

# ***NORTH COAST SCHOOLS INSURANCE GROUP POLICY BOOK***

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**ORGANIZATION**

**Organization Structure**

The organizational structure of the NCSIG shall conform to the Agreement and Bylaws of the Authority as set forth in Section 4.01 et al of the Joint Powers Agreement.

First Reading: January 17, 1996  
Adopted: January 17, 1996  
Legal Authority: \_\_\_\_\_

Workers' Compensation: ✓  
Property and Liability: ✓

**RISK MANAGEMENT**

**Adoption of Board Policies**

The procedures for policy development are as follows:

1. The need for a policy statement or revision is identified.
2. Proposed policy will be submitted to the Board for study.
3. No policy amendment or new policy shall be adopted by the Board unless it is:
  - a. Introduced for discussion at one meeting; and
  - b. Presented for approval at a subsequent meeting, provided that in the event of an emergency or extraordinary condition necessitating immediate action, a policy may be introduced and adopted at a single meeting.
4. Any action shall be recorded in the minutes of the Board. Only those written statements so adopted and recorded shall be regarded as official policy.

Adopted: March 20, 1996

**ORGANIZATION**

**Adoption of Administrative Regulations**

The JPA Director shall prepare Administrative Regulations implementing Board policies when appropriate.

The Board reserves the right to review all Administrative Regulations to determine that they are consistent with the policies adopted by the Board.

The JPA Director shall provide the Board with all Administrative Regulations at the next regularly scheduled meeting after the preparation of the regulations.

First Reading: January 17, 1996  
Adopted: March 20, 1996  
Legal Authority: \_\_\_\_\_

Workers' Compensation: ✓  
Property and Liability: ✓

**ORGANIZATION**

**Philosophy and Mission Statement**

**Policy Adoption and Review:**

The NCSIG Board of Directors as authorized by the Agreement and Bylaws shall determine the general policies and procedures of the Authority. The JPA Director shall usually be responsible for developing procedures as authorized by Board authority. The JPA Director shall also recommend to the Board new and revised policies for adoption by the Board.

All Board policies shall be clearly indicated by a heading in bold type and shall immediately be followed by any procedure designed to make such policy effective. Such administrative regulations shall follow the general policy as established by the Board and can be revised without Board approval. The Board shall be notified at the next regularly scheduled Board meeting of any such changes. Board policies can only be adopted, revised, or revoked by Board action.

**Rules of Interpretation:**

For the purpose of this manual and any other Board policies or administrative regulations hereafter adopted, except as the context may otherwise require:

The masculine gender includes the feminine and the neuter.

The singular number includes the plural, and the plural includes the singular.

"Shall" is mandatory and "may" is permissive.

The time within which an act is to be done shall be computed by excluding the first and including the last day, except that if the last day be a Sunday, legal holiday, or a day on which the offices of the school district are closed, that day shall be excluded.

“Writing” and “written” shall include printing, typewriting, and other mode of communication using paper or similar material which is in general use, as well as legible handwriting.

Whenever a specific time is used, it shall mean the prevailing and established time in effect in the State of California during any day in any year.

First Reading: January 17, 1996  
Adopted: January 17, 1996  
Legal Authority: \_\_\_\_\_

Workers' Compensation: ✓  
Property and Liability: ✓

NCSIG shall be an acceptable acronym for the North Coast Schools Insurance Group.

**Short Title:**

This book shall be known as the North Coast Schools Insurance Group Policy Manual.

**Severability:**

If any chapter, section, subsection, or paragraph of this manual shall be declared to be unconstitutional, invalid, or inoperative, in whole or in part, by a court of competent jurisdiction, such chapter, section, subsection, or paragraph shall, to the intent that it is not unconstitutional, invalid, or inoperative, remain in full force and effect; and no such determination shall be deemed to invalidate the remaining chapters, sections, subsections, or paragraphs of this manual.

First Reading: January 17, 1996  
Adopted: January 17, 1996  
Legal Authority: \_\_\_\_\_

Workers' Compensation: ✓  
Property and Liability: ✓



**ORGANIZATION**

**Organizational Goals**

Annually the Board of Directors shall develop a set of organizational goals/plan designed to enhance and improve the operation at the NCSIG. A survey instrument may be submitted to the member districts to determine the opinions of the members concerning needed improvements.

