

## IPARKS NEW CLAIM INTAKE FORM

IPARKS is pleased to announce that our new claims filing site is live. With this tool, we're excited to make the claims process easier and more efficient. You can access the new online intake form by visiting [www.iparks.org](http://www.iparks.org).

Please note: the following access code will be required to submit a claim:  
**IPARKS8241!**

We ask that our members keep this code handy, and that it not be shared

beyond your agency. The code will be needed to submit each new claim.

To start a new claim, visit the IPARKS website and navigate to the FILE A CLAIM page, located under the CONTACT US dropdown menu. This link will take you directly to the new Claim Intake Form. From there, you can select the appropriate coverage, enter your contact information and access code, follow the prompts for each section, and submit.



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- Question & Answer: Danger of Headphones at Work

Questions? Contact your IPARKS representative at [MIpooling@sedgwick.com](mailto:MIpooling@sedgwick.com).

## WE NEED YOUR 2025 CALENDAR PHOTO SUBMISSIONS

Would you like to promote your park district, forest preserve, conservation district, river conservancy district, or special recreation agency? This is your opportunity to showcase your scenic district or agency.

Each month will feature a photo highlighting an IPARKS member. To be considered for the 2025 IPARKS calendar, the photo submission deadline is **October 11, 2024**.

Submit your entries via e-mail as a jpeg attachment to [iparks@bfgroup.com](mailto:iparks@bfgroup.com).

**DON'T FORGET!**



### OUR PROMISE

Your IPARKS membership makes it easy for you to provide safe places to play, relax, and enjoy. By making safety a priority, we empower you to improve upon best practices and work in collaboration with your fellow members to protect your district, assets, and those you serve.

# DISASTER PREPAREDNESS: RISKIEST PLACES FOR SEVERE WEATHER

Climate change is impacting our planet on biological, social, and economic levels, and it's becoming a more urgent topic by the day. This increase in severe weather events has caused insurance premiums to surge and left businesses more vulnerable to natural disasters. **In 2023 alone, the U.S. saw a whopping 28 separate climate events causing more than \$1 billion in damages to homes, businesses and communities.** These included 19 severe storms like tornadoes and hailstorms, four catastrophic floods, two tropical cyclones, one wildfire event, one extreme winter cold wave, and one drought. Certain areas are more vulnerable to climate events than others, and some have felt the brunt of these impacts over the past decade.

## NATIONWIDE COST OF NATURAL DISASTERS

When comparing the cost of natural disasters, the price tag has increased exponentially since 1980. Back then, there were only three inflation-adjusted billion-dollar climate disaster events. However, since 2020, there have been **at least 18 separate billion-dollar disaster events per year.** In 2023, the most recent complete year on record, 28 separate events occurred, which is the most ever recorded according to NCEI. Many "billion-dollar" weather and climate disaster events grossly surpassed the billion-dollar mark – **the total cost of disaster relief in 2023 came out to \$92.9 billion collectively.**

It's just a drop in the bucket compared to what's been spent over the years. In the past decade, 180 separate billion-dollar climate disasters have cost more than \$1.25 trillion nationwide, while **the cost of all 383 events between 1980 and 2024 exceeds \$2.72 trillion.**



## KEY HIGHLIGHTS

- In 2023, there were 28 separate billion-dollar weather and climate disasters that collectively caused \$92.9 billion in damage.
- From 2014 to 2024, there have been 180 separate billion-dollar climate disasters, costing the U.S. \$1.25 trillion.
- States with the most billion-dollar disasters in the last 10 years: Texas (96), Louisiana (44), Florida (41) and California (19).

61%

do not have an emergency plan for severe weather events

52%

do not have an emergency supply kit at home for severe weather events

32%

are considering moving to a more climate-resilient area

## COST OF NATURAL DISASTERS BY STATE

When it comes to the cost of natural disasters, some states are shelling out hundreds of billions more than others. Disasters in Texas and Florida have been the most expensive, with both states experiencing more than \$200 billion in damages from 2014 to 2024. California and Louisiana follow close behind, with 10-year climate costs of \$100-\$200 billion. Flanking Florida, Georgia and North Carolina both spent \$20-\$50 billion on climate disaster costs. Some inlying states also bear sizable cost burdens, notably Colorado and Iowa, which both have a 10-year disaster expenditure record between \$20-\$50 billion.

