INSURANCE: 6530

All insurance programs of the District will be managed as part of the District's risk management program which provides protection and insurance for liability of board members, employees, and agents of the district while in performance of official duties for damages to persons or property.

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 District will hold individual board members, administrators, staff, or agents of the District harmless and defend them from any financial loss, including reasonable attorney's 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 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. However, the District may be held liable for damages stemming from the tortious conduct of past or present officers, employees, or volunteers performing their duties in good faith, including board members and the Superintendent. The Superintendent will obtain errors and omissions insurance in the amount they deem necessary.

Property Damage Insurance

The District will maintain a comprehensive insurance program which will provide adequate coverage, as determined by the Superintendent/designee and reported to the Board, in the event of loss or damage to school buildings and/or equipment, including motor vehicles. Employees are expected to take reasonable precautions for the care and safety of the school equipment with which they have been entrusted and may be held responsible for damages.

Staff Insurance

The District will develop and maintain an effective program of insurance for its employees. 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 medical, dental, vision, liability, life, accident, disability, and salary protection insurance or any one of or a combination of these types of insurance and may contribute all or part of the cost of such insurance to the extent permitted by law.

Unemployment Insurance

The District will participate in the Educational Service District unemployment compensation pool so long as the terms of the agreement are satisfactory to the District and such participation continues to result in savings to the District in comparison to other means lawfully available to the District in fulfilling its unemployment insurance obligation to its former employees.

Employees 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. Employees that leave work voluntarily will be ineligible to receive unemployment benefits unless they can show good cause for leaving. The District will maintain the records required by the State Employment Security Department and retain them for not less than four years.

Workers' Compensation

The District is self-insured through the Puget Sound Workers Compensation Trust for the purpose of providing industrial insurance benefits to employees and volunteers who sustain job-related or occupational diseases. The trust has been approved by the 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 a 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 his or her 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 claim is approved by the Department of Labor & Industries):

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 earned or accumulated leave (if available) 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 District will deal fairly with employees and give equal consideration to their interests regarding industrial insurance benefits.

Medical Insurance

Per state law, the District will offer eligible employees all benefits offered by the School Employees Benefits Board (SEBB), administered by the Washington State Health Care Authority (HCA). The District will pay the employer contributions to the HCA for SEBB insurance coverage for all eligible employees and their dependents as mandated by state laws and the rules promulgated by the HCA.

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

The District will advise all terminated staff and their dependents of the availability of COBRA insurance continuation on a self-pay basis.

Cross References:	Administrative Policy – 2151	Interscholastic Activities
	Administrative Policy – 5401	Sick Leave
	Administrative Policy – 6500	Risk Management
	Administrative Policy – 6535	Student Insurance
	Administrative Policy – 6540	Responsibility for Privately-Owned Property
Legal References:	RCW 4.24.470	Liability of officials and members of governing body of public agency– Definition
	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.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 when required– Premiums
	RCW 28A.400.370	Mandatory insurance protection for employees
	RCW 41.50.160	Restoration of withdrawn contributions

RCW 50.20.050	Disqualification for leaving work voluntarily without good cause
RCW 50.44.030(3)	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–Finding–Rules
29 U.S.C. A §§ 1161-1168	Consolidated Omnibus Budget Reconciliation Act
Chapter 51.14 RCW	Self-Insurers
WAC 296-15	Worker's compensation self-insurance rules and regulations
WAC 182-30	WAC Procedures
WAC 182-31	WAC Eligible school employees