Based upon the opinion survey in keeping with the mission statement, a set of objectives shall be developed for implementation in the operational year commencing with September 1, and ending with September 1 of the following year.

An evaluation shall be conducted at the completion of the year to determine the success of the goals/plan.

This evaluation shall be presented to the Commission, as well as the upcoming goals for the following year.

First Reading: January 17, 1996  
Adopted: January 17, 1996  
Legal Authority: \_\_\_\_\_

Workers' Compensation: ✓  
Property and Liability: ✓

**ORGANIZATION**

**Committee Structure**

The permanent committees of the NCSIG JPA shall be Risk Management, Emergency Preparedness/Emergency Response, and Finance. The Board of Directors may appoint Ad Hoc committees as needed. Members of the committees, and their Chairs, shall be appointed annually by the Board of Directors.

The structures and organizations of the committees are as outlined on the following page.

First Reading: May 8, 1996  
Adopted: September 18, 1996  
Legal Authority: \_\_\_\_\_

Workers' Compensation: ✓  
Property and Liability: ✓

**ORGANIZATION**

**Communication**

The Board requires that various forms of communications be employed to keep districts informed as to the activities of the Authority. Further, it is a goal of the Board to consistently offer training activities that will enhance the abilities of districts to meet the requirements of membership and, in general, enhance the operations of the districts.

First Reading: January 17, 1996  
Adopted: January 17, 1996  
Legal Authority: \_\_\_\_\_

Workers' Compensation: ✓  
Property and Liability: ✓

**ORGANIZATION**

**Communication**

The NCSIG will publish a quarterly publication entitled "Focus" that will present risk management information, and will supplement that publication with additional materials designed to improve the general risk management knowledge. The agendas for all the Board meetings of the Authority will be forwarded to member districts, and the districts will be encouraged to attend meetings.

Workshops will be held on a consistent basis, offering training activities and a variety of subjects.

A video library will be maintained as well as a publication library. The districts will be encouraged to request materials and ask for assistance from staff. A training and equipment budget will be established which will fund needed materials.

Adopted: January 17, 1996

**ORGANIZATION**

**JPA Staffing**

The JPA may contract for the services of Director, Safety/Loss Control, Clerical, and Accounting as needed.

First Reading: November 13, 1996  
Adopted: January 22, 1997  
Legal Authority: \_\_\_\_\_

Workers' Compensation: ✓  
Property and Liability: ✓

**ORGANIZATION**

**Meetings of the Authority**

All the meetings of the Authority shall conform to the requirements of the Brown Act as contained in the Government Code. The policy of the NCSIG is that all meetings of the Authority are open and, except as provided by law, all members of the Authority and public are encouraged to attend and participate in the meetings.

First Reading: January 17, 1996  
Adopted: January 17, 1996  
Legal Authority: \_\_\_\_\_

Workers' Compensation: ✓  
Property and Liability: ✓

**ORGANIZATION**

**Meetings of the Authority**

The NCSIG will conform to the requirements of law and the policy of the Board to have all of the Authority meetings open and participatory. Legal Counsel will be consulted as to the provisions of the Brown Act when it is deemed necessary.

Adopted: January 17, 1996

**ADMINISTRATION**

**Conflict of Interest Code**

The Political Reform Act, Government Code, Sections 81000, et seq., requires state and local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted a regulation, Title 2 California Code of Regulations, Section 18730, which contains the terms of a standard reference and which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings.

In 1990 Government Code, Section 87306.5 was added to the Political Reform Act (Chapter 1075) requiring every local government agency to review its conflict of interest code and to either amend the code if necessary or report to their respective code-reviewing body that no amendment is necessary. This report must be submitted to the Fair Political Practices commission no later than October 1st of each even-numbered year. Therefore, the terms of Title 2 California Code of Regulations, Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission, along with the attached Appendix in which officials and employees are designated and disclosure categories are set forth, are hereby incorporated by reference and constitute the Conflict of Interest Code of the NCSIG.