New Hampshire and Maine have the lowest climate disaster expenditures. Both states have avoided the billion-dollar mark, spending between \$250-\$500 million on climate-related events over the last 10 years, according to NOAA.

## LEAST PREPARED PLACES FOR NATURAL DISASTERS

How prepared is your city in the event of a natural disaster? FEMA determines which areas are most and least prepared for natural disasters based on three metrics: community resilience, social vulnerability, and the inherent risk of disaster events in each area.

**Community resilience** refers to the ability of a community to anticipate hazards, adapt to changing conditions and recover rapidly. Areas with high **social vulnerability**, which includes high poverty, overcrowded households, and lack of vehicle access, can experience disproportionate rates of death, injury, or disruption because of a natural disaster. Overall, locations at higher risk of loss in population and dollars to infrastructure should approach preparedness differently.

According to our nationwide survey of 1,500 Americans, 61% say they do not have an emergency plan for severe weather events. More than half (52%) do not have an emergency supply kit in their homes if a disaster strikes.

Not only can preparedness keep you physically safe from severe weather, but it can also reduce damage to your home and potentially prevent you from filing an insurance claim. Also, it's important to take the initiative and review your public entity's insurance policy before severe weather strikes. You don't want to be caught off guard and left without coverage or face a lack of coverage if your building is damaged.

According to our survey, more than one in four (28%) have experienced a severe weather event in the last five years such as a hurricane, tornado, or flooding. If your structure is damaged by severe weather, it's crucial to take responsible action after the storm has passed and it's safe to return to limit further damage.

In 2014, our nation crossed a climate cost Rubicon in terms of the number of weather events causing more than \$1 billion in damage. Since then, each year has brought at least 10 separate billion-dollar disaster events, with that number doubling or almost tripling in the most recent years on record.

This begs the question: How many billion-dollar climate events should we expect in 2034? At the current rate of escalation, **the U.S. could experience 30 or 40 of these events in a single year.** According to respondents, many are preparing to relocate to avoid severe weather.

Sources: Federal Emergency Management Agency National Risk Index, NOAA National Centers for Environmental Information (NCEI) U.S. Billion-Dollar Weather and Climate Disasters (2024), U.S. Census Bureau American Community Survey (ACS) 2022.





# BLEACHER SAFETY

BY IPARKS RISK SERVICES

As autumn brings cooler weather and more outdoor events, it's important to ensure bleachers are safe. Make sure all guardrails are secure, and there are no gaps that could pose a fall hazard, especially for children. Understanding the hazards and performing regular maintenance and inspections can help prevent accidents and keep everyone safe while enjoying the season.

## HAZARDS

Many bleachers in facilities today pose a fall hazard, especially to children. This is due, in part, because these bleachers may have been built and installed when the building codes did not require guardrails and allowed big enough openings that permitted a child to fall through them. In addition, when a jurisdiction adopts a new building code, it typically does not require the code to be applied retroactively to structures like older bleachers.

**Bleachers can pose additional hazards.** They can collapse if they are not operated or maintained properly. Falls on bleachers also can occur when there are missing or inadequate components that assist in access and egress, such as aisles, handrails, and non-skid surfaces.

## BLEACHERS GUIDELINES

To address bleacher deaths and injuries, the Consumer Product Safety Commission (CPSC) has issued voluntary guidelines that provide recommendations for retrofitting bleachers to prevent falls from bleachers. The guidelines also include information about preventing falls on bleachers.

- Guardrails should be present on the backs and portions of the open ends of bleachers where the footboard, seatboard, or aisle is 30 inches or more above the floor or ground below. **Bleachers with the top row nominally 30 inches above the ground may be exempt from this recommendation.**
- The top surface of the guardrail should be at least 42 inches above the leading edge of the footboard, seatboard, or aisle, whichever is adjacent.

- When bleachers are used adjacent to a wall that is at least as high as the recommended guardrail height, the guardrail is not needed if a 4-inch diameter sphere fails to pass between the bleachers and the wall.

