



RISK MANAGEMENT MATTERS



PREPARING FOR ELECTRONIC DISCOVERY - WHAT'S IN YOUR COMPUTER?

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Electronic discovery (also called e-discovery and EDD or Electronic Data Discovery) refers to any process in which electronic data is sought, located, secured, and searched with the intent of using it as evidence in a civil or criminal legal case. E-discovery can be carried out offline on a particular computer or it can be done in a network. Court-ordered or government sanctioned hacking for the purpose of obtaining critical evidence is also a type of e-discovery.

The collection of data can include all forms of electronic media such as computer hard drives, backup tapes and removable media (CDs, floppy disks, zip drives, etc.)

In the process of electronic discovery, data of all types can serve as evidence. This can include text, images, calendar files, databases, spreadsheets, audio files, animation, Web sites, and computer programs. Even viruses and spyware can be secured and investigated.

The nature of digital data makes it extremely well-suited to investigation. For one thing, digital data can be electronically searched with ease, whereas paper documents must be scrutinized manually. Furthermore, digital data is difficult or impossible to completely destroy, particularly if it gets into a network. This is because the data appears on multiple hard drives, and because digital files, even if deleted, can be undeleted. In fact, the only reliable means of destroying data is to physically destroy any hard drive where it is found.

On December 1, 2006, new Rules of Civil Procedure related to Electronic Discovery will take effect in the federal courts that will require parties to follow stringent standards for retaining electronic evidence. The new federal rules are an indication of similar changes to discovery rules that are expected to be implemented soon in state courts.

The new rules have the potential to create serious new demands on attorneys and their clients, particularly corporate or governmental entities, including school districts. Violation of the new rules could lead to stiff monetary fines, exclusion of evidence, and adverse jury instructions.

For example, for initial disclosures, parties now will have a duty to disclose where electronically stored information might be stored. E-discovery for school districts will include information stored on the individual computers of relevant employees and administrators, main network storage units, and backup tapes. For this reason, all district employees and administrators need to be extremely careful regarding what they put into electronic files. The widely used electronic mail (e-mail) can be an especially valuable source of evidence in civil or criminal litigation because people are often less careful in these exchanges than in hard copy correspondence such as written memos and postal letters. Each individual must prepare e-mail as though they are preparing a letter for signature, and should not slip into a casual conversational tone, since any e-mail could end up as an exhibit at trial (see boxed information page 2).

*Preparing for Electronic Discovery,
continued from front page*

At the very start of a new federal lawsuit, the attorney will have to speak with the school district's IT person to find out what, how and where information is electronically stored and maintained. School districts and their counsel will need enough expertise in the technical aspects of computers and data storage and retrieval to meet these new obligations.

In addition, when litigation commences or is imminent, the school district will need to issue a "litigation hold," and periodically reissue this litigation hold while the case is pending. This litigation hold will instruct anyone at the school district using the district's computers or other electronic devices not to delete or destroy any potential evidence in the case. There is no specific required language for such litigation holds; however, an example of such a litigation hold could look like the following:

To whom it may concern:

A lawsuit has been filed involving [plaintiff] and [District]. We are required by law to preserve any documents that may involve interactions between [plaintiff] and persons at this school. The term "document" includes printed hard copies as well as information saved electronically on computers and other electronic devices. (e.g., printed pages, files, e-mails, documents saved on your computers, on disks, on back-up tapes, and any medium in which such potential evidence may be preserved). Any documents and/or files created by, sent to, or referencing [plaintiff] in any way, including events in which he/she was involved, are included in this directive.

Please do not delete or destroy any potential evidence of which you are aware. If you believe you have any documents that fit the description above, please provide your identity to [IT person or other contact], as well as a description of the materials that you believe fit the description above. Please keep both the litigation and this directive strictly confidential.

Please contact me if you have questions regarding this matter.

The new rules do contain a "safe harbor" provision that may protect a party from sanctions for failing to provide material lost in the routine operation of a party's computer system. However, if existing federal case law is any indication of things to come, federal courts generally will not excuse attorneys' or clients' mistakes or ignorance of the new rules.

New rules now clearly require that electronic evidence be produced, and they now permit the requesting party to request the electronic format in which the other side must produce it. In cases where the production of the electronic evidence is unusually expensive, the rules set out procedures for the responding party to ask the court to shift the cost of production to the requesting party. Also, since discovery now often could entail production of huge amounts of electronic data from a party's computer systems, the rules now include a procedure to follow if electronically stored privileged documents are produced inadvertently.

While the ultimate effect is not yet known, the new e-discovery rules have the potential to dramatically change the face of discovery procedures, and the stakes may be high. Both school districts and their attorneys should strive to become familiar with the new obligations and rules. By doing so, each will be better able to make sure that the interests of the party is protected to the maximum extent possible.

Thank you to Michael A. Patterson for this contribution. Mr. Patterson is a senior shareholder in the law firm Lee Smart Cook Martin & Patterson, practicing as a litigation attorney. Lee Smart has represented more than 40 school districts throughout the State of Washington through liability insurers, risk pools, and private contract.