Pursuant to Section 4(A) of the standard Code, designated individuals shall file Statements of Economic Interest (Form 730), and supplementary information between January 1st and April 1st annually, with the office of the NCSIG. The "filing official" designated by the NCSIG Board of Directors shall retain the original of these statements.

|                  |   |                         |          |
|------------------|---|-------------------------|----------|
| First Reading:   | <u>January 17, 1996</u>   | Workers' Compensation:  | <u>✓</u> |
| Adopted:         | <u>March 20, 1996</u>   | Property and Liability: | <u>✓</u> |
| Legal Authority: | <u>Government Code, Sections 81000, et seq. and 87306.5 and Title 2 California Code of Regulations, Section 18730</u> |                         |          |



**Appendix**

| <u>Designated Positions</u>                                   | <u>Disclosure Category</u> |
|---|----------------------------|
| Members and Alternate Members of the NCSIG Board of Directors | 1, 2, 3, 4                 |
| NCSIG JPA Director  | 1, 2, 3, 4                 |
| Claims Administrator  | 1, 3, 4                    |
| Legal Counsel   | 1, 3, 4                    |
| Consultants   | 1, 2, 3, 4                 |

The JPA Director may determine in writing that a particular consultant, although a “designated position”, is hired to perform a range of duties that are limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultant’s duties and, based upon that description, a statement of the extent of disclosure requirements. The JPA Director’s determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.

Disclosure Category 1

Persons designated in this category must disclose business entities in which they have an investment, or hold business positions, or which are sources of income to them if such entities or sources of income filed claims, or have claims pending, against any member jurisdiction of NCSIG during the reporting period.

Disclosure Category 2

Persons designated in this category must disclose business entities in which they have an investment, or hold business positions, or which are sources of income to them if the business entities are of the type in which NCSIG is empowered to invest its funds.

First Reading: January 17, 1996 Workers’ Compensation: ✓  
Adopted: March 20, 1996 Property and Liability: ✓  
Legal Authority: Government Code, Sections 81000, et seq. and 87306.5 and Title 2 California  
Code of Regulations, Section 18730

Disclosure Category 3

Persons designated in this category must disclose business entities in which they have any investment, or hold business positions, or which are sources of income to them if the business entities are of the type that contract with NCSIG to supply goods, services, materials, supplies, or leased space.

Disclosure Category 4

Persons designated in this category must disclose investments in business positions, and sources of income that are insurance companies, carriers, holding companies, underwriters, agents, solicitors, or brokers.

First Reading: January 17, 1996 Workers' Compensation: ✓  
Adopted: March 20, 1996 Property and Liability: ✓  
Legal Authority: Government Code, Sections 81000, et seq. and 87306.5 and Title 2 California  
Code of Regulations, Section 18730

**ADMINISTRATION**

**Duplicating Records**

California State Law authorizes public agencies to charge a reasonable fee for duplicating public records.

It shall be the policy of the NCSIG to charge a fee to cover the cost of materials and the time of personnel.

First Reading: January 17, 1996  
Adopted: January 17, 1996  
Legal Authority: Government Code 6257

Workers' Compensation: ✓  
Property and Liability: ✓

**ADMINISTRATION**

**Duplicating Records**

Requests for duplicating public records must be in writing (to avoid error) and must be received by NCSMIG no later than ten (10) working days prior to the requested date to return materials to the requester, unless otherwise specified by law.

NCSMIG duplicating requirements shall have priority at all times; therefore, materials requested by the public may not be available at the date/time requested.

Payment of duplication fees must be made to the NCSMIG at the time of the request in the form of cash, cashier's check, certified check, or one-party personal check.

Adopted: \_\_\_\_\_

**ADMINISTRATION**

**Records Retention/Distribution**

The retention and distribution of records shall be governed by the California Code of Regulations, Title 5, Sections 16020 to 16028.

First Reading: January 17, 1996

Adopted: March 20, 1996

Legal Authority: Government Code, Title 5, Sections 16020 to 16028

Workers' Compensation: ✓

Property and Liability: ✓

**North Coast Schools' Insurance Group**

Policy 2035

**ADMINISTRATION**

**Publication or Creation of Materials**

Publications, pamphlets, forms, reports and popular and scholastic articles created by NCSIG staff shall be copyrighted by NCSIG.

No royalties, save attribution, shall be charged for permissive use by other public agencies.

First Reading: May 14, 2003

Adopted: September 17, 2003

Legal Authority: Ed. Code 32360, 32361, 65170, 60076

Workers' Compensation:       

Property and Liability:   ✓

**Administration**

**Attendance at Seminars**

It is desirable that members of the Board of Directors keep current in the field of public agency risk management and risk pooling strategies. One of the ways to keep current is to attend conferences and workshops which cover public agency risk management issues and pooling methodologies.

