

**DIOCESE OF CHARLOTTE
RISK CONTROL PROGRAM**

GUIDELINES FOR PARISH AND SCHOOL OPERATIONS

**V. SPECIAL FUNCTIONS/ACTIVITIES: ON/OFF PREMISES
“PARISH/OUTSIDE GROUPS”**

A. CONTRACTS FOR SERVICES

Before the parish enters into a contract for goods and services (building, repair, janitorial, landscaping, security, etc.) a Certificate of Insurance and an Additional Insured Endorsement should be obtained from the other contracting party. Copies of the contract, along with: an explanation of the services to be provided, time frames and the name of the parish contact person, should be forwarded to the Insurance Administrator at least 30 days prior to the contract commencement. This is necessary so that compliance with Diocesan insurance requirements can be monitored. The following insurance requirements are typical.

Required Coverages and Limits of Liability: Typically, all contractors and other service providers should provide evidence of general liability (including premises/operation, contractual and produces/completed operations liability), employers liability and workers' compensation insurance. Evidence of automobile liability insurance should also be provided if the contractor operates any motor vehicle on your premises or in the performance of the contract.

Several recent accidents have reminded us on the importance of obtaining Certificates of Insurance. Whenever a firm or organization, i.e., construction company, amusement company, etc., uses parish property, it is important for you to obtain a Certificate of Insurance that meets the following specifications:

1. The firm or organization has Commercial General Liability Insurance with a \$1,000,000 per occurrence limit.
2. The firm or organization has Automobile Liability Insurance with a combined single limit of \$500,000.
3. The firm or organization has Workers' Compensation and Employer's Liability coverage at North Carolina statutory limits.
4. The firm or organization has an Excess/Umbrella policy with at least a \$2,000,000 per occurrence limit.

5. The Certificate of Insurance lists in the Description of Operations; "William G. Curling, Bishop, Roman Catholic Diocese of Charlotte and His Successors" and the "Location Name" are named as additional insureds.

The insurance coverage should be in effect at the time of the event and should be obtained at least 30 days prior to the event. Reputable/established firms have this type of coverage and are more than willing to provide the Certificate of Insurance.

For further assistance, please contact the Office of Diocesan Properties.

Performance bonds and labor and material payment bonds may also be required for building or repair contracts.

Please refer to the Office of Diocesan Properties for advice prior to entering any contract. The Diocese will provide a mandatory insurance addendum to contracts. This addendum spells out the insurance requirements to be fulfilled by the contractor.

DIOCESE OF CHARLOTTE
SAFETY AND LOSS PREVENTION MANUAL
V. SPECIAL FUNCTIONS/ACTIVITIES: ON/OFF PREMISES
“PARISH/OUTSIDE GROUPS”

Revised: July, 2004

B. Use of Church Property by Others (Non-Parish Organizations or Activities)

This policy pertains to all diocesan property. There are certain requirements whenever parish, school or agency property is used (with or without charge) by any non-parish/school/agency organization or by individuals. Use of the property is considered to be “by others” whenever the activity is not sponsored by a diocesan parish school or agency. A sponsored activity occurs only when all of the following conditions are met:

1. The activity is consistent with the mission of the organization.
2. The activity is under the direct control of the parish, school or agency.
3. The individuals running the program are accountable to the pastor, principal, agency director or their designee, for all aspects of the activity.
4. The financial aspects of the activity are directly handled by: (1) the parish office for parishes and parish schools, or (2) the diocesan Finance office for MACS, CSS and all other agencies. This covers:
 - a. The depositing, accounting and reporting of all revenue from the activity.
 - b. The payment, accounting and reporting of all obligations for services rendered and goods and materials received.
5. The activity is open to members of the parish, school or agency.

In addition to the foregoing, meetings of non-parish/school/agency organizations that are hosted by a parish, school or agency, and that are directly related to ministry outreach, and for which there is no charge to the participants, are considered sponsored activities. (Social events and receptions involving non-diocesan organizations are typically not sponsored activities.)

For those activities that do not meet the above conditions, the following apply:

1. There shall be a written rental agreement, specifying the terms of the use of diocesan property.
2. Whenever children or vulnerable adults are involved, the individuals or entity using diocesan property shall review the diocesan sexual misconduct policy and sign an acknowledgment indicating compliance with the policy.
3. All promotional materials shall clearly state the individuals or entity sponsoring the event. All materials are to be reviewed by the pastor, principal or agency director before being distributed.
4. Liability insurance is to be obtained, as follows: For activities that are no longer than one day in duration and are not athletic in nature, see Special Events Requirement on page 5-3. For all other activities, a certificate of insurance or policy endorsement rider is to be obtained evidencing coverage as follows:
 - a. Minimum coverage: The minimum coverage for liability from a single individual is \$500,000; for a group or organization, the minimum is \$1,000,000.
 - b. Additional insured: The Bishop of Charlotte, c/o the parish/school/agency is to be named as additional insured. Parishioners are not included as “Additional Insured” under the diocesan insurance program; on the parish/school/agency itself.
 - c. Alcohol liability: If alcohol is to be served or sold, the insurance certificate must evidence liquor liability.

