

RISK MANAGEMENT/INSURANCE

The Governing Board strongly supports a risk management program that protects district resources and promotes the safety of students, staff and the public.

The Superintendent or designee shall establish a risk management program that uses effective safety and loss control practices. The district shall strive to keep its liability at a minimum and its insurance premiums as low as possible while maintaining adequate protection against loss which may occur due to hazards facing the district.

To determine the most economical means of insuring the district consistent with required services, the Superintendent or designee shall annually review the district's options for obtaining coverage, including qualified insurance agents, a joint powers agency, self-insurance, or a combination of these means.

To attempt to minimize the district's exposure to liability, the Board shall adopt clear policies related to discrimination, harassment, safety procedures, and the timely handling of claims. The Superintendent or designee shall ensure that these policies and related procedures are enforced fairly and consistently. The Superintendent or designee shall provide safety-related training and protective equipment to staff as appropriate for their position.

(cf. 0410 – Nondiscrimination in District Programs and Activities)

(cf. 3320 – Claims and Actions Against the District)

(cf. 4030 – Nondiscrimination in Employment)

(cf. 4119.11/4219.11/4319.11- Sexual Harassment)

(cf. 4132/4232/4332- Publication or Creation of Materials)

(cf. 4157.1/4257.1/4357.1 – Work-Related Injuries)

(cf. 4158/4258/4358- Employee Security)

(cf. 5141.4 – Child Abuse Reporting Procedures)

(cf. 5145.3 – Nondiscrimination/Harassment)

(cf. 5145.7 – Sexual Harassment)

(cf. 6162.6 – Use of Copyrighted Materials)

(cf. 9260 – Legal Protection)

The Superintendent or designee shall periodically report to the Board on the district's risk management activities, including, but not limited to, the district's property and liability risks and exposures and the effectiveness of the district's risk management and loss control practices.

Legal Reference: (see next page)

RISK MANAGEMENT/INSURANCE (continued)

Legal Reference:

EDUCATION CODE

17729.5 Contract funding; board liability

17565-17592 Board duties re property maintenance and control

32350 Liability on equipment loaned to district

35162 Power to sue, be sued, hold and convey property

35200-35214 Liabilities, especially:

35208 Liability insurance

35211 Driver training civil liability insurance

35213 Reimbursement for loss, destruction or damage of personal property

35214 Liability self-insurance

35331 Medical or hospital service for students on field trip

39837 Transportation of pupils to places of summer employment

41021 Requirement for employees' indemnity bonds

44873 Qualifications for physician (liability coverage)

49470-49474 District medical services and insurance

GOVERNMENT CODE

Board members not vicariously liable for injuries caused by district

989-991.2 Local public entity insurance

831.7 Hazardous recreational activities

989-991.2 Local public entity insurance

LABOR CODE

3200-4855 Workers' compensation

Management Resources:

WEB SITES

California Association of Joint Powers Authorities: <http://www.cajpa.org>

California Association of School Business Officials: <http://www.casbo.org>

California Department of Industrial Relations, Division of Occupational Safety and Health:

<http://www.dir.ca.gov/dosh>

Public Agency Risk Management Association: <http://www.parma.com>

Policy

adopted: April 14, 1997

revised: March 9, 2021

VISALIA UNIFIED SCHOOL DISTRICT

Visalia, California

RISK MANAGEMENT/INSURANCE**Risk Management**

The Superintendent or designee, in consultation with risk management, insurance, safety, or other professionals as appropriate, shall:

1. Identify the risks inherent in district operations and programs, including physical sites, educational and experiential programs, computer networks and systems, employment and staffing, and transportation services, using methods that may include, but are not limited to, physical inspections, surveys, staff interviews, compliance reviews, contract reviews, review of policies and procedures, and consultation with experts
2. Analyze, evaluate, and prioritize identified risks based on the frequency and likelihood of the risk and the potential impact to the district
3. Develop strategies to reduce or mitigate identified risks, such as new or modified policies, processes, or procedures; training or loss prevention programs; and/or additional or repairs to equipment, real property, computer networks, or other physical assets
4. Implement strategies to promote safety and prevent loss, taking into account the nature of the risks, the associated exposures, and the costs and benefits associated with the proposed response
5. Mitigate potential loss following an incident through activities such as effective claims management, litigation management, disaster recovery, or a modified duty program for workers' compensation

(cf. 0450 - Comprehensive Safety Plan)

(cf. 1330 - Use of School Facilities)

(cf. 4157/4257/4357- Employee Safety)

(cf. 5142 - Safety)

The Superintendent or designee shall advise the Governing Board of any needed action requiring Board approval.

Following any incident resulting in potential or actual harm or injury to a person or damage to property, staff shall promptly document the date and time of the incident, a description of the incident, and any persons present.

Employees are expected to take reasonable precautions for the care and safety of the school equipment with which they have been entrusted. Employees may be held responsible for recurring damage or losses that occur due to their negligence or lack of supervision. Responsibilities related to safety and loss control shall be included in employee job descriptions.

RISK MANAGEMENT/INSURANCE (continued)

Insurance

Insurance coverage shall include, but may not be limited to:

1. Liability insurance (Education Code 35200-35214)
2. Insurance against fire or other property damage (Education Code 17565)
3. Workers' compensation insurance (Labor Code 3700)
4. Fidelity bond insurance (Education Code 41021)

A suitable bond indemnifying the district against loss shall be purchased for employees responsible for handling district funds and may be purchased for employees responsible for handling district property. The district shall bear the cost of this bonding. (Education Code 41021)

(cf. 4154/4254/4354 – Health and Welfare Benefits)

(cf. 4157.1/4257.1/4357.1 – Work-Related Injuries)

(cf. 5143 – Insurance)

Regulation

approved: April 14, 1997

revised: February 1, 2021

VISALIA UNIFIED SCHOOL DISTRICT

Visalia, California