Members of the Board of Directors shall travel under the policies of their respective districts; the JPA will reimburse the individual districts.

JPA staff shall travel under the policies of the Humboldt County Office of Education.

Members of the Board of Directors need the advance approval of the NCSIG President and the JPA Director for travel.

JPA staff needs the advance approval of the JPA Director for travel.

First Reading: January 17, 1996  
Adopted: May 15, 1996  
Legal Authority: \_\_\_\_\_

Workers' Compensation: ✓  
Property and Liability: ✓

**ADMINISTRATION**

**Claims Administration--Workers' Compensation**

The NCSIG Board of Directors has established the following claims administration procedures which are the responsibility of the JPA Director to administer:

1. The Board of Directors shall determine the agency that will administer and adjust all claims.
2. The claims shall be administered in accordance with the Labor Code and the NCSIG Workers' Compensation procedures and contract provisions.
3. Claims reporting procedures shall be provided to each member of the NCSIG.
4. The claims administrator shall provide loss reports to each member and shall be available to members for consultations concerning claims.
5. The claims administrator shall have final approval of the selection of the appropriate defense and other necessary outside claims services.
6. The claims administrator shall process all settlement awards in accordance with the NCSIG Settlement Policy.
7. Covered members shall cooperate with the claims administrator in all aspects of the claims process.

First Reading: January 17, 1996  
Adopted: January 17, 1996  
Legal Authority: \_\_\_\_\_

Workers' Compensation: ✓  
Property and Liability: \_\_\_\_\_



**ADMINISTRATION**

**Claims Administration--Property and Liability**

The Board of Directors has established the following claims administration procedures which are the responsibility of the JPA Director to administer:

1. The Board of Directors shall determine the agency that will administer and adjust all claims.
2. The claims shall be administered in accordance with all applicable laws and the NCSIG Property/Liability Procedures.
3. Claims reporting procedures shall be provided to each member of the NCSIG.
4. The claims administrator shall provide monthly loss reports to each member.
5. The claims administrator will arrange for appropriate defense of claims as needed, using defense attorneys selected from Northern California Regional Liability Excess Fund's approved Defense Panel.
6. The claims administrator will arrange for other necessary outside claims services.
7. The claims administrator shall handle all settlements in accordance with the NCSIG Settlement Policy.
8. Covered members shall cooperate with the claims administrator in all aspects of the claims process.

First Reading: January 17, 1996  
Adopted: January 17, 1996  
Legal Authority: \_\_\_\_\_

Workers' Compensation: \_\_\_\_\_  
Property and Liability: ✓

**ADMINISTRATION**

**Confidential Materials/Information**

The confidentiality of the NCSIG files and records shall be governed by California Government Code, Section 6254.

First Reading: January 17, 1996  
Adopted: March 20, 1996  
Legal Authority: California Government Code, Section 6254

Workers' Compensation: ✓  
Property and Liability: ✓

**ADMINISTRATION**

**Professional Development**

NCSIG shall encourage professional development and continuing education for staff members.

First Reading: September 16, 1998 Workers' Compensation: ✓  
Adopted: September 16, 1998 Property and Liability: ✓  
Legal Authority: \_\_\_\_\_

**ADMINISTRATION**

**Professional Development**

NCSIG encourages staff members to seek professional development through courses offered by the Insurance Institute of America leading to the designations of Associate in Risk Management (ARM), Associate in Claims (AIC), and Chartered Property and Casualty Underwriter (CPCU).

NCSIG will also promote professional development through courses offered by the Board of Certified Safety Professional, leading to the designation of Certified Safety Professional (CSP).

Upon successful completion of each course, NCSIG will reimburse the staff member for costs associated with the course, including text books, study guides, course fees, and test fees. Matriculation fees will be reimbursed following successful completion of the first course.

Adopted: \_\_\_\_\_

**FINANCE**

**Capital Target**

Property and Liability Program

The NCSIG shall establish and maintain a Capital Target. The Capital Target shall be three times the amount of the outstanding liabilities as determined by the actuarial report.

Workers' Compensation Program

The NCSIG shall establish and maintain a Capital Target. The Capital Target shall be the amount of the outstanding liabilities valued at expected as determined by the actuarial report plus an amount sufficient to raise the confidence level to 70%.