Please refer questions about this policy to Rev. Mr. Guy Piche, Director of Diocesan Properties.

C. DIOCESE FUNCTIONS

1. HIGH RISK ACTIVITIES TO BE AVOIDED

Every sponsored event creates a liability for the Diocese. Before planning functions, we encourage you to balance the benefits anticipated with the unavoidable liabilities. Some examples of activities which could create such a greater liability could include but not be limited to:

- ? Raft, Kayak, Canoe or similar trips;
- ? Water Skiing;
- ? Boxing or Wrestling Matches, Martial Arts, etc.;
- ? Use of Dunk Tanks;
- ? Use of Moon Walks;
- ? Fireworks Sales and Displays;
- ? Any event involving Motorcycles or All Terrain Vehicles;
- ? Any event involving livestock;
- ? Use of Trampolines;
- ? Mountaineering and Rock Climbing;
- ? Hayrides;
- ? Fire Dances;
- ? Mechanical Bulls;
- ? Any event involving Aircraft, including Hot Air Balloon Rides, Helicopter Rides;
- ? Use of watercraft in general.

2. FESTIVALS AND FIESTAS

Festivals or Fiestas are often the largest single event on the parish calendar. In order to minimize the liabilities presented by such events, we recommend:

- ? Volunteers helping to set up or tear down decorations and booths should do so in accordance with Diocese of Charlotte Guidelines on Volunteer Labor;
- ? All construction and electrical work should conform with applicable codes. Special attention should be paid to the arrangement of electrical power cords so that tripping and electric shock hazards are minimized;
- ? Temporary structures made of fabric, such as tents should be non-flammable or flame retardant;
- ? Decorations should be non-flammable or fire retardant. The use of large hanging decorations within buildings is strongly discouraged;

- ? Make provisions for crowd control and security. If guard services are used, they should fulfill the insurance requirements outlined in Contracts for Services. Volunteers should not provide guard services. Alert the Office of Diocesan Properties if armed guards are to be used;
- ? The serving of alcoholic beverages is strongly discouraged. If alcohol is served, it should be closely controlled;
- ? Sanitary food service procedures (including proper refrigeration) should be exercised. See basic guidelines;
- ? Fire extinguishers of the appropriate size and type should be available in any area where cooking takes place;
- ? IF CARNIVAL AMUSEMENT RIDES ARE TO BE USED, PLEASE OBTAIN CERTIFICATES OF INSURANCE AND THEN ALERT THE OFFICE OF DIOCESAN PROPERTIES 60 DAYS IN ADVANCE FOR REVIEW.
- ? The festival or fiesta area should be inspected for physical hazards each day (using a formalized Self-Inspection Checklist;
- ? Please see Emergency Planning;
- ? Please see Slip/Trip and Fall Accidents;
- ? Please see Fire and Emergency Life Safety Hazards;
- ? Please see Facility and Equipment Hazards;
- ? Please see High Risk Activities to be Avoided;
- ? Please see Smoking Section;
- ? Please see Alcohol Policy;
- ? Please see Accident Reporting.

3. ALCOHOL POLICY - LIQUOR LIABILITY EXPOSURES AND CONTROLS

Most states have a statutory obligation not to sell, give, or furnish alcoholic beverages to visibly intoxicated persons and in no instance to minors. The laws have created and the courts construe that there are minimum statutory standards of care.

Also, there is social host liability imposed on those, other than licensed retailers of liquor, who give, sell, or furnish alcohol to someone who later is alleged to have caused injury or death. Although the predominant trend has been to preclude social host liability, state legislatures and the courts have held hosts of private parties, weddings, and other social events liable. Generally, the imposition of liability has involved cases of serving intoxicating beverages to minors.

Diocesan facilities, including schools, are often utilized as the place where special events are held and may include the selling, serving, or furnishing of alcoholic beverages. Most often, these events are sponsored by the parishes or schools as a means of raising funds for general support or for particular fund-raising drives. There are also events that are purely social in nature wherein parishioners or supporters gather to promote goodwill. Whatever the nature of the event, in all instances where alcoholic beverages are available, locations need to develop and implement responsible practices and procedures designed to reduce incidences of wrongful intoxication. In addition to any obligations imposed by law, we have a moral obligation to provide the highest degree of protection possible to all people who are, or will be, on the property of parishes or institutions of the diocese.