The problems underlying e-mail use are numerous. The medium is treated so informally that people tend to write e-mail messages without much thought. In e-mail, people don't take the care they would were they writing formal correspondence, and they can say things they don't intend to say. Electronic conversations are easily misconstrued. Also, the recipient can easily (and surreptitiously) forward the e-mail to innumerable people, as well as alter the content of the e-mail.

In addition, e-mail can just-as-easily be sent to unintended recipients by mistake. With one unintended click in the e-mail system's address book, a message intended for one recipient will be sent to the entire organization or to an entire Internet discussion group. With one click what you say behind someone's back may end up before their eyes. Don't assume privacy. Don't send anything over e-mail that you wouldn't want posted on the staff bulletin board. If you need to comment about a third party in your message, consider if what you need to say is negative- or could be construed as such. If so, you may want to use the phone or meet in person instead.

When composing e-mail be clear in your message by including only the necessary information. Abbreviations are common in e-mail but sometimes they are not understood by the recipient. Make sure your message isn't too cryptic. Before sending the message, proofread it. Make sure that you've clearly and concisely said all that your reader needs to know while leaving out all those unnecessary details.

Do not use e-mail to discuss confidential information. Never make, send or forward any e-mails containing libelous, defamatory, offensive, sexist, racist or obscene remarks.

Remember, if you send it from the office, it comes from the office. Personal e-mails sent from the office are regarded as official company communications regardless of content and could possibly expose you and your company to unnecessary risk.



EXECUTIVE COMMITTEE HIGHLIGHTS

Southwest Washington Risk Management Insurance Cooperative

EXECUTIVE COMMITTEE MEETING MARCH 28, 2006

Shaun Mettler reviewed the current Administrative Budget expenditures through February 28, 2006 and presented the financial statements for month end February 28, 2006. The FY 2006-2007 Administrative Budget was approved. Rates for FY 2006-2007 were approved. Jim Rochel reported on the status of open claims. Scott La Bar reviewed the Cyber Safety Project.

EXECUTIVE COMMITTEE MEETING AUGUST 08, 2006

The committee approved the Excess Insurance as outlined by broker Karen Graham of Arthur J. Gallagher. Jim Rochel reported on the status of open claims. Shaun Mettler reviewed the June 30, 2006 financial statements and the Administrative Budget through June 2006. Peggy Sandberg gave an overview of the FY 2005-2006 loss control program focus and discussed the proposed FY 2006-2007 focus of preventing burglary, theft and vandalism.

The next Risk Management Insurance Cooperative Executive Committee will be held December 2006 or January 2007.

Southwest Washington Workers' Compensation Trust

EXECUTIVE COMMITTEE MEETING MARCH 27, 2006

Loy Dale discussed Arthur J. Gallagher's Best Practices Audits and Recommendations report. Shaun Mettler reviewed the February 28, 2006 financial statements and the Administrative Budget through February 2006. The Administrative Budget for FY 2006-2007 was approved. The committee approved the FY 2006-2007 rates staying flat.

The next Workers' Compensation Trust Executive Committee will be held December 2006 or January 2007.

SW WA Unemployment Pool

EXECUTIVE COMMITTEE MEETING JUNE 22, 2006

The year-end August 31, 2005 and month end May 31, 2006 Financial Statements were ratified. The Administrative Budget for 2006-2007 was approved. The committee approved the FY 2006-2007 rates staying flat.

EMPLOYEES (OR VOLUNTEERS) BRINGING THEIR CHILDREN TO WORK WITH THEM - IS THIS A GOOD IDEA?

Occasionally districts ask the Risk Cooperative if there are risk management concerns with employees bringing their children with them to school or to school functions. Examples include a custodian bringing her child to school because childcare was not available or a coach bringing along his children to a game.

There are two basic reasons that the Risk Cooperative feels that this is NOT a good practice:

1. The employee's attention is distracted from his/her duties by having to supervise his/her child (or even worse - the employee does not adequately supervise his/her child).
2. The district may be exposed to additional potential liability if the child is injured or does damage at the school.

For these reasons, we recommend that the district adopt a policy on employees bringing their children to work with them. If this is allowed, allow it on a case-by-case exception basis only.

Bringing children to school at non-work times is another matter. One district allows employees who choose to work in the school building on their own time to bring their children with them, but charges them with the direct responsibility for the supervision of their own children. The policy further requires that employees are to have their children in their classroom or workspace in order to supervise them, and are responsible to see that their children do not have open access to other spaces in the building or continual access in and out of the building.

The responsibility for supervising students is a serious one, and taking attention away from that important task may have consequences.

For questions about this issue, please contact a Loss Control Specialist.



THE IMPORTANCE OF THE EMPLOYEE INCIDENT REPORT

The Employee Incident Report is a document that is used to record any injury or exposure that occurs on the job, regardless of the severity of the incident. Because not all incidents become a workers' compensation claim, this document is vital as a reference should the employee require medical attention in the future. The report is also used to gather information for loss prevention purposes. All school districts use the same form, and the forms are available through the ESD.

