

INSURANCE

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

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 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 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.

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.

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.

The district may make available liability, 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 all or part of the cost of such insurance.

Unemployment Insurance

The district will participate in the program lawfully available for fulfilling its unemployment insurance obligation that is most financially and administratively efficient. The unemployment compensation program will be reviewed annually by the board.

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 years.

Workers' Compensation

Riverview School District is self-insured through Puget Sound Workers' Compensation Trust for the purpose of providing industrial insurance benefits to employees who sustain job-related injuries or occupational diseases. 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 occupational diseases are paid under the claim; and
2. Injured employees are paid a partial wage while off work due to a job-related injury or disease under the claim.

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 under an approved claim, Temporary Total Disability (TTD) benefits are paid if the employee is unable to work for more than the three days immediately following the date of injury. The district will grant paid sick leave for the first three (3) days provided the employee has accumulated sick leave. Employees will receive TTD payments approximately twice a month as long as their doctor verifies that their condition prevents return to any work. For each day covered by workers' compensation benefits, the employee may choose between unpaid district leave, thus receiving only his or her entitled TTD benefits, or the employee may elect to supplement their entitled TTD benefits with their accumulated sick leave or vacation leave not to exceed their regular pay at the time of injury. The superintendent or designee will develop procedures to assure the legal administration of workers' compensation benefits.

Legal References, Cont.

28A.320.100	Actions against officers, employees or agents of school districts and educational service districts--Defense, costs, fees- Payment of obligation
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
4.24.470	Liability of officials and members of governing body of public agency
4.96.010	Tortious conduct of political sub-division-- Liability for damages
41.50.160	Restoration of withdrawn contributions by annual installment
50.20.050	Disqualification for leaving work voluntarily without good cause
50.44.030(3)	Insurance pools
50.44.050	Benefits payable, terms and conditions
51.32.090	Temporary total disability – Partial Restoration of earning poer – Return to Available work - Limitations
29 USC A§§ 1161-1168	Consolidated Omnibus Budget Reconciliation Act
WAC 296-15	Worker’s compensation self-insurance

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