Each location that intends to have an event that includes the selling, serving, or furnishing of alcoholic beverages needs to give early forethought and planning on how they will specifically address the issue of liquor liability. Although each location and event differ, there are some generic points which should be considered and used as prompters in planning these events. Some of the basic points which we frequently discuss with parishes and schools include the following:

GENERAL

- Are the bartenders properly selected and supervised; do they understand their responsibilities; have they received any training in recognizing visibly intoxicated persons; are they asked to check for proper age.
- In no stance should anyone bartending be allowed to drink alcoholic beverages.
- Are bartenders instructed to mix drinks correctly. (Do not have them putting an extra measure of alcohol into every drink requested).
- Make sure that there are plenty of non-alcoholic beverages available, such as "mocktails' or punch.

- Have plenty of food to eat, such as high-protein foods rather than sweet or salty foods. Push the snacks, not the alcohol.
- The drinking should have a time limit so that the bar is not open all evening. For example, allow only 45 minutes for cocktails. Also, bring out the coffee early in the evening as a signal that the drinking is over. (The coffee will not sober anyone up, but it will cut off drinking more alcohol.) Never offer "one for the road". If the bar is open during the course of the evening, have a policy that the bar be shut down at least an hour before the evening event will end.
- Selected, responsible adults should be out in the general area monitoring drinking activities and overseeing that minors are not consuming alcoholic beverages.
- At the entrances to an event where alcoholic beverages will be served, assigned adults should be checking IDs for age when questionable.
- Safe transportation should be promoted by providing transportation alternatives to driving for the intoxicated individual (a sign stating this policy should be posted).

PREMISES

- Are the parking lots and entrances safe and convenient for persons entering and exiting the buildings and premises.
- Is there adequate lighting of the outside properties and within the buildings.
- Have provisions been made for salting and sanding in the event of weather problems.
- Are the sidewalks, parking lots, and common outside areas free from defects which may cause injury (e.g., cracks, holes, broken, or missing stair rails, etc.).
- Have the condition of chairs and tables been inspected to insure that they are safe.
- Are there any flammable or hazardous materials used as part of the decorations.
- Do the fire extinguishers, emergency lights, and exit signs work properly.

- Will the safe occupancy load of the room or area be exceeded.
- Are there first-aid materials and a telephone readily available.
- Are emergency numbers posted by the telephone.
- Is someone with certified Basic First Aid and CPR training available for this event.

DIOCESAN POLICY ON ALCOHOLISM AND DRUG ABUSE

We recognize that alcoholism and other forms of drug abuse are epidemic in our society and continue to wreak havoc on countless persons, including those close to an alcoholic or drug abuser. We recognize that alcoholism and drug abuse cut across all economic and social barriers. No community remains untouched by it and no parish family is protected from its reach. In our time, the rich, middle class and poor, the educated and uneducated, the urban, suburban, and rural residents must all confront the far reaching effects of alcoholism and drug abuse.

We also recognize that alcoholism and drug abuse affect not only the physical and emotional components of human health and behavior but also the spiritual health of the total person. As awareness of the prevalence and effects of alcoholism and drug abuse have grown, it has been increasingly recognized by the Church and not only does the Church have a clear call to minister to those who suffer from alcoholism and drug abuse, but that, in large numbers, those who suffer are within the Church itself.

In fact, it is estimated that one adult in 15 has a drinking or drug problem. In an average Church of 500 members, this means there are over 30 persons with alcoholism or drug problems. Each of these persons is disrupting the lives of at least four other members of the family: spouse, two or more children, a parent, brother, sister or in-law.

We understand alcoholism and drug addiction to be illnesses and that those affected by them are sick people not bad people. As a result of alcoholism and drug abuse, the individual and the family experience dysfunction and a deterioration of the capacity for significant relationships with others. This problem requires the efforts of all of us in the Church - clergy, religious, and lay alike.

The clergy and religious are situated to deliver services to meet the specific needs of those affected by alcoholism and drug abuse. All the other helping professions operate under the ethic that the sick must come to them and ask for help. The clergy and religious, on the other hand, are sent to search out the sick and the needy and to minister to them. This basic difference in professional stance is significant because the nature of the disease of alcoholism and drug addiction is such that those who are its victims are incapable of recognizing the severity of their symptoms by themselves. Each Christian lay person in the Diocese and fulfilling his/her responsibility to love and to pastoral ministry is called to support the clergy and religious in this work.