Employees are advised, with periodic reminders, that all injuries or exposures are to be immediately reported to the supervisor, or the supervisor's designee. The supervisor's role is to be sure the employee receives and completes an incident report on a timely basis. There is a section on the report that asks if only first aid was administered, or if the employee was seen by a doctor. Whether the employee receives no treatment, first aid, or sees a doctor, the completed form is forwarded to the ESD. The ESD keeps the form on file should the employee seek future treatment.

Response to all of the questions on the incident report is important. A detailed description of the incident will inform the supervisor of unsafe equipment or work practices. If the injury is due to repetitive motion, a description of that activity will assist in determining if an ergonomic evaluation is needed. Equally as important, a detailed description will assist a claims adjuster in matching the injury to the medical documentation that is received.

The Employee Incident Report is sometimes the first notification the workers' compensation section has of an industrial injury or exposure. Accurate completion and timely submission is vital to all parties involved.

NEW CPR METHOD

Faster, harder, more! That just about sums up the new guidelines from the American Heart Association for cardiopulmonary resuscitation (CPR). "Basically, the more someone pushes on the chest, the better off the patient is," says Dr. Michael Sayre of Ohio State University Emergency Medicine who helped develop the new guidelines. "We have made things simpler; push hard on the person's chest and push fast."

New guidelines call for a ratio of 30 compressions to two breaths for all victims, young or old, at a rate of 100 compressions per minute. This pace should continue until help arrives with an automated external defibrillator (AED) or until the victim starts breathing. With these streamlined guidelines resulting in more chest compressions with fewer interruptions for breaths and at a faster rate, learning CPR should be easier.

Anyone who comes across an adult who is not breathing or moving should call 911; trained individuals should then begin CPR. No need to check for a pulse or circulation, just follow these steps:

- Carefully position the person flat on his or her back.
- Tilt the head back and lift the chin.
- Look and listen for chest movement and breathing.
- If the person is not breathing, pinch the nose and give the person two breaths lasting one to two seconds to produce a visible chest rise.
- Place hands in the center of the victim's chest and with one hand on top of the other and elbows locked, press the heel of the hand into the chest until you feel resistance and then let the chest fully rise back up.
- Give 30 of these chest compressions for every two breaths.
- Repeat this until medical help with a defibrillator arrives or the person starts breathing.

For children one to eight years old, compress the heel of one hand in the same location as the adult. For infants compress two fingers of one hand in the same location as the adult.

Sudden cardiac arrest (SCA) is the leading cause of death in the United States. Approximately 300,000 people die in the U.S. each year from cardiac arrest. Most sudden cardiac arrests are due to abnormal heart rhythms called arrhythmias. The most common arrhythmia is ventricular fibrillation (VF), in which the heart's electrical impulses suddenly become chaotic and ineffective. Blood flow to the brain abruptly stops; the victim then collapses and quickly loses consciousness. Death usually follows unless normal heart rhythm is restored within minutes.

More people survive cardiac arrest when a certain sequence of events happens as quickly as possible. This series of steps is called the Chain of Survival and includes:

- Early Access: recognition that an emergency exists and immediately notifying EMS by calling 911.
- Early CPR: CPR circulates oxygen-rich blood to vital organs.
- Early Defibrillation: AEDs can double the chance of survival if they're used within the first five minutes following cardiac arrest.
- Advanced Care: Trained healthcare workers provide advanced lifesaving interventions.

All AEDs should be reprogrammed to follow the new CPR Guidelines. CPR should be performed for two minutes or 200 compressions before an AED is used. CPR should be immediately restarted for two more minutes after each shock or analysis of the heart's rhythm from the defibrillator. AEDs can also be used on children between the ages of one and eight if the appropriate pediatric pads are used. AED users are also covered under the Good Samaritan Law.

For more information on CPR and the new standard, check the American Heart Association site at www.americanheart.org.

EMPLOYMENT OF MINORS IN SCHOOLS - WHAT TEENS CAN AND CANNOT DO

According to the National Institute for Occupational Safety and Health (NIOSH), about 70 teens die from work related injuries in the United States each year. Another 70,000 are injured seriously enough that they must be treated in a hospital emergency room. The Washington State Department of Labor and Industries reported the workplace fatalities of three, 16 year olds during the summer of 2003. Additionally, injuries to workers under the age of 18 occur at a rate double that for adults and nearly 50% of injuries occur during the first six months on the job.

Teenagers are typically ambitious and eager to learn. Along with those qualities, there comes the potential for injury and accidents to occur. There are many reasons why teenagers are injured on the job. Teens are injured when they do jobs they are not trained to do, lack adequate supervision, or work with dangerous equipment the law prohibits them from using. While the majority of injuries to teens are typically burns, cuts, slips and falls, some injuries can result in lifelong disability. Disability can change the course of a teenager's life.

Many school districts allow students to work at the school as part time employment, part of a vocational program or as volunteers. Students may perform work at a school in the custodial, maintenance, grounds-keeping, food service and clerical departments.

To prevent injuries to students and to protect school districts from undue liability, it is important that school district officials understand and be in compliance with the applicable laws governing prohibited duties of minors.

