INSURANCE

All insurance programs of the district shall be managed as part of the district's risk management program or contracted with The Sound Partnership.

Liability Insurance

The district shall maintain sufficient liability insurance, self-insurance or a combination thereof 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 school board shall hold individual school 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 or employment and in compliance with the policies and procedures of the district.

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

The superintendent or designee shall obtain errors and omissions insurance in the amounts deemed necessary by the school board.

Property Damage Insurance

The district shall maintain a comprehensive insurance program, self-insurance or a combination thereof, which shall provide adequate coverage, as determined by the school board, in the event of loss or damage to facilities, equipment, and/or motor vehicles.

Unemployment Insurance

The district shall participate in the program lawfully available for fulfilling its unemployment insurance obligation that is most financially and administratively efficient.

The district shall maintain the records required by the state employment security department and retain them for not less than four years.
Workers' Compensation

District employees are covered by a workers compensation program approved by the Washington State Department of Labor and Industries, which covers job related injuries and occupational diseases. The employee is protected in two ways:

1. Medical costs resulting from job injuries are paid.
2. Injured employees are paid a partial wage while off work because of a job injury or illness due to on-the-job causes.

When an employee is injured on the job with a time loss, the district may grant full sick leave for the first three (3) days, provided the staff member has accumulated sick leave to cover the absence. For each day covered by workers' compensation, the employee may use accumulated sick leave to make up the difference between the workers' compensation payments and the employee's regular salary. In such instances, total pay shall not exceed the staff member's regular pay.

Medical Insurance

Medical plans are offered on a payroll deduction plan. The district shall make a contribution toward approved insurance premiums for each eligible full-time staff member each month in an amount which is determined in the negotiated agreement with the representative bargaining agent. The district may provide prorated contributions toward premiums for less than full-time staff.

Insurance benefits for non-represented employees shall be determined by the board of directors.

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 as required by law.

Cross References:  Board Policy 2151 Interscholastic Activities 5321 Sick Leave 6535 Student Insurance 6540 School District Responsibility for Privately Owned Property 6500 Risk Management

Legal References:  RCW 28A.320.100 Actions against officers, employees or agents of school districts and educational service districts-- Defense, costs, fees--Payment of obligation
28A.320.060 Officers, employees or agents of school districts or educational service districts, insurance to protect and hold personally harmless

28A.335.010 School buildings, maintenance, furnishing and insuring

28A.400.350 Liability, life, health, health care, accident, disability and salary insurance authorized--Premiums

28A.400.370 Mandatory insurance protection for employees

41.50.160 Restoration of withdrawn contributions by annual installment

50.44.030(3) Insurance pools

50.44.050 Benefits payable, terms and conditions

50.20.050 Disqualification for leaving work voluntarily without good cause

4.24.470 Liability of officials and members of governing body of public agency

4.96.010 Tortious conduct of political subdivision--Liability for damages

29 U.S.C.A. § 1161-1168 Consolidated Omnibus Budget Reconciliation Act

WAC 296-15 Workman's compensation self-insurance

Adoption Date: 03/14/02