First Reading: September 18, 1996

Workers' Compensation: ✓

Adopted: November 13, 1996

Property and Liability: ✓

Amended: \_\_\_\_\_

\_\_\_\_\_

Legal Authority: \_\_\_\_\_

**FINANCE**

**Return of Surplus Equity**

No surplus equity will be returned to members unless this Capital Target is met. Surplus equity shall be determined at the end of each fiscal year in accordance with the following schedule:

|                                |                                  |
|--------------------------------|----------------------------------|
| Year (n)                       | No Allocation                    |
| Year (n + 1)                   | No Allocation                    |
| Year (n + 2)                   | No Allocation                    |
| Year (n + 3)                   | No Allocation                    |
| Year (n + 4)                   | No Allocation                    |
| Year (n + 5)                   | 10% of Surplus Equity            |
| Year (n + 6)                   | 20% of Remaining Surplus Equity  |
| Year (n + 7)                   | 30% of Remaining Surplus Equity  |
| Year (n + 8)                   | 40% of Remaining Surplus Equity  |
| Year (n + 9)                   | 50% of Remaining Surplus Equity  |
| Year (n + 10)                  | 70% of Remaining Surplus Equity  |
| Year (n + 11)                  | 90% of Remaining Surplus Equity  |
| Year (n + all remaining years) | 100% of Remaining Surplus Equity |

Surplus equity shall be determined at the end of the fiscal year using actuarial reports. Equity shall be returned within 90 days after acceptance of the actuarial report, unless the Board establishes an alternate date. Years with negative equity may be funded by offsetting the negative equity against years with positive equity. Surplus equity shall be distributed from the oldest years first. At the Board's option, it may close out a negative equity year earlier than this policy permits.

First Reading: September 18, 1996  
Adopted: November 13, 1996  
Legal Authority: \_\_\_\_\_

Workers' Compensation: \_\_\_\_\_  
Property and Liability: ✓

**FINANCE**

**Budget Preparation/Adoption Time Line**

It shall be the policy of the NCSIG to follow the budget preparation/adoption time line as listed below.

| MONTH         | ACTIVITY   | RESPONSIBILITIES   |
|---------------|--|--------------------|
| March - April | Review Actuarial Study   | Finance Committee  |
| April         | Review of Actuarial Study and the setting of preliminary rates and budget                          | Finance Committee  |
| April - May   | Review of Finance Committee recommendation of rates and budget. Make recommendation to Commission. | Board of Directors |
| May           | Adopt rates and budget.  | Commission         |

First Reading: May 8, 1996  
Adopted: September 18, 1996  
Legal Authority: \_\_\_\_\_

Workers' Compensation: ✓  
Property and Liability: ✓

**FINANCE**

**Investment Policy**

Government Code, Section 53646 requires that the Treasurer annually render to the Board a statement of investment policy. It further requires that the Treasurer render a monthly report.

The investment policy of the NCSIG is to achieve an optimum rate of return on available assets while insuring safety and liquidity.

Sections 53601 and 53601.1 of the Government Code provides legal authorization for investment of funds of local agencies. All investments of the NCSIG shall conform to the restrictions of those laws.

Funds are to be invested through the local Agency Investment Fund of the State Treasurer and through the Humboldt County Treasurer in the name of the NCSIG when possible.

First Reading: January 17, 1996  
Adopted: March 20, 1996  
Legal Authority: Government Code, Sections 53646 and 53601

Workers' Compensation: ✓  
Property and Liability: ✓



**FINANCE**

**Actuarial Studies**

It shall be the policy of the NCSIG to have an independent actuarial study performed annually to establish the adequacy of reserves and the appropriate funding level for anticipated future losses, as well as to determine any equity available for distribution.

First Reading: January 17, 1996  
Adopted: January 17, 1996  
Legal Authority: \_\_\_\_\_

Workers' Compensation: ✓  
Property and Liability: ✓

**FINANCE**

**Annual Audits**

It shall be the policy of the NCSIG that an independent audit shall be conducted annually to provide an objective, independent review of the NCSIG financial position and results of operation. The complete audit shall be provided to the Board for review and approval.

First Reading: January 17, 1996  
Adopted: March 20, 1996  
Legal Authority: \_\_\_\_\_

Workers' Compensation: ✓  
Property and Liability: ✓

**FINANCE**

**Claims Audits--Workers' Compensation**

It shall be the policy of the NCSIG to commission an audit of Workers' Compensation claims every third year.