PROHIBITED WORK

Following are work activities which minors (anyone under 18 years of age) are prohibited from performing in any workplace, including schools. Minors

may not perform the following:

- Operate a tractor or connect or disconnect an implement of any of its parts to or from a tractor
- Operate a meat slicer or powered bakery equipment such as a mixer
- Operate a forklift
- Regular driving of motor vehicles to make deliveries
- Work at heights greater than 10 feet off the ground or floor level
- Perform work involving circular, band or chain saws; power driven wood working machines; power driven metal forming punching and shearing machines; and guillotine shears (see vocational education exemptions reference below for more information)
- Perform work in or around boiler rooms
- Trenching or excavating
- Work past 8:00 p.m. without being supervised by an adult employee who is on the premises at all times
- Operate commercial-grade powered equipment. This equipment includes powered lawn-care equipment such as trimmers with blades or shears, chainsaws, powered thatchers, aerators, rototillers, chippers and mowers pulled with a tractor.

Employees must be at least 16 years old to operate power lawn mowers and other powered yard-care equipment, such as leaf blowers and nylon string-style weed whackers. Both push and riding mowers are allowed.

Exemptions are allowed for certain occupations when students are enrolled in a vocational education program or apprenticeship program. See WAC 296-125-030 and WAC 296-131-125 for more information on what is allowed under a vocational education program.

WHAT CAN A SCHOOL DISTRICT DO?

- Know the rules for hiring and employing teens. These same rules should be followed if the teen is doing volunteer work for the district
- Provide safety orientation to teen workers when they are new to the job
- Recognize the hazards associated with the job
- Encourage teen workers to ask questions
- Create a buddy system with experienced workers you trust can do a good job explaining to teen workers how to work safely
- Give positive feedback for work done safely
- Provide adequate supervision

Young people enjoy working and benefit from the skills they learn on the job. Employers appreciate their high energy and lower employment expenses. To continue this beneficial relationship while protecting the health of our young employees, health and safety guidelines should be understood and followed. Worker safety should always be a top priority.

For additional resources about prohibited employment of minors and general young worker safety please go to the following websites:

<http://www.youthrules.dol.gov/>

<http://www.osha.gov/SLTC/teenworkers/>

<http://www.cdc.gov/niosh/topics/youth/>

http://www.ufcw.org/your_industry/retail/safety_health_news_and_facts/teen_safety.cfm

www.teenworkers.lni.wa.gov

<http://www.uwworksafes.com/worksafes/>



Sharon Irwin, Loss Control Specialist

WELCOME SHARON IRWIN, LOSS CONTROL SPECIALIST

Sharon Irwin is the Insurance Programs' newest Loss Control Specialist.

After more than 20 years as a math teacher, most recently in Gaiser Middle School (Vancouver School District), Sharon wanted a career change yet wanted to stay connected to education. Working with school districts to try to help them prevent losses seemed a perfect fit.

Sharon has a Bachelors of Science in Food and Resource Economics, and Masters in Education from City University.

Born in Massachusetts, she lived in California before settling in Vancouver. She has been married to her husband Dave, an ELL Teacher, for 25 years. They have 17-year-old twins.

Her hobbies include gardening, bird watching, reading, painting and cooking.



STUDENT TRANSPORTATION CONCERNS - STUDENTS DRIVING THEMSELVES

Should districts allow students to drive themselves and other students to sport activities, field trips, or other school events? Sometimes students have to transport themselves to school events. There are steps that school districts can take to lessen the liability associated with that practice.

Some sports such as golf or tennis may require students to travel to an offsite location to practice or compete. Students also might drive themselves to a school-related event because the group may not have enough participants to justify the use of a school van or bus. Students may need to drive to Skill Centers that

are off campus and sometimes students may like having the flexibility driving their own car provides. These types of scenarios may create a district liability exposure.

If this must occur, the district should "divorce" itself from the responsibility of arranging this transportation. In other words the district should leave the arrangements of transportation for students involved in these circumstances to the parents.

FOLLOWING ARE STEPS THE DISTRICT CAN TAKE TO LESSEN A SCHOOL DISTRICT'S LIABILITY:

- Give specific directions to the destination.
- Inform parents that school district transportation is not available and that it is their responsibility to make transportation arrangements. It is the parents' decision whether or not to allow their student to drive themselves or to ride with another student.
- Require a signed parent acknowledgement of this notification.
- Never give direction as to who can ride with whom.

Below is an example of a wording that a school district in Western Washington included on every application for participation in sports. "Transportation will not be provided except as specifically identified by the school. Use of non-district provided transportation will be needed to access off campus sites for practices and some contests. Providing or arranging appropriate transportation to these contests is the responsibility of the parent."

School district personnel also ask whether it is permissible for a student to ride home from a school sponsored event with someone other than the school bus transportation which is provided by the district. Basically students are expected to ride the school bus to and from school events unless written parental permission is obtained, or the student is released to the parent. Even when the student is released to the parent, it is recommended that a note be obtained from the parent. This will lessen liability to the district in the event a parent lets their child ride home with a friend.