- Any opening between components of the guardrail or under the guardrail should prevent passage of a 4-inch sphere.

- Any opening between the components in the seating, such as between the footboard, seatboard, and riser, should prevent passage of a 4-inch diameter sphere where the footboard is 30 inches or more above the ground and where the opening would permit a fall of 30 inches or more.

- **The preferable guardrail design uses only vertical members as in-fill between the top and bottom rails.** If there are openings in the in-fill that could provide a foothold for climbing, the widest measurement of the opening where the foot could rest should be limited to a maximum of 1.75 inches. Opening patterns that provide a ladder effect should be avoided. If chainlink fencing is used on guardrails, it should have a mesh size of 1.25-inch square or less.

- Aisles, handrails, non-skid surfaces, and other items that assist in access and egress on bleachers should be incorporated into any retrofit project where feasible.

- **The option of replacing bleachers as opposed to retrofitting should be considered.**

- Materials and methods used for retrofitting should prevent the introduction of new hazards, such as bleacher tipover, bleacher collapse, guardrail collapse, and contact or tripping hazards.

- Bleachers should be thoroughly inspected at least quarterly by trained personnel and problems corrected immediately. Records of these actions should be retained.

- A licensed professional engineer, registered architect, or company that is qualified to provide bleacher products and services should inspect the bleachers at least every two years and provide a written certification at such time that the bleachers are fit for use.

- **Records of all incidents and injuries should be retained.**

**For a complete copy of Guidelines for Retrofitting Bleachers, please go to [www.cpsc.gov](http://www.cpsc.gov).**

# WELCOME NEW MEMBERS

IPARKS gives a warm welcome to our two newest members: **Vandalia Park District** and **York Center Park District**.

## VANDALIA PARK DISTRICT

Vandalia Park District, located in Vandalia, IL, is blessed with 60 acres of beautiful parks featuring six distinct park areas (including the “Bark Park” dog park). Throughout these scenic parks can be found several amenities including picnic tables, pavilions, grills, exercise/stretching equipment, swings, slides, a climbing wall for children, a swimming pool, baseball and softball diamonds, soccer fields, tennis courts, and a pickleball court. A one-mile scenic walking path, The Lincoln Walking Trail, spans through several of the parks and is used extensively. The swimming pool offers open swim, aqua aerobics (through the YMCA), lifeguard training, swimming lessons, and private parties. Their Festival of Lights is a fun event held in December for the community to enjoy. The district also has a unique feature: an airport.



Photo Courtesy of Vandalia Park District

## YORK CENTER PARK DISTRICT

York Center Park District, located in Lombard, IL, was organized with the following goals: to conduct programs which will enhance the leisure life of residents and their families, to encourage groups to develop such programs, to conserve the area’s natural environment values, to acquire, protect, and develop other valuable resources, and to strive to protect the community from environmentally destructive and degrading influences. The district offers a recreation center, playgrounds, picnic amenities, softball fields, sand volleyball, tennis courts, natural areas, fishing, walking paths, and outdoor fitness equipment. In addition, they also offer multiple programs for all ages including early childhood, youths, teens, and adults. York Center Park District puts on many special events and outings throughout the year as well.



Photo Courtesy of York Center Park District

As IPARKS continues to grow, we are happy to announce and showcase our new members. Welcome to the best risk sharing pool in Illinois!

## 2024 FINANCIAL STABILITY RATING

We are proud of IPARKS’ strong financial foundation, and we’d like to thank our members for contributing to that success.



For **29 consecutive years**, IPARKS has been awarded the highest financial rating of AAA from Demotech, Inc. A high ranking of AAA, as defined by Demotech, means that IPARKS possesses unsurpassed financial stability related to maintaining a positive surplus with regard to members, liquidity of invested assets, an acceptable level of financial leverage and reasonable loss and loss adjustment expense reserves and pricing.



