

MANAGEMENT SUPPORT SERVICES

Insurance

Liability Insurance

The District shall maintain sufficient liability insurance to protect it against claims for the negligent or wrongful acts of its staff or agents. The amount and terms of such insurance protection shall be reviewed annually as part of the District's risk management program.

The Board shall hold individual Board members, administrators, staff, or agents of the District harmless and defend them from any financial loss, including reasonable attorneys' fees, arising out of any act or failure to act, provided, that at the time of the act or omission complained of, the individual so indemnified was acting within the scope of his/her responsibilities of employment.

Property Damage

The District shall maintain a comprehensive insurance program, which shall provide adequate coverage, as determined by the Board, in the event of loss or damage to school buildings and/or equipment, including motor vehicles.

Staff Insurance

The District shall develop and maintain an effective program of insurance for its staff. Such programs may include, but are not limited to, unemployment compensation, industrial accident and/or injury insurance, liability and medical insurance.

The District may make available life, health, health care, accident, disability, or salary protection insurance or any one of or a combination of these types of insurance and may contribute to the cost of such insurance.

Unemployment Insurance

The District shall fulfill its unemployment insurance obligation. Staff shall be provided with the unemployment benefits to which they are entitled by law. The District shall maintain the records required by the state employment security department and retain them for not less than four years.

Workers' Compensation

The District shall fulfill its obligation to provide workers' compensation as required by law.

Hold Harmless Insurance for Employees

The District shall provide its staff with insurance protection while they are engaged in the maintenance of order and discipline and in the protection of students, other staff, and property. Such insurance protection must include liability insurance covering injury to persons and property and insurance protecting staff from loss or damage of their personal property incurred while so engaged. Such insurance

shall be subject to the same conditions, limitations, deductibles, and exclusions as the District's coverage.

Medical Insurance

When a staff member is on leave as a result of illness, injury, or disability, and the staff member's paid District leave has been exhausted, the District shall notify the staff member that the medical insurance benefits are exhausted and the premium is due. The District shall accept the premium from the staff member and remit it to the carrier each month during the term of an approved leave of absence.

In compliance with COBRA (Consolidated Omnibus Budget Reconciliation Act), the District will offer continuing health care coverage on a self-pay basis to staff members and their dependents following termination (for reasons other than gross misconduct), a reduction in hours, retirement, death, or loss of coverage eligibility to the dependent. These health benefits will be identical to the coverages offered to full-time staff members. For terminated or reduced-hour staff members, the coverage may last up to 18 months or until they become eligible for other health insurance, whichever is earlier. In the event of the staff member's retirement, divorce or separation, death, or loss of dependent eligibility the coverage may last up to 36 months for the staff member and/or qualified beneficiary. The full policy premium will be paid by the staff member or the beneficiary to the District.

Cross References:

(cf. 2151 Interscholastic Activities)
(cf. 5401 Sick Leave)
(cf. 6535 Student Insurance)
(cf. 6540 School District Responsibility for Privately Owned Property)
(cf. 6500 Risk Management)

Legal References:

RCW 28A.320.060 Officers, employees or agents of school districts or educational service districts, insurance to protect and hold personally harmless
RCW 28A.320.100 Actions against officers, employees or agents of school districts and educational service districts-- Defense, costs, fees--Payment of obligation
RCW 28A.335.010 School buildings, maintenance, furnishing and insuring
RCW 28A.400.350 Liability, life, health, health care, accident, disability and salary insurance authorized--Premiums
RCW 28A.400.370 Mandatory insurance protection for employees
RCW 4.24.470 Liability of officials and members of governing body of public agency
RCW 4.96.010 Tortious conduct of political sub-division--Liability for damages
RCW 41.50.160 Restoration of withdrawn contributions by annual installment
RCW 50.20.050 Disqualification for leaving work voluntarily without good cause
RCW 50.44.030 (3) Insurance pools
RCW 50.44.050 Benefits payable, terms and conditions
29 USC 1161 - 1168 Consolidated Omnibus Budget Reconciliation Act
WAC 296-15 Worker's compensation self-insurance

Adoption Date: January 22, 1986

Revised: May 23, 2001

Revised: November 28, 2001