

Liability Insurance

The district shall provide liability insurance for the legal defense of lawsuits and payment of claims of third parties arising out of actions of employees while acting within the scope of their employment.

Such insurance shall cover all district personnel including substitute teachers, student teachers and authorized volunteers while performing their duties.

The provisions of this policy shall not apply if the employee compromises or settles the claim without the consent of the district and its insurance carrier.

The coverage of such insurance may not apply if legal action is initiated against the employee and the district is not notified of the existence of such action by the employee or by the plaintiff within 15 days after commencement of the action.

The provisions of such insurance may not cover an employee who willfully and knowingly fails to notify the district of the incident or occurrence which led to such claim within a reasonable time after such incident or occurrence, if such incident or occurrence could reasonably have been expected to lead to a claim.

The district is not obligated to pay, nor to provide insurance for, the cost of defense, any claims or any judgment against an employee resulting from the employee's willful and wanton action, violation of law or criminal activities.

Adopted: January 25, 1994

Revised: March 2004

LEGAL REFS.: C.R.S. 8-44-110
C.R.S. 22-32-110 (1)(u)
C.R.S. 24-10-115
C.R.S. 24-10-115.5

CROSS REF.: BDG, School Attorney/Legal Services

File: EIB

Garfield School District No. Re-2, Rifle, Colorado