First Reading: May 8, 1996  
Adopted: September 18, 1996  
Legal Authority: \_\_\_\_\_

Workers' Compensation: ✓  
Property and Liability: \_\_\_\_\_

**FINANCE**

**Distribution of Equity (ReLIEF/SELF)**

In July of 1986, the NCSIG joined the Northern California Regional Liability Excess Fund Joint Powers Authority (ReLIEF), a retrospectively rated program, for excess property and liability coverage above the NCSIG's SIR. Each year, ReLIEF's actuary will review the prior years' experience, determine if unallocated equity exists, and if so, return to member districts/JPAs the unallocated equity in accordance with ReLIEF's Retrospective Adjustment of Equity Plan.

It shall be the policy of the NCSIG that all unallocated equity returned by SELF to the NCSIG shall be returned to the districts, which are the members of SELF.

First Reading: January 17, 1996  
Adopted: March 20, 1996  
Legal Authority: \_\_\_\_\_

Workers' Compensation: ✓  
Property and Liability: ✓

**FINANCE**

**Borrowing Between Programs**

The NCSIG administers more than one program on behalf of its members, and the programs may or may not have the same membership. It shall be the policy of the NCSIG that inter-program borrowing is permitted only under the following conditions:

1. The Treasurer has determined there is a short-term cash flow need for the borrowing and notifies the Board of such borrowing within ten (10) days of the transaction. The loaning program shall be held harmless by the borrowing program for the loss of interest income.
  
2. The Board has received an evaluation of the need and benefits of an inter-program loan from the Executive Director and/or Treasurer and has approved a specific plan for the loan and the re-payment provisions.

First Reading: January 17, 1996  
Adopted: March 20, 1996  
Legal Authority: \_\_\_\_\_

Workers' Compensation: ✓  
Property and Liability: ✓

**FINANCE**

**Internal Accounting Structure**

The NCSIG shall organize its accounting system as to comply with the requirements as established by the Governmental Accounting Standards Board and generally accepted accounting principles.

Each membership year shall be accounted for separately on a full accrual basis; this financial reporting practice is necessary since the membership in the NCSIG can change annually. Two separate funds shall be maintained: 1) for property and liability and 2) for Worker's Compensation.

Internal Accounting controls shall be maintained to ensure all expenses are subject to budgetary control and that income sources are properly accounted for. Detailed reports shall be made available to the Finance Committee and Board, detailing the budgetary amounts as compared to the actual amounts received or expended.

First Reading: January 17, 1996  
Adopted: January 17, 1996  
Legal Authority: \_\_\_\_\_

Workers' Compensation: ✓  
Property and Liability: ✓

**FINANCE**

**Errors and Omissions Insurance for Outside Consultants**

It shall be the policy of the NCSIG to require consultants contracted by NCSIG, such as but not limited to auditors, actuaries, and other vendors, to carry Errors and Omissions or Professional Liability insurance as appropriate. Minimum limits of such insurance shall be one million dollars (\$1,000,000). Proof of insurance shall be filed with the JPA Director.

Any exception to this policy must be approved by the Board of Directors.

First Reading: September 18, 1996  
Adopted: November 13, 1996  
Legal Authority: \_\_\_\_\_

Workers' Compensation: ✓  
Property and Liability: ✓

**RISK MANAGEMENT**

**General Safety Practices**

The NCSIG shall assist members with information and with review for any project that could create safety hazards as determined by the district or the staff of NCSIG.

Adopted: January 17, 1996



**RISK MANAGEMENT**

**Safety Compliance**

Member districts are required to follow policies established by NCSIG and to comply with all governmental safety and health regulations or laws.

First Reading: March 16, 2011  
Adopted: May 18, 2011  
Legal Authority:

Workers' Compensation: ✓  
Property and Liability: ✓

**RISK MANAGEMENT**

**Safety Compliance**

To support and underscore the importance of districts to follow policies established by NCSIG and to comply with all governmental safety and health regulations and laws, NCSIG has adopted the following:

If NCSIG staff notifies a district\* of a condition that is either:

- Immediate - needs to be corrected that represents a significant life-threatening danger requiring immediate attention or
- High – an exposure that, if not corrected, has the potential to result in a severe property or liability loss in the short term

and that district fails to make the correction(s), the following will occur:

- If a claim occurs resulting from the documented exposure the district’s Member Retained Limit (MRL) will be \$25,000, instead of \$1,000
- The district’s non-compliance will be brought forward first to the Risk Management Committee and then to the Board to review whether the district shall remain in the NCSIG pool

The district will be advised of the pending action and will be invited to attend the meeting(s) to provide input into the Committee’s and Board’s discussion.