COMMON FIRE CODE VIOLATIONS IN SCHOOLS

Fire jurisdictions in Washington State have adopted the International Fire Code (IFC) in lieu of the Uniform Fire Code (UFC) to address life safety issues related to the prevention of fires and reduction of damage resulting from fires. We can learn from these codes and apply them to make our schools safer learning environments. The following are some common fire code violations that ESD 112 Loss Control staff has encountered during our surveys of school district buildings. Many of our member districts have also been cited by local fire marshals for these violations. The fire code reference is included for each item.

OBSTRUCTED EXITS

Do not obstruct exits in any manner to render the means of egress hazardous. (IFC Section 1027.3) Do not store combustible materials in exits. (IFC Section 315.2.2) Do not store or use any furniture, student desks or learning carousels in exit areas that may obstruct egress. Prevent cabinets from toppling over near exit doors.

STORAGE IN CORRIDORS

The width of the corridors is designed for your school's occupant load. Maintain the corridors to their designed width. (IFC Section 315.2.2) Remember, if a fire breaks out in your school, heavy smoke may reduce visibility, and obstructions like desks, chairs or carts will slow down or prevent people from exiting the building and hallways.

INTERIOR DOORS BLOCKED OPEN

Do not wedge classroom and corridor doors open at any time. Open doors allow smoke to spread from a classroom to a hallway and vice versa in a fire. (IFC Section 1026.17)

IMPROPERLY LOCKED DOORS

Do not use a latch lock on exit doors from rooms with a capacity load of 100 or more unless it is panic hardware. (IFC Section 1008.1.9)

EXIT ILLUMINATION

Provide proper lighting for exit ways and exit signs at all times. (IFC Code Sections 1006.1 and 1026.3) Replace burned out light bulbs in exit signs immediately.

PROVIDE EMERGENCY LIGHTING

Provide battery-powered emergency lighting in assembly rooms, interior stairways and hallways and in other areas of egress so that occupants can exit in an orderly manner in an emergency with failure of normal lighting. (IFC Sections 1006.3 & 1026.5)

TEST EMERGENCY LIGHTING

To ensure that battery-powered emergency lights function properly in a power failure, test the lights on a monthly basis by pushing the test button for at least 30 seconds. (NFPA 101 Section 5-9.3)

FIRE DRILLS

Conduct fire evacuation drills at least once a month during school sessions (more often if required by local fire department.) Include the complete evacuation of all persons from the building. (IFC Section 405.2)

STORAGE IN MECHANICAL ROOMS

Do not store combustible materials in boiler, elevator, mechanical or electrical equipment rooms. Electrical equipment can create sparks which can ignite combustibles. (IFC Section 315.2.3)

STORAGE NEAR CEILING

Maintain at least 24 inches of clear space between the top of storage and the ceiling of a non-sprinklered building to control fire hazards. (IFC Section 315.2.1)

STORAGE NEAR SPRINKLER HEADS

Maintain at least 18 inches of clear space between the top of storage and the ceiling sprinkler deflectors so they can provide adequate water distribution in the event of a fire. (IFC Section 315.2.1)

HEATER CLEARANCE

To reduce possible fire hazards in storage areas, maintain at least three feet of clearance in all directions between stored materials and unit heaters, radiant space heaters, duct furnaces and flues etc. in accordance with the clearance shown on the approved agency label. (IFC Section 315.2)

EXTENSION CORDS

Replace the use of extension cords with permanent wiring to reduce possible electrical and fire hazards. Do not plug extension cords and power strips into each other, and do not overload circuits. (IFC Sections 605.4 and 605.5)

CLEARANCE TO ELECTRICAL PANELS

Maintain a clear and unobstructed means of access to electrical panel boards - a minimum depth of 36 inches, a minimum width of 30 inches to each side of and a minimum height of 78 inches in front of the board. Sparks may fly out during arcing or short-circuiting and ignite combustible materials placed in front of panels. You may need to access the panel in a hurry to shut down power and obstructions can impede this action. (IFC Section 605.3)

STORAGE OF COMBUSTIBLE MATERIALS

Provide orderly storage of combustible materials in the building and keep the storage minimal to reduce the fire load. Do not store combustible materials under non-sprinklered eaves and canopies. (IFC Section 315)

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Common Fire Code Violations

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COMBUSTIBLE DECORATIVE MATERIALS

Except for individual decorative items, combustible decorative materials such as artificial vegetation must be flame resistant or flame retardant. (IFC Section 804.4)

ARTWORK ON WALLS

Do not cover more than 20% of classroom or hallway wall surface areas with combustible wall decorations (such as child-prepared artwork or teaching materials) unless they bear the FM or UL seal or other approved testing laboratory for flame resistance. If the artwork on the walls catches on fire, it will be very difficult to escape from a classroom or through a hallway. (NFPA Section 101 10-7.4)

FLAMMABLE LIQUID STORAGE CANS

Use a FM Global approved or Underwriters Laboratory (U.L.) listed metal safety can to store flammable liquids in shops instead of plastic cans. An approved can is double-walled, and is equipped with a spring self-closing lid and spout cover, a flame arrester and is designed to relieve internal pressure when subjected to fire. (NFPA 30, and IFC Section 3405)

STORAGE OF FLAMMABLE LIQUIDS

Store flammable and combustible liquids that exceed quantities used for demonstration, laboratory work and maintenance purposes in approved cabinets in accordance with IFC Section 3404.3. (FM Global approved, UL listed, or constructed according to NFPA 30 Section 4.2 standards.) Ordinary metal office supply cabinets or metal lockers are not approved for storage of flammable liquids. Flammable liquids are not allowed in basement areas.