With this in mind, following are some guidelines for those who, in whatever capacity, work or come in contact with alcoholics, other drug abusers and their families.

- It is understood that alcoholism and other forms of habitual drug abuse are illnesses which are treatable and should not be approached with punitive action but rather in a pastoral manner. We seek to enlist the support and cooperation of the whole Diocese in a pastoral approach to this particular problem.
- We acknowledge alcoholism and drug addiction to be illnesses affecting the individual, the family, and society. We affirm the appropriateness of early intervention. Once the illness is recognized, pastoral intervention should be initiated. It is necessary that there be a strong, firm, consistent, and loving confrontation of the affected persons regarding the reality of their situation. This is done in concert with a variety of people: clergy, religious, counselors, physicians, spouse, family members, employers, friends, and peers. We acknowledge the value of intervention and the danger of the "silent conspiracy" of pastorally avoiding the problem.
- It is recognized that the successfully recovering alcoholic and drug addict does not drink any alcoholic beverages. We should be sensitive to this fact.
- In approaching the treatment of alcoholism and drug addiction, all resources should be considered to facilitate healing. The Catholic Church and the Diocese of Charlotte shall lend every support to these ministries.
- The Diocesan Alcoholism and Drug Abuse Committee shall exist to insure the implementation of this policy and its related programs.

4. **USE OF NON-DIOCESAN OWNED FACILITIES OR PREMISES**

If you plan on using Non-Diocesan owned facilities or premises for a parish function, please provide a copy of any related contract or agreement, along with a full description of the proposed activity to the Office of Diocesan Properties, at least 30 days in advance, for review and approval. This review is necessary in order to meet the insurance agreements and to make changes in adverse agreements.

Well in advance of the use of a non-owned facility, please make a review using formalized Self-Inspection Checklists. Alert facility owners of any concerns. Call the Diocesan Properties Office if you have questions regarding facility inspection.

5. **PARISH OR YOUTH GROUP ACTIVITIES AND FIELD TRIPS**

a. Permission Slips And Chaperons

Standard parental permission and emergency medical treatment authorization forms should be executed for all youth group activities and field trip participants under the age of 18. No exceptions. The destination, activities, time frames and method of transportation should be specified. Copies of the executed forms should be taken on the trip.

Chaperons should be 25 years or older. Generally, one chaperon should be provided for every 5 to 10 participants. Please refer to the school department for specific chaperon ration guidelines. Both male and female chaperons should supervise co-ed events and field trips. No chaperon may be alone with a field trip participant at any time (other than a parent with his or her own child).

? Please see "Supervision of Youth Activities".

No alcoholic beverages may be consumed by any chaperon during a field trip.

b. Transportation

Chartered transportation, with driver provided, is preferable. Certificates of Insurance should be provided by the charter company. Use of private automobiles for transporting large groups on field trips should be avoided whenever possible.

If volunteer or employee owned vehicles are to be used in conjunction with Diocesan events or business, guidelines should be followed including:

- ? REDUCE TRANSPORTATION SERVICES TO THE ABSOLUTE MINIMUM;
- ? Drivers should be over 21 (preferably over 25). All drivers should be screened carefully. Age and health as well as physical and mental condition should be considered;
- ? Drivers should have a valid, unrestricted drivers license and a "clean" driving record for the past three years (no at fault accidents; no convictions for: speeding, reckless driving, driving under the influence of drugs or alcohol, leaving the scene of an accident or other similarly serious offenses; and no more than one other moving violation);
- ? The driver should carry liability insurance on the vehicle to be used. We suggest a \$100,000 per person/\$300,000 per accident limit of liability for bodily injury and property damage to be minimum for Diocesan purposes. This is not to suggest that this limit is adequate for anyone else's purposes. Drivers should fill out a "Driver's Insurance Verification Form";
- ? One seat belt should be provided for and used by each vehicle occupant;
- ? No more than nine persons, including the driver may be transported in any private vehicle nor in other vehicles except than in an official school bus or by a charter company. No private (non-chartered) vehicle, including vans, with more than nine seats should be used (regardless of the number of passengers). Additionally, no one may ride in the bed of pick-up trucks;
- ? Motorcycles may not be used.

c. Diocesan Sponsored Sports Events

All participants in Diocesan sponsored events, including fund raisers (Walk-a-Thons, Fun-Runs, etc.) and "sports teams" should have a Youth Activity Parental Permission Form (persons under 18 years) or Waiver and Release Form (persons 18 years or older) on file. *No exceptions.*