

INSURANCE

Liability Insurance

The NWESD 189 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 NWESD 189's risk management program.

The Board may hold individual Board members, administrators, staff, or agents of the NWESD 189 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 NWESD 189. A member of the Board of Directors or a Superintendent of any school district 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 shall remain on the NWESD 189 for the tortuous conduct of the Board members and Superintendent. The Superintendent shall obtain errors and omissions insurance in the amounts he/she deems appropriate.

Property Damage Insurance

The NWESD 189 shall maintain a comprehensive insurance program that 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 NWESD 189 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 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 NWESD 189 shall participate in the program lawfully available for fulfilling its unemployment insurance obligation that is not financially and administratively efficient.

Staff eligible shall be provided with the unemployment benefits to which they are entitled. The NWESD 189 shall maintain the records required by the State Employment Security Department and retain them for not less than four (4) years.

Workers' Compensation

The NWESD 189 is insured through the State of Washington for the purpose of providing workers' compensation (industrial insurance) coverage to employees who sustain job-related injuries and occupational illnesses. If their claim is accepted, employees are protected in two ways:

- 1) Medical costs resulting from job-related injuries or illnesses are paid; and
- 2) Injured employees are paid a partial wage replacement while off work due to a job-related injury or illness when certified as unable to 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 illness and is certified off work by a doctor, the employee may elect to use available paid leave during the time of absence up to 100% of the employee's regular salary leave in addition to the temporary total disability (time-loss) payments from the Department of Labor and Industries.

The Superintendent will develop procedures to assure for legal administration of Workers' Compensation benefits.

Hold Harmless Insurance for Employees

The NWESD 189 shall 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.

Medical Insurance

Medical plans are offered in the NWESD 189 on a payroll deduction plan. Staff may select from among those plans that are made available. The NWESD 189 shall make a contribution toward approved insurance premiums for each staff member each month in an amount that 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.

When a staff member is on leave and the staff member's accumulated paid leave has been exhausted, the NWESD 189 shall notify the staff member that the medical insurance benefits are exhausted and the premium is due.

The NWESD 189 will advise staff of the availability of extended group medical insurance to terminated staff members and his/her dependents. Such terminated employees shall be permitted to remain on their group medical plan for up to thirty-six (36) months after the termination. Staff members who voluntarily quit, retire, are laid off, or are discharged for reasons other than gross misconduct, may qualify for this program. The staff member shall be required to pay the premiums after termination.

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		RCW 28A.335.010
		RCW 4.24.470
		RCW 4.96.010
		RCW 41.50.160
		RCW 50.44.030(3)
		RCW 50.44.050
		RCW 50.20.050
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		29 USC §§ 1161-1168