PROHIBIT USE OF CANDLES AND OPEN FLAME

The use of candles and other open-flame devices in schools and places of assembly is prohibited. An operational permit from the fire department is required if any open flame is to be used. (IFC Section 308.3)

OILY RAGS DISPOSAL

Store oily rags and other materials susceptible to spontaneous ignition in approved metal disposal containers. (IFC Section 304.3.1)

FIRE EXTINGUISHER ACCESSIBILITY

Keep fire appliances in proper condition. Extinguishers, hoses and similar appliances must be visible and accessible at all times. (IFC Section 906.5 & 906.6)

COOKING HOOD FIRE PROTECTION

Provide an approved automatic fire-extinguishing system for the protection of commercial type cooking equipment that generates grease-laden vapors. The fuel or energy supply must shut off automatically when the suppression system is actuated. (IFC Sections 904.2 & 904.3)

Practicing prevention is a positive approach to fire safety. Call the ESD 112 Loss Control Department for any fire protection questions.

The International Fire Code is published by the International Code Council and can be purchased from their website, www.iccsafe.org

FIRE PREVENTION WEEK - OCT. 8 - 14, 2006

DISTRACTED DRIVING

Driver inattention is the leading factor in most motor vehicle crashes and near-crashes, according to a research report released by the National Highway Traffic Safety Administration (NHTSA) and Virginia Tech Transportation Institute (VTTI).

Almost 80% of all crashes and 65% of all near-crashes involved the driver looking away from the forward roadway just before the event. Primary causes of driver inattention are distracting activities. These include cell phone use, drowsiness, passenger-related tasks (primarily conversations), performing personal hygiene tasks, smoking, daydreaming, eating, external distraction (sightseeing for example), reaching for an object, and adjusting car controls (air, radio, CD).

KEY FINDINGS INCLUDE:

- Drowsiness is a significant problem that increases a driver's risk of a crash or near-crash by at least a factor of four.
- The most common distraction for drivers is the use of cell phones. The number of crashes and near-crashes attributable to dialing is nearly the same as the number associated with talking or listening. Dialing is more dangerous but occurs less often than talking or listening.
- Reaching for an object increased the risk of a crash or near-crash by 9 times; looking at an external object by 3.7 times; applying makeup by 3 times; reading by 3 times and dialing a cell phone by 3 times.
- Drivers who engage frequently in distracting activities are more likely to be involved in an inattention-related crash or near-crash.

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Distracted Driving, continued from page 8

- Drivers are unable to predict when it is safe to look away from the road to multitask because the situation can change so abruptly. The driver is thus left with no time to react even when looking away from the forward roadway for only a moment.

For a driver, it is important to recognize the signs of a distracted motorist and know how to deal with this type of road hazard before a collision occurs.

SIGNS OF A DISTRACTED MOTORIST INCLUDE:

- 1. Movement inside the vehicle.** The most obvious clue is observing a driver engaged in distracting behavior. This includes operating electronics, using a cell phone, eating and/or drinking, adjusting climate controls, reading, writing, looking at a map, talking with passengers, tending to children, and personal grooming.
- 2. Tailgating.** Commonly interpreted as a sign of impatience or rudeness, tailgating may also be a sign that a driver is too distracted to recognize that he/she is too close to the vehicle ahead.
- 3. Driving too fast, slow, or at an erratic speed.** The driver of a vehicle that is not traveling with the flow of traffic may be

distracted; unaware of his/her vehicle's rate of speed.

4. Cutting off other drivers.

Distracted drivers are often unaware of what is going on around them.

- 5. Breaking traffic rules.** A driver who runs a stop sign or stop light, passes in a no passing zone, or violates some other rule of the road may be distracted.

WAYS TO SAFELY RESPOND TO A DISTRACTED MOTORIST:

- **Maintain a safe distance.** This gives you time to react and avoid a potential accident should the distracted driver suddenly change lanes or vehicle speed.
- **Slow down.** If you are being followed by a distracted driver, gradually decrease your speed. This may get the distracted driver's attention or the driver may pass your vehicle, putting space between you and the hazardous driver.
- **Move to the right.** Moving your vehicle into the right lane (if traffic conditions allow) increases the likelihood that the distracted driver will pass your vehicle.
- **Establish eye contact.** Try to establish eye contact with the distracted driver. Remember to also pay attention to road conditions as you establish eye contact. Eye contact is one way to try and make the distracted driver aware of your presence.
- **Pull over.** If all else fails, leave the road at the first safe opportunity and allow the distracted driver to go ahead of you.