# CYBERSECURITY BEST PRACTICES FOR BIOMETRICS AND FACIAL RECOGNITION

BY IPARKS RISK SERVICES

Until recently, because of high costs and limited accuracy, public entities may have not utilized biometrics, facial recognition, fingerprint recognition, and iris recognition technologies on a widespread basis. However, recent years have brought steady improvements in these technologies such as better-quality digital cameras and lenses that create higher quality images from which biometric data can be more easily extracted. **As a result, biometrics and facial recognition technologies have become integral tools, providing secure authentication and access control.**

Facial recognition technologies currently operate across a spectrum ranging from facial detection to individual identification. More sophisticated technologies can distinguish a face from surrounding objects, assess various characteristics of a face, determine gender, age range, and demographic that can be used in a variety of ways from a sales perspective. The widespread adoption of these technologies today has raised some security concerns.

**To ensure the integrity and privacy of sensitive data, implementing security measures is crucial.** Here are some recommendations for enhancing cybersecurity in biometrics and facial recognition systems.

- 1. Encryption:** Employ end-to-end encryption to protect biometric data during transmission and storage. Encryption algorithms safeguard information from unauthorized access, ensuring only authenticated users can decrypt and access data.
- 2. Multi-Factor Authentication:** Combine biometrics with additional authentication factors, such as passwords or smart cards, to create a multi-layered security approach. MFA adds an extra layer of protection, making it more challenging to compromise a system.
- 3. Secure Storage Practices:** Implement secure storage practices for biometric templates and facial recognition data. Utilize secure databases with access controls, ensuring only authorized personnel can retrieve or modify the stored information.

- 4. Continuous Monitoring:** Implement real-time monitoring to detect any suspicious activities or anomalies. This allows for an immediate response to a potential security breach, minimizing the impact of unauthorized access or a cyberattack.
- 5. Software Updates:** Stay vigilant by consistently updating biometric and facial recognition software. Software updates often include security patches that address vulnerabilities identified after the initial release, providing protection against evolving cyber threats.
- 6. Training and Awareness:** Educate employees on cybersecurity best practices and the importance of safeguarding biometric data. Trained personnel can recognize and mitigate potential security risks, contributing to a more secure environment.
- 7. Vendor Security Assessment:** Conduct thorough security assessments of third-party vendors providing biometric and facial recognition solutions. Ensure vendors adhere to robust security standards and protocols to prevent vulnerabilities.

In addition, the designers of biometric systems need to incorporate **privacy measures at every stage of product development**, limit the collection of unnecessary information, utilize transparency by clearly communicating privacy policies to end users, and ensure compliance with all data protection regulations. They also need to continue to address the drawbacks such as false acceptance, false rejection rates, environmental factors, and limitations in certain hardware or device configurations.

**Possible future uses of facial recognition and biometrics** includes identifying anonymous individuals in public places utilizing social network sites and profile photos. As biometrics and facial recognition technologies continue to advance, prioritizing cybersecurity is essential to maintain trust and protect sensitive data. By implementing these practices, public entities can enhance the security posture of their biometric and facial recognition systems, providing a more secure and reliable environment. If you have cybersecurity questions, please contact your IPARKS member representative.

# SOCIAL MEDIA POSTS - PUBLIC OR PRIVATE?

BY JOHN BAUM, SEDGWICK LITIGATION MANAGER

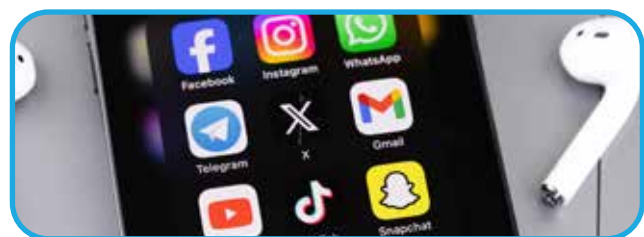
Are social media posts of a public official private or public? It depends. But perhaps a clearer test will now provide guidance as to which. In March of 2024, the United States Supreme Court issued its unanimous opinion in *Lindke v. Freed*, 601 U.S. (2024), where it held posts are attributable to the government only if the official:

1. **possessed actual authority to post on behalf of the government; and**
2. **purported to exercise that authority when posting.**

