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TEXAS SCHOOLS 
COOPERATIVE
Texas Schools Property & Casualty Cooperative
Intergovernmental Risk Pool

Spring 2008 Newsletter

By: Cari Ledesma

Safety Conference Information

Texas Safety Summit
May 22nd – 23rd
Austin, Texas

Metroplex Safety Summit
August 13th
Arlington, Texas

Visit: www.tdi.state.tx.us

School-Based Law
Enforcement Conference
June 29th – July 3rd
Corpus Christi, Texas

Texas School Administrator
Safety Conference
November 17th - 20th
S. Padre Island, Texas

Visit: www.cscs.txstate.edu

Proper Mower Safety Prevents Injuries and Claims

It's that time of year again. Grass is growing and mowers are out hitting school grounds.

Following are safety tips for mower usage:

- Verify that the grounds-keeping personnel have read the mower's owner's manual prior to use of the mower.
- Be sure that maintenance is up-to-date per the recommendations listed in the manual.
- Remember to check that the guards and shields are properly attached. Often times, the guards are removed as damp grass accumulates and backs up into the mower. However, these guards prevent rocks from being thrown up, potentially damaging vehicles and injuring people.
- Clear the lawn area of any rocks, wiring or glass prior to mowing.

- Be sure to disengage mower blade when driving over pavement or gravel.
- Shut off the mower and engine before attempting any repairs or adjustments or to unclog the mower.
- Do not refuel while the mower is running, hot or smoking.
- When leaving the mower, be certain the keys are not left in the ignition as the mower could be stolen or used by unauthorized personnel.

There are a number of claims submitted every year as a result of not following these tips. For the safety of district personnel, students and visitors, be sure to consider these tips when operating mowers at school and at home.

Cooperation with Local Emergency Services Vital To Proper Planning

In the event of an emergency, does local law enforcement know who to contact or where to setup command? Does the local fire department have copies of campus floor plans? When an emergency occurs, these details seem minor but can make response by these departments quicker and more appropriate. Contact you local emergency services and discuss emergency planning for events such as fires, tornados, and intruders. Identify a chain of command at each location and provide emergency services with a list of contacts to coordinate their efforts with school officials.

Identify Storm Damage to School Property Early to Minimize Costs

As we head into another tumultuous storm season, remember that when personal property is damaged by hail and high winds, it is likely school property suffered damage as well. Identifying this damage early can prevent the spread of damage and minimize the cost of repairs. Early detection also helps alleviate questions regarding coverage. If you suspect possible damage to any district roof, please contact us to schedule a free inspection. Also, remember to keep records of any improvements to roofs as they are replaced at Actual Cash Value if they are more than 15 years old.

Counsel's Corner With David Floyd



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Welcome back to Counsel's Corner. In this article, I'd like to discuss the issue of timely reporting of claims. The Texas Schools Cooperative offers multiple lines of coverage; however, the two lines for which I will discuss the importance of reporting are those of liability and workers' compensation coverage.

First, I'd like to address notification under your liability coverage lines. Under our liability coverage documents, one of the services that the TSPC agrees to provide is a defense against certain types of allegations (i.e., those which are covered under the coverage documents; also, subject to other limitations). In order for the TSPC to effectively provide you with a defense, you must notify us as soon as the claim for which you are seeking a defense occurs. Moreover, the TSPC needs to be consulted about your choice of defense counsel. This is our procedure because we need to be able to discuss topics relating to a defense of a claim as soon as the defense begins. Unfortunately, defense costs which are incurred before the TSPC is notified may not be covered under your liability coverage. Furthermore, it is important to not admit fault to anyone until after the TSPC has been notified and proper counsel has been consulted. Please remember that we want to help you with your defense, and in order to do so we need to become involved with a claim as soon as possible.

The principles listed above do apply to workers' compensation claims; however, beyond the contractual obligations of the workers' compensation coverage agreement, there are statutory implications to claim notification. Texas Labor Code Sec. 409.005 requires that you notify your workers compensation carrier of an injury which results in the absence of an employee from work for more than one day or if the employee notifies the employer of an occupational disease as provided by Texas Labor Code Sec. 409.001. You must make said notification to the carrier within eight days of the aforementioned events. Furthermore, you are required to provide the injured employee with a copy of the notification sent to the carrier. If you do not comply with the notification requirements is a Class D administrative violation. Such a violation is punishable by a fine of up to \$25,000 (per day, per occurrence). Therefore, it is extremely important that you make timely notification of an injury to the TSPC.

[disclaimer: Counsel's Corner is intended for information purposes only and not as actual legal advice. If you have any legal questions, please call your school district's general counsel.]

Please take note of our new
address and phone number.

Direct all mail to:
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We will send a list of all available
videos and safety material.