Now that you are more aware of the types of distractions that may occur while driving and the danger those distractions pose, remember- safe driving is your first priority. Always buckle up, keep your hands on the wheel and your eyes on the road.



“FOR FAST-ACTING RELIEF, TRY SLOWING DOWN.”

~LILY TOMLIN

A typical day in the life of a middle or high school teacher usually consists of, 5-6, 45-60 minute classes, 12 or more bells, numerous phone calls, monitoring hallways and listening to concerns of students and staff. Elementary teachers have fewer students but a wider variety of lessons to prepare and students in need of constant attention. It's no wonder teachers rush. But rushing can lead to accidents which can cause injuries that are painful and costly.

According to Workers' Compensations records, around 25% of school employee accidents can be attributed to slips, trips and falls. Teachers are injured when they move too fast or simply run into things. Here are actual reported accidents that may have been avoided if teachers were walking or moving slower and paying attention to their surroundings.

- "Tripped on overhead projection cord..."
- "Walking quickly when left foot twisted"
- "Hit head on a shelf attached to the wall...injury to center top of head"
- "Cutting paper with paper cutter, cut left thumb"
- "Talking with student and walking. Ran into steel pole"

It's hard to do but slowing down can keep you calmer, more patient with the students and more effective. You might have to ignore the phone, focus on just one student at a time, let the others wait, and simply prioritize your tasks. Walk carefully and scan your surroundings for obstacles that may become hazards.

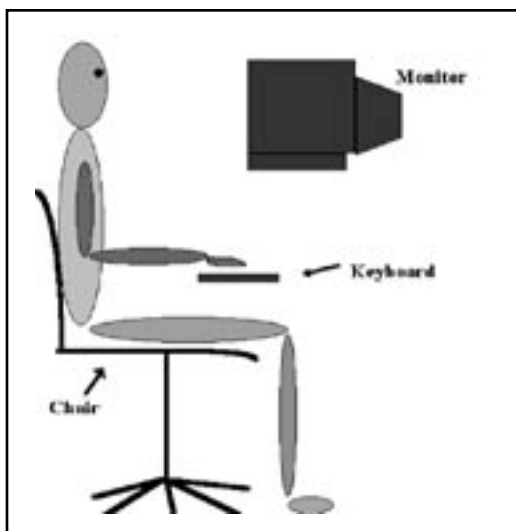
Set up your classroom in August while the custodians are available to help you move things and there are fewer interruptions. Stop running off your own production material if there is a staff member providing that service.

Stop, take a deep breath, think, observe your surroundings but most importantly slow down and move with care. You may find you get just as much done and you will feel better at the end of the day.

COMPUTER COMFORT

Workstations for many school employees today are multi-task environments centered on using a computer. In order to understand the best way to set up a computer workstation, you first need to understand neutral posture. This is a comfortable working posture in which your joints are naturally aligned. Working with the body in a neutral position reduces stress and strain on the muscles, tendons, and skeletal system and reduces your risk of developing a musculoskeletal disorder (MSD). The following are important considerations when attempting to maintain neutral body postures while working at the computer workstation:

1. Keep the head level or tilted slightly downward. Place your work in front of you so that you are looking straight ahead.
2. Sit with your shoulders relaxed, not elevated, hunched or rotated forward.
3. Keep your elbows close to your sides and bent at about a 90° angle, not extended out in front of your body.
4. Hands, wrists and forearms are straight, in-line and roughly parallel to the floor.
5. Sit with your knees at the same level or slightly below the level of your hips.
6. Place your feet slightly out in front of your knees and make sure they are comfortably supported, either by the floor or by a footrest.
7. Use the chair's backrest to support your lower back.
8. Sit with your entire upper body upright or leaning back slightly.
9. Use a document holder. This will reduce eye and neck strain. Locate it next to the screen.
10. Place your monitor to allow for:
 - a. the top of the screen to align at or slightly below eye level,
 - b. straight-forward monitor viewing,
 - c. a comfortable distance of between 16 - 28" (between eyes and screen), and
 - d. an upright head posture with chin tucked in.



The way you organize your work affects your body's position and the amount of reaching that you have to do. Long reaches to pick up heavy objects or items that you use frequently can contribute to discomfort and injury. This is because reaching puts your body in an awkward position and stretches your muscles beyond their normal limits, making them vulnerable to pulls and strains.

An important concept to think about is how far you can reach without straining your body (reach zones). You can determine your easy reach zone by moving just your hands and forearms with your elbows at your sides and your shoulders relaxed. For most people, this is an area about 16" to 18" in front of their body. The other zone you need to consider is your maximum reach zone, which is how far you can reach just by moving your arm at the shoulder, without leaning forward. For most people this is an area about 26" to 34" in front of their body.

KEEP THESE ITEMS IN YOUR EASY REACH ZONE:

- Frequently used items
- Items that require finger dexterity to use (keyboard, mouse, telephone)
- Items that require hand force to use (stapler, 3-hole punch, staple remover)
- Heavy objects (large binders, manuals, telephone books)

Try to keep items that you use less frequently within your maximum reach zone. Stand up to reach items that are above your shoulder height or beyond your maximum reach zone.

