓ Yearbook Sales

DIRECTORS AND OFFICERS LIABILITY INSURANCE

Maryland PTA provides $1,000,000 Directors and Officers Liability Insurance. This policy covers all units and councils participating in the program.

You, as a director, officer, member or volunteer of an organization, can be sued because of failure or alleged failure to act within established guidelines. Directors and Officers have a fiduciary duty to their organization and are sued by those who feel members have not lived up to the responsibilities or duties assumed as members of the organization.

Generally these duties are:

Duty of Loyalty: Requires you to act in good faith. You must not allow your personal interest to prevail over the interests of the organization. Do not use the PTA as a personal forum.

Duty of Care: Requires you to be diligent and prudent in managing the organization's affairs. You must be informed and regularly review all financial statements, regularly attend board meetings, and avoid conflicts of interest.

Duty of Obedience: Forbids acts outside the scope of corporate powers. The governing board of the organization must comply with state and federal law; conform to the organization's charter, articles of incorporation and bylaws.

Examples of actual claims that have been filed against nonprofit organizations:

- Wrongful Termination
- Breach of Employment Contract
- Fund Misappropriation
- Discrimination
- Antitrust
- Civil Rights Violation
- Sexual Harassment
- Promotions and Compensation
- Invasion of Privacy
- Interference with Employment Contract
- Inefficient Administration
- Waste of Assets
- Failure to Deliver Services
- Fund-Raising Activities
- Lobbying Activities
- Entering into Contracts Where Conflict of Interest May Exist
- Libel and Slander

(**Reminder**: As with the Comprehensive General Liability coverage, the PTA must do all it can to prevent losses. Good Risk Management helps to keep insurance costs low.)

BONDING INSURANCE

Maryland PTA's insurance program includes bonding. You are covered for $25,000 Coverage A (Fidelity) with a $500 Deductible. Coverage A covers you if an employee, member or volunteer takes assets of the PTA.

You have $25,000 Coverage B (Forgery) with a $500 deductible. Coverage is for a loss due to forgery or alteration of a check.

You have $25,000 Coverage C (Theft/Robbery) with a $500 deductible. Provides coverage should someone other than an employee, member, or volunteer take assets (money or scrip) from the PTA.

Higher limits are available. Contact the PTA Insurance Broker.

The bond does not provide coverage for wire transfers. There is very limited coverage for credit card losses and we discourage the use by units and councils.

Losses must be reported within 60 days of when you discover a potential loss. We recommend you report a loss when you are in the investigation stage, to prevent your claim being denied. You must have records of your transactions to collect on a loss.

It is critical that all units follow the Maryland PTA Financial Guidelines. Two signatures are required on all checks. When a fundraiser is held and large amounts of cash are collected, two people should count the funds; both sign and each retain a copy of the receipt verification form and deposit the money in the bank. Cash should not be left unattended in any car, taken home, or deposited in your personal account. When a large fundraiser is held, conduct a review on the fundraiser immediately upon completion of the event. A review will immediately reveal if funds are missing.

Maryland PTA By-Laws require that all PTAs submit a copy of the treasurer's annual report, reviewed by the auditing committee to the Maryland State PTA or their designated representative.

DISCLAIMER

It must be understood that this document is only a summary and it is **NOT** all-inclusive, nor does it alter or waive any of the actual policy coverage, exclusions or conditions.

The material in this publication is provided for informational purposes only and is not intended to be representative of coverage that may exist in any particular situation under the policy. All conditions of coverage, terms and limitation are defined and provided for in the policy.

Please contact the Maryland PTA Insurance Broker KNIGHT Insurance Services (800) 733-3039 or PTAMD@Knightins.net if your proposed activity is not listed under the **RED, YELLOW OR GREEN LIGHT,** or if you have questions regarding coverage or activities.

The *Insurance and Loss Prevention Guide* was made possible through the cooperative efforts of:

- Alliance of Nonprofits for Insurance Risk Retention Group
- Knight Insurance Services
- Travelers Insurance Company

Please contact the Maryland PTA Insurance Broker for any suggestions for new green page items.

LOSS CONTROL/RISK MANAGEMENT RESOURCES
Many free resources are available from our liability carrier, "ANI" (Alliance of Nonprofits for Insurance, Risk Retention Group).

ANI offers educational booklets (which include how to have safe events, managing volunteers, important facts about directors and officers and their legal liability); an online library of forms and templates; discounted background checks; an audio visual lending library; loss control assistance.

More information about these and other resources is on their secure website: www.ani-rrg.org. If you need a login to the website, or have any questions regarding the resources, please contact the Director of Loss Control at 831-621-6076 or via email at losscontrol@insurancefornonprofits.org.