

## **Management Support**

### **Insurance**

All insurance programs of the district will be managed as part of the district's risk management program.

#### **A. Liability Insurance**

The district will 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 will be reviewed annually as part of the district's risk management program.

The Board will hold individual Board members, administrators, staff or agents of the district harmless and defend them from any financial loss, including reasonable 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 will 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.

A member of the Board of Directors or the Superintendent is immune from civil liability for damages for any discretionary decision or failure to make a discretionary decision within his or her official capacity, but liability will remain on the district for the tortious conduct of the board members and superintendent. The Superintendent will obtain errors and omissions insurance in the amounts deemed necessary by the Board.

#### **B. Property Damage Insurance**

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

#### **C. Staff Insurance**

The district will 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.

**D. Unemployment Insurance**

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

Staff eligible under the terms of the unemployment compensation pool agreement with the educational service district will be provided with the unemployment benefits to which they are entitled. The district will maintain the records required by the state employment security department and retain them for not less than four (4) years.

**E. Workers' Compensation**

The Snohomish School District is self-insured through the Puget Sound Workers Compensation Trust for the purpose of providing industrial insurance benefits to employees who sustain job-related injuries or occupational diseases. The trust has been approved by Washington State Department of Labor and Industries to administer industrial insurance benefits. Employees of a self-insured business have the same rights and responsibilities as other workers insured through the state of Washington.

Employees are protected in two ways:

1. Medical costs resulting from job related injuries or diseases are paid under the claim; and
2. Injured employees are paid a partial wage replacement while off work due to job-related injury or disease under the claim when certified off work by their doctor.

When an employee is injured on the job and is unable to perform their duties as a result of an on-the-job injury or occupational disease and certified off work by a doctor, the employee may elect to use leave as follows (provided the employer does not elect to keep the employee on full salary through means other than use of accrued leave):

1. Choose unpaid leave, thus receiving only his or her entitled temporary total disability (TTD) benefits, or
2. Elect to use a full day of accumulated leave (sick, annual or other similar benefit) in addition to their entitled TTD benefits, or
3. Elect to use a proportionate share of accumulated leave to make up the difference between the workers' compensation payments and the employee's regular pay at the time of injury.

The Superintendent or designee will develop procedures to assure the legal administration of workers' compensation benefits.

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| Cross Reference: | Policy 2151         | Interscholastic Activities  |
|                  | Policy 6540         | School District's Responsibility for Privately-Owned Property   |
|                  | Policy 6500         | Risk Management   |
| Legal Reference: | RCW 4.24.470        | Liability of officials and members of governing body of public agency – Definitions   |
|                  | RCW 4.96.010        | Tortious conduct of local government entities - _ Liability for damages   |
|                  | RCW 28A.320.060     | Officers, employees or agents of school districts or educational service districts, insurance to protect and hold personally harmless             |
|                  | RCW 28A.335.100     | Actions against officers, employees or agents of school district and educational service districts – Defense, costs, fees – Payment of obligation |
|                  | 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 50.20.050       | Disqualification for leaving work voluntarily without good cause  |
|                  | RCW 50.44.030       | Political subdivisions, instrumentalities of this state and other state   |
|                  | RCW 50.44.050       | Benefits payable, terms and conditions – “Academic year” defined  |
|                  | RCW 51.32.090       | Temporary total disability – Partial restoration of earning power – Return to available work – When employer continues wages – Limitations        |
|                  | 29 U.S.C. 1161-1168 | Consolidated Omnibus Budget Reconciliation Act  |
|                  | Chapter 296-15      | WAC Worker's compensation self-insurance rules and regulations  |
| Classification:  | Priority            |   |
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