Regardless of how good your working posture is, working in the same position or sitting still for prolonged periods will put stress on your body. Sitting for long periods of time puts pressure on the disks in your lower back and can disrupt circulation in your muscles. Holding the same position for long periods of time can cause repetitive strain injury. You should change your working position frequently throughout the day.

Avoid extended periods of continuous computer use by taking short breaks or performing other tasks intermittently between periods spent on the computer. Recent studies have shown that shorter (one to three minutes), more frequent (every 30-60 minutes) breaks, when given in addition the usual breaks, may help reduce discomfort while improving productivity.

Take stretch breaks during your workday. Stretch your fingers, hands, arms, and torso. Stand up and walk around for a few minutes periodically.

Maintain a constant awareness of preferred neutral body postures not only at work, but in all modes of your daily life.

WORKING SAFELY - IT'S YOUR CHOICE

"Accidents will happen," goes the old saying. But are all accidents inevitable? Another well-worn sentiment says "There's no such thing as an accident." Maybe some unavoidable bad luck really is out there waiting for us, but if we are honest, we will probably have to admit that we have caused at least one accident through our own carelessness.

No one should have to go through life so averse to risk that they hide away in a bunker, but on the other hand, learning about potential hazards and being aware of your surroundings can only help to get you through an accident-free day. Developing a better "safety attitude" could even save a life.

To evaluate your own safety attitude, ask yourself how often you think about safety on the job? If the answer is "not very much" or "only when a co-worker gets hurt," then you could help yourself and those around you by developing a new attitude toward safety. Here are some suggestions:

- Instead of thinking about the quickest way to get your work done, think about what it will take to do your best job. Shortcuts that reduce your safety on the job are not shortcuts, but an increased chance for injury.
- Friends sometimes like to horse around, but save the horseplay for after work and away from a site where dangerous tools or materials are present.
- Stay alert. Watch out for potential hazards. When you see them, report them to a supervisor. Think about the safety of co-workers as well as your own.
- Dress for the job. Don't wear

loose clothing around moving machinery. If potential hazards warrant it, use appropriate PPE (personal protective equipment) such as gloves, goggles and clothing. If you're not sure what is appropriate, check with your supervisor.

- Pay attention to warning and danger signs. Know what the rules for safety are and follow them. Being "casual" about safety can lead to a casualty!
- Especially if you're new on a job, take responsibility for getting the training you need. Take advantage of safety meetings and training sessions. Listen, learn, participate and ask questions about anything you don't understand. Even experienced old hands shouldn't assume they know it all.
- Take responsibility for yourself. If you are injured, report it immediately.
- Concentrate. Stay focused on the task at hand. Avoid distractions.
- Don't be too over confident. Confidence is a good thing. Overconfidence is too much of a good thing. "It'll never happen to me" is an attitude that can lead to improper procedures, tools, or methods in your work. Any of these can lead to an injury.
- Practice good housekeeping. When staff, students or visitors walk through your work site, housekeeping is an accurate indicator of everyone's attitude about quality and safety. Poor housekeeping creates hazards of all types. A well maintained area sets a standard for others to follow. Good housekeeping involves both pride and safety. Distractions lead to accidents. Your ability to stay focused on the job depends on a variety of factors. Avoid these common causes of lost concentration:
 - Not enough sleep
 - Illness
 - The effects of alcohol or other drugs

- Agonizing over personal problems
- Being in a rush
- Being angry or upset
- Being inattentive
- Talking while working on a task

Changing your sleep schedule or your drinking habits can be hard, but probably not as tough as changing deep-seated attitudes. If the following statements sound like something you would say, you are overdue for a serious reevaluation of your "safety attitude."

- "I know what I'm doing. I'm going to do this my way."
- "I've always done it this way and I've never been hurt before."
- "I could do this job in my sleep."
- "I need to finish this job right now! I don't have time to think about safety."
- "I know a shortcut that will help me get this done quicker."
- "These safety rules aren't important and they certainly don't apply to me."
- "I don't need any help. I can figure this out myself."

So how do you motivate yourself to improve your safety attitude? Imagine yourself living with a permanent disability, perhaps unable to support yourself or even care for yourself. Is that enough motivation? Even better, ask yourself these questions: How would friends and family feel if you were seriously injured? Who would support your family?

"It is better to be careful 100 times than to get killed once."

~ Mark Twain

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EMERGENCY PAGING

Member districts need to report emergencies at the time of the event.

Off Hours Access to ESD Insurance Programs is available by paging **(360) 408-1000**.

Objective

The objective of *Risk Management Matters* is to provide useful information to our member districts. Your contributions and comments are welcome! Please call Loy Dale, Executive Director, with comments.

ESD 112 Insurance Programs
2500 NE 65th Ave.
Vancouver, WA 98661-6812
PH (360) 750-7504
FAX (360) 750-9836

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Evelyn Hambleton, ESD 112

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2500 NE 65th Ave.
Vancouver, WA 98661-6812