

# PROPOSED REVISION



6530  
Page 1 of 5

## MANAGEMENT SUPPORT

### Insurance

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

### **Liability Insurance**

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

The board shall 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** **their** responsibilities or employment and in compliance with the policies and procedures of the district. **To this end, the superintendent or designee shall obtain errors and omissions insurance in the amounts deemed necessary by the board.**

**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 their official capacity, but liability will remain on the district for the tortious conduct of the board members and superintendent. The superintendent or designee shall obtain errors and omissions insurance in the amounts deemed necessary by the board.**

### **Property Damage Insurance**

The district shall maintain a comprehensive insurance program which shall 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 shall 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 medical, dental, vision, liability, life, accident, disability, and salary protection or insurance, direct agreements as defined in [Chapter 48.150 RCW](#), 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.**

# PROPOSED REVISION

6530

Page 2 of 5

## Unemployment Insurance

The district shall participate in the Northwest Educational Service District 189 Unemployment Pool Cooperative so long as the terms of the agreement are satisfactory to the board 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. **The unemployment compensation program shall be reviewed annually by the board.**

Staff eligible under the terms of the unemployment compensation pool agreement with the educational service district shall be provided with the unemployment benefits to which they are entitled. The district shall maintain the records required by the State Employment Security Department in accordance with record retention schedules.

## Workers' Compensation

Workers' compensation is an insurance program which covers job-related injuries and occupational diseases. School staff members are covered by a self-insured program which has been approved by the Washington State Department of Labor and Industries. The staff member is protected in two ways:

1. Medical costs resulting from job injuries are paid **under the claim**; and
2. Injured employees are paid a time loss while off work **because of due to a job-related injury or illness due to on-the-job causes disease under the claim when certified off work by their doctor.**

When a staff member is injured on the job with a time loss, time loss payments are paid for the first three (3) days following the injury only after the injured staff member is unable to work for fourteen (14) consecutive days. For each day covered by workers' compensation the employee may use accumulated sick leave to make up the difference between the workers' compensation payments and the employee's net pay. In such instances, total pay shall not exceed the staff member's net pay.

**A reserve fund in the amount of not less than \$100,000 shall be established for industrial insurance. The amount of such fund shall be reviewed annually and shall be in keeping with the district's experience, as well as prudent practices of businesses with similar risks. The superintendent or designee shall submit for board approval an agreement for professional services to administer in the manner required by law, the district's self-insurance workers' compensation program.**

## Medical Insurance

**Medical plans are offered in the district on a payroll deduction plan. Staff may select from among those plans which are made available by the district's approval. The district shall make a contribution toward approved insurance premiums for each staff member each month in an amount which is determined each year. In the event of any fully funded legislative changes for payment of insurance premiums, such funds shall be provided automatically as additional contributions.**

# PROPOSED REVISION

6530

Page 3 of 5

**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 law and the rules promulgated by the HCA.**

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

**In compliance with COBRA (Consolidated Omnibus Budget Reconciliation Act), The the district will advise offer continuing health care coverage on a self-pay basis to staff members and their dependents following termination (for reasons other than gross misconduct), a reduction in hours, retirement, death, or loss of coverage eligibility to the dependent of the availability of extended group medical insurance to terminated staff members and his/her dependents. These health benefits will be identical to the coverages offered to full-time staff members. Such For terminated or reduced-hour employees, the coverage may last shall be permitted to remain on their group medical plan for up to eighteen (18) months or until they become eligible for other health insurance, whichever is earlier after the termination\*. In the event of the staff member's retirement, divorce, separation or death, or loss of dependent eligibility the coverage may last up to 36 months for the staff member and/or qualified beneficiary. The full policy premium plus a 2% administration fee will be paid by the staff member or the beneficiary to the district. Staff members who voluntarily quit, retire, are laid off, or are discharged for reasons other than gross misconduct, may qualify for this program. Pursuant to state law, coverage for a retiring staff member will be for up to eighteen (18) months or Medicare eligibility, whichever occurs first. The staff member shall be required to pay the premiums after termination. Retirees will have the option after October 1, 1993 to elect the State Health Authority Public Employee Benefit Board Plan.**

