

Business and Noninstructional Operations

INSURANCE MANAGEMENT

GENERAL INSURANCE

RISK MANAGEMENT/INSURANCE

The Board of Trustees strongly supports a risk management program that protects district resources and promotes the safety of students, staff, and the public.

The Superintendent or designee shall establish a membership in a joint powers program that uses effective safety and loss control practices. The district shall strive to keep its liability at a minimum and its insurance premiums as low as possible while maintaining adequate protection. To determine the most economical means of insuring the district consistent with required services, the Superintendent or designee shall annually review the district's options for obtaining coverage, including qualified insurance agents a joint powers agency self-insurance, or a combination of these means.

The Board reserves the right to remove an insurance agent-of-record of a participating agent whenever, in the judgement of the Board, such action becomes desirable for the best interests of the district.

To attempt to minimize the district's exposure to liability, the Board shall adopt clear policies related to discrimination, harassment, safety procedures, and the timely handling of claims. The Superintendent or designee shall ensure that these policies and related procedures are enforced fairly and consistently.

(cf. 0410 – Nondiscrimination in District Programs and Activities)

(cf. 3320 – Claims and Actions Against the District)

(cf. 4030 – Nondiscrimination in Employment)

(cf. 4119.11/4219.11 – Sexual Harassment)

(cf. 4132/4232/4332 – Publication or Creation of Materials)

(cf. 4157.1/4257.1/4357.1 – Work Related Injuries)

(cf.4158/4258/4358 – Employee Security)

(cf. 5141.4 – Child Abuse Prevention and Reporting)

(cf. 5145.3 – Nondiscrimination)

(cf. – 5145.7 Sexual Harassment)

(cf. 6162.6 – Used of Copyrighted Materials)

(cf. 9260 – Legal Protection)

The Superintendent or designee shall report to the Board of Trustees annually on the district's risk management activities.

INSURANCE MANAGEMENT (continued)

Insurance coverages shall include fire insurance, vandalism, workers compensation, title insurance, comprehensive liability insurance, and any other insurance or coverages necessary to adequately protect the District, the Board of Trustees collectively and individually, and the District employees.

ANNUAL REVIEW

An annual review of the District's insurance needs shall be presented during the third quarter of the Board of Trustees by the District Superintendent.

SCHOOL INSURANCE AUTHORITY

The school district shall be a member of the Schools Insurance Authority and shall purchase property, liability and workers compensation insurance through the Authority.

BONDING

The Board recognizes that prudent trusteeship of the resources of the district dictate that employees responsible for the safekeeping of district moneys and property be bonded.

The district shall be indemnified against loss of money and property by bonding of employees holding positions which have extensive access to property and money.

Such bonds shall be subsumed under a blanket bond. The Board shall bear the cost of bonding each employee required to be bonded by this policy. (Education Code 41021)

Legal Reference:

EDUCATION CODE

- 17729.5 Contract funding; board liability
- 32350 Liability on equipment loaned to district
- 35162 Power to sue, be sued, hold and convey property
- 35200-35214 Liabilities, especially:
 - 35208 Liability insurance
 - 35211 Driver training civil liability insurance
 - 53213 Reimbursement for loss, destruction or damage or personal property
 - 35214 Liability self-insurance
 - 35331 Medical or hospital service for students on field trip
- 39601-39621 Board duties re: property maintenance and control
- 39601 Furnishing, repairing insuring and renting of school property
- 39837 Transportation of pupils to places of summer employment
- 44873 Qualifications for physician (liability coverage)
- 49470-49474 District medical services and insurance
- 49472 Medical and hospital services for pupils

Legal Reference: (continued on next page)

INSURANCE MANAGEMENT (continued)

GOVERNMENT CODE

820.9 Board members not vicariously liable for injuries caused by district

989-991.2 Local public entity insurance

LABOR CODE

3200-4855 Workers' compensation

Business and Noninstructional Operations

INSURANCE MANAGEMENT

RISK MANAGEMENT

The Superintendent or designee shall take action to:

1. Identify the risks inherent in the operation of district programs
2. Assess the risks and keep records of accidents, losses and damage
3. Mitigate risks through loss control and safety-related activities
4. Determine the extent to which risks should be assumed by the district or covered by the purchase of insurance or pooling with other districts

Employees are expected to take reasonable precautions for the care and safety of the school equipment with which they have been entrusted. Employees may be held responsible for recurring damage or losses that occur due to their negligence or lack of supervision. Responsibilities related to safety and loss control shall be included in employee job descriptions.

- (cf. 1240 –Volunteer Assistance)
- (cf. 1330 – Use of School Facilities)
- (cf. 3400 – Management of District Assets/Accounts)
- (cf. 3440 – Investing)
- (cf. 3440 – Inventories)
- (cf. 3512 – Equipment)
- (cf. – Environmental Safety)
- (cf. 3514.1 – Hazardous Substances)
- (cf. 3515 -- School Safety and Security)
- (cf. 3515.1 – Crime Data Reporting)
- (cf. 3515.4 – Recovery for Property Loss or Damage)
- (cf. 3541.1 – School-Related Trips)
- (cf. 3543 – Transportation Safety and Emergencies)
- (cf. 4112.42 Drug and Alcohol Testing for School Bus Drivers)
- (cf. 4119.3 – Duties of Personnel)
- (cf. 4119.42 – Exposure Control Plan for Blood Borne Pathogens)
- (cf. 4157/4257/4357 – Employee Safety)
- (cf. 4212.5 – Security/Credit Check)
- (cf. 5131.1 –Bus Conduct)

INSURANCE MANAGEMENT (continued)

- (cf. 5131.61 – Drug Testing)
- (cf. 5141 – Health Care and Emergencies)
- (cf. 5141.23 – Infectious Disease Prevention)
- (cf. 5142 – Safety)
- (cf. 6114 – Emergencies and Disaster Preparedness Plan)
- (cf. 6145.2 – Interscholastic Competition)
- (cf. 6153 – School-Sponsored Trips)
- (cf. 9260 – Legal Protection)

INSURANCE

Insurance coverage shall include, but may not be limited to:

1. Liability insurance (Education Code 35200-35214)
2. Fire Insurance for buildings, equipment and vehicles (Education Code 39601)
3. Workers' compensation Insurance (Labor Code 3700)
4. Fidelity bond insurance (Education Code 41021)

A suitable bond indemnifying the district against loss shall be purchased for employees responsible for handling district funds and may be purchased for employees responsible for handling district property. The district shall bear the cost of this bonding. (Education Code 41021)

- (cf. 1330 – Use of School Facilities)
 - (cf. 4154 – Health and Welfare Benefits)
 - (cf. 4156.3 – Reimbursement, Uniforms and Allowances)
 - (cf. 4157.1 – Work-Related Injuries)
 - (cf. 5143 – Insurance)
 - (cf. 9260 – Legal Protection)
- 41021 Requirement for employees' indemnity bonds

Legal Reference:

EDUCATION CODE

41021 Requirements for Employees' indemnity bonds