Kevin Lindke filed a federal 42 U.S.C. Section 1983 lawsuit alleging Port Huron, Michigan City Manager James Freed violated his First Amendment rights to free speech. After the COVID-19 pandemic began, Freed posted on his Facebook page about it. Some posts were personal, and some contained information related to his job. Lindke commented on some of Freed's posts, expressing his displeasure with the city's approach to the pandemic. Initially, Freed deleted Lindke's past posts and then subsequently blocked him from making future posts. **Freed argued his actions were proper and were within his own First Amendment rights as the Facebook account was personal and the postings were not part of his official duties.**

While the First Amendment protects freedom of speech, it generally prohibits government officials from censoring public comments or blocking access to a social media account that offers official communications. At the same time, public officials also retain First Amendment rights as private citizens, including the ability to maintain a personal social media page and to manage its content and access.

**In establishing the two-prong test, the court wrote that "(t)he distinction between private conduct and state action turns on substance, not labels: Private parties can act with the authority of the state, and state officials have private lives and their own constitutional rights."**



While the court established the two-prong test, they did not fully address how it would apply to the facts of the case before them. Instead, the case was returned to the Cincinnati, Ohio based 6th Circuit Court of Appeals for a fact-specific inquiry, which is still pending. Freed made this review difficult for the court, which may work to his detriment, as he shared both personal and job-related communications on his personal Facebook page without any clear designation of the page's purpose. His posts raised the prospect that the page was a combination of his own speech and speech on the city's behalf.

**The court also noted there must be a separate analysis between the actions of deleting posts and outright blocking posts.** With a mixed-use page, the act of blocking a citizen from any comment may also work to Freed's detriment.

To assist in trying to avoid having a court conduct a fact-specific inquiry as to whether social media posts are private or public, we make the following suggestions:

1. Governmental entities should create social media accounts for use by public officials and clearly designate them as such.
2. **If the public official has their own personal accounts, they should contain a clear statement marking the page and comments as private, such as:**  
"This is the personal page of..." or  
"The views expressed are my own."
3. Provide clear parameters on public official's speaking authority is derived from:
  - a. a statute, ordinance, or regulation; or
  - b. written department policies; or
  - c. past practices that create a permanent and well-settled recognition of the official's authority to speak on behalf of the governmental entity.
4. Avoid mixed-use accounts. The best practice would appear to be to have separate accounts, one for your business life and one for your personal life.

**In summary, the best practice would appear to be keeping your public and personal life separate if you want to avoid being drawn into First Amendment litigation.**

This article is for general educational purposes only and does not constitute legal advice. Please work directly with your legal counsel with respect to specific questions.



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If our mailing records need to be updated, please contact the IPARKS Service Center at (800) 748-0554, ext. 3136.  
IPARKS newsletters are available for viewing and printing at [www.iparks.org](http://www.iparks.org).



## HEADPHONES AT WORK

### QUESTION:

What are the dangers to an employee who listens to music through headphones while working?



### ANSWER:

Wearing headphones or earbuds at work can help employees block out distractions, allowing them to be in their own worlds. But whether listening to music or a podcast, from a risk management perspective, headphones and earbuds can pose a significant risk in certain environments due to reduced situational awareness. An employee may be unaware of dangerous conditions and may not hear emergency warnings, such as sirens. Consider these situations:



- A vehicle has entered a temporary traffic control cone zone and poses an imminent hazard to the work crew.
- There is a fire in the area, and employees need to evacuate.
- An emergency vehicle, such as fire, police, or ambulance is approaching.
- There is a chemical release and the area downwind needs to be evacuated.

The risks associated with reduced situational awareness in field environments are significant. Wearing headphones or earbuds to listen to music or podcasts diminishes an employee's ability to hear and thereby reduces early recognition of the warning noises of potential accidents, and an employee who is not aware of their surroundings will be more likely to get hurt.

**Employers and employees must prioritize safety to ensure a secure and productive work environment.**



IPARKS is the risk management affinity partner of Illinois Association of Park Districts (IAPD), working to provide affordable, specialized coverage programs and valuable loss control resources for park districts, recreation and conservation districts, river conservancy districts, forest preserves and special recreation agencies.