First Reading: March 16, 2011  
 Adopted: May 18, 2011  
 Legal Authority:

Workers’ Compensation: ✓  
 Property and Liability: ✓

\*The site administrator will first be contacted. If the condition is not corrected the district superintendent will be contacted. If the condition is still not corrected the board president will be notified of the condition.

First Reading: March 16, 2011  
Adopted: May 18, 2011  
Legal Authority:

Workers' Compensation: ✓  
Property and Liability: ✓

**RISK MANAGEMENT**

**Service Animals**

The NCSIG shall establish guidelines regarding service animals on campus.

First Reading: May 16, 2012

Adopted: September 26, 2012

Legal Authority:

Workers' Compensation: ✓

Property and Liability: ✓

**RISK MANAGEMENT**

**Service Animals**

Use of Service Animals by Individuals with Disabilities

Service animal means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the individual's disability. Examples of work or tasks include, but are not limited to assisting individuals who are blind or have low vision with navigation and other tasks, alerting individual who are deaf or hard of hearing to the presence of people or sound, providing non-violent protection or rescue work, pulling wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purpose of this definition.

Individuals with disabilities may be accompanied on school premises and on school transportation by service animals, including specially trained guide dogs, signals dogs or service dogs.

First Reading: May 16, 2012 Workers' Compensation: ✓  
Adopted: September 26, 2012 Property and Liability: ✓  
Legal Authority: 28 CFR 35.104, 28 CFR 35.136, Ed. Code 39839, Civil Code 54.1, Civil Code 54.2

In addition to the provisions about service dogs, the U.S. Department of Justice’s 2010 revised ADA regulations have a separate provision about miniature horses that have been individually trained to do work or perform tasks for people with disabilities. Miniature horses generally range in height from 24 inches to 34 inches measured to the shoulders and generally weigh between 70 and 100 pounds.

The Superintendent or designee may permit the use of a miniature horse as a service animal when the horse has been individually trained to do work or perform tasks for the benefit of an individual with a disability, provided that:

1. The miniature horse is housebroken.
2. The miniature horse is under the owner’s control.
3. The facility can accommodate the miniature horse’s type, size and weight.
4. The miniature horse’s presence will not compromise legitimate safety requirements necessary for the safe operation of the facility.

A service animal shall be under the control of its handler. A service animal shall have a harness, leash, or other tether, unless either the handler is unable because of a disability to use a harness, leash or other tether, or the use of a harness, leash or other tether would interfere with the service animal’s safe, effective performance or work or tasks, in which case the service animal must be otherwise under the handler’s control (e.g., voice control, signals, or other effective means).

The Superintendent or designee may ask any individual with a disability to remove his/her service animal from school premises or transportation if the animal is out of control and the

First Reading: May 16, 2012 Workers’ Compensation: ✓  
Adopted: September 26, 2012 Property and Liability: ✓  
Legal Authority: 28 CFR 35.104, 28 CFR 35.136, Ed. Code 39839, Civil Code 54.1, Civil Code 54.2

individual does not take effective action to control it or the animal is not housebroken. When an individual's service animal is excluded, he/she shall be given an opportunity to participate in the service, program, or activity without having the service animal present.

First Reading: May 16, 2012 Workers' Compensation: ✓  
Adopted: September 26, 2012 Property and Liability: ✓  
Legal Authority: 28 CFR 35.104, 28 CFR 35.136, Ed. Code 39839, Civil Code 54.1, Civil Code 54.2

**RISK MANAGEMENT**

**Reward Program**

The NCSIG Board of Directors wishes to take every action possible to deter arson, vandalism, theft, or other acts that damage, destroy, or cause the loss of a member district's property. In order to encourage member districts to reward information received which leads to the arrest and conviction of any person(s) who willfully damages, vandalizes, steals, or destroys property owned and/or used by a member district, the NCSIG will match rewards given by a member district, which they give in accordance with their policy or administrative regulation.