**With a completed and approved Leave of Absence request to the payroll and benefits department, the The district will provide maintain group health benefits for eligible employees on family leave up to twelve (12) weeks per year for an employee's serious illness; the birth, adoption or foster care of a child; or caring for a sick spouse, child or parent following the U.S. Department of Labor Family and Medical Leave Act (FMLA) guidelines and eligibility requirements.**

**\*Under certain circumstances dependents can remain on their plan for thirty-six (36) months.**

Cross references:

[Board Policy 1732](#)  
[Board Policy 2151](#)  
[Board Policy 5320.9](#)  
[Board Policy 6500](#)  
[Procedure 6530P](#)  
[Board Policy 6535](#)  
[Board Policy 6801](#)

Board Member Insurance  
Interscholastic Athletics/Activities  
Family and Medical Leave  
Risk Management  
Insurance  
Student Insurance  
Capital Asset Accounting

# PROPOSED REVISION

6530

Page 4 of 5

Legal references:	<a href="#">RCW 4.24.470</a>	Liability of officials and members of governing body of public agency—
		Definitions
	<a href="#">RCW 4.96.010</a>	Tortious conduct of local governmental entities—Liability for damages
	<a href="#">RCW 28A.320.060</a>	Officers, employees or agents of school districts or educational service districts, insurance to protect and hold personally harmless
	<a href="#">RCW 28A.320.100</a>	Actions against officers, employees or agents of school districts and educational service districts—Defense, costs, fees—
		Payment of obligation
	<a href="#">RCW 28A.335.010</a>	School buildings, maintenance, furnishing, and insuring—School building security
	<a href="#">RCW 28A.400.350</a>	Medical, dental, vision, liability, life, accident, disability, and salary insurance authorized—Expiration of authority for basic and optional benefits—Health savings accounts—Premiums—Noncompliance
	<a href="#">RCW 28A.400.370</a>	Mandatory insurance protection for employees
	<a href="#">Chapter 41.05 RCW</a>	State health care authority
	<a href="#">RCW 41.50.160</a>	<b>Restoration of withdrawn contributions</b>
	<a href="#">RCW 50.16.010</a>	Unemployment compensation fund—
		Administrative contingency fund
	<a href="#">RCW 50.20.050</a>	<b>Disqualification for leaving work voluntarily without good cause</b>
	<a href="#">RCW 50.44.030(3)</a>	<b>Political subdivisions, instrumentalities of this state and other state</b>
	<a href="#">RCW 50.44.050</a>	<b>Benefits payable, terms and conditions—“Academic year” defined</b>
	<a href="#">Chapter 51.14 RCW</a>	<b>Self-Insurers</b>
	<a href="#">RCW 51.32.090</a>	<b>Temporary total disability—Partial restoration of earning power—Return to available work—When employer continues wages—Limitations—Finding—Rules</b>
	<a href="#">WAC 182-12-111</a>	Which entities and individuals are eligible for public employees benefits board (PEBB) benefits?
	<a href="#">Chapter 296-15 WAC</a>	Worker's compensation self-insurance rules and regulations
	<a href="#">Chapter 182-30 WAC</a>	<b>Procedures (SEBB Program)</b>
	<a href="#">Chapter 182-31 WAC</a>	<b>Eligible school employees (SEBB Program)</b>

# PROPOSED REVISION

6530

Page 5 of 5

[Comprehensive Omnibus Budget Reconciliation Act \(COBRA\) of 1985  
and 1993](#)  
[Family and Medical Leave Act \(FMLA\) of 1993](#)

Adopted: November 21, 1980  
Revised: September 25, 1995  
Updated: June 2001  
Updated: May 2012  
Revised: June 11, 2013  
Updated: March 2017  
Updated: February 2018  
Updated: February 2020  
**PROPOSED: July 2023**