First Reading: January 17, 1996  
Adopted: January 17, 1996  
Legal Authority: \_\_\_\_\_

Workers' Compensation: \_\_\_\_\_  
Property and Liability: ✓



**RISK MANAGEMENT**

**General Safety Practices**

The NCSIG Board shall require all member districts to conduct ongoing evaluations of district projects that could create safety concerns as to the safety of student, staff, and the general public.

Each district shall create certain policies and/or practices that create the necessary review and approval for such projects.

First Reading: January 17, 1996  
Adopted: January 17, 1996  
Legal Authority: \_\_\_\_\_

Workers' Compensation: ✓  
Property and Liability: ✓

**RISK MANAGEMENT**

**Reward Program**

A reward account of \$3,000 shall be established from Risk Management funds. The JPA Director may authorize up to \$500 in matching funds to post a reward when so requested by a member district. Matching funds in excess of \$500 may be authorized by the Risk Management Committee.

Unexpended funds in this account shall be carried over to the next year. This account shall be replenished up to \$3,000 annually.

Adopted: January 17, 1996

**RISK MANAGEMENT**

**Disaster Preparedness**

In accordance with the Disaster Guide as prepared by the NCSIG, it is a requirement of membership that districts shall have operational plans that are consistent with the responsibilities and requirements as reflected in the Disaster Guide.

First Reading: January 17, 1996  
Adopted: January 17, 1996  
Legal Authority: \_\_\_\_\_

Workers' Compensation: \_\_\_\_\_  
Property and Liability: ✓

**RISK MANAGEMENT**

**Disaster Preparedness**

The Disaster Guide shall be reviewed annually to determine if the procedures as outlined are effective measures designed to prepare for disasters, and conform to any newly imposed legal requirements or meet any standards designed to minimize danger.

The Authority shall annually sponsor such drills as it feels would assist the districts in their training efforts.

Adopted: January 17, 1996

RISK MANAGEMENT

Pest Control

Member districts shall only use those techniques of pest control that have the least adverse impact on the environment. All pest control techniques and materials shall be subject to review and evaluation by appropriate JPA staff.

First Reading: January 17, 1996  
Adopted: January 17, 1996  
Legal Authority: \_\_\_\_\_

Workers' Compensation: \_\_\_\_\_  
Property and Liability: ✓

**RISK MANAGEMENT**

**Pest Control**

The NCSIG shall assist member districts with technical information on the materials and techniques that have the least adverse impact on the environment.

Workshops and training resources shall be maintained concerning pest control.

Adopted: January 17, 1996

**RISK MANAGEMENT**

**Claims Settlement Authority - Property & Liability**

The NCSIG Board of Directors shall delegate claims settling authority as follows:

- 1. Claims Manager with district concurrence:
  - ◆ Settlements up to \$10,000.
- 2. Majority of the NCSIG Board with consultation with the District Representative:
  - ◆ Settlements between \$10,000 and SIR.

or

Majority of NCSIG officers with consultation with the District Representative:

- ◆ Settlements between \$10,000 and SIR.

In the event a claim is filed by a district represented by a member of the Board of Directors, that member of the Board shall abstain from voting on such claim.

First Reading: January 17, 1996  
 Adopted: March 20, 1996  
 Legal Authority: \_\_\_\_\_

Workers' Compensation: \_\_\_\_\_  
 Property and Liability: ✓

**RISK MANAGEMENT**

**Claims Settlement Authority - Workers' Compensation**

The NCSIG Board of Directors shall delegate claims settling authority as follows:

1. Claims Manager:
  - ◆ Settlements up to \$15,000
2. Majority of NCSIG officers with concurrence of district:
  - ◆ Settlements between \$15,001 and \$25,000
3. Majority of Board of Directors with concurrence of district:
  - ◆ Settlements over \$25,000

In the event a workers' compensation claim is filed by a Superintendent of a member district, a member of the Board of Education of a member district, a staff member of the NCSIG, or a member of the Board of Directors, settlement authority shall revert to the Board of Directors.

If a member of Board of Directors files a workers' Compensation claim, he/she shall be excluded, as a board member, from all deliberation concerning such claim.

First Reading: January 17, 1996  
Adopted: March 20, 1996  
Legal Authority: \_\_\_\_\_

Workers' Compensation: ✓  
Property and Liability: \_\_\_\_\_



**RISK MANAGEMENT**

**Subrogation Policy--Property/Liability**

In the event of any payment under the Memorandum of Coverage, the NCSIG shall be subrogated to all the rights of recovery against any person or organization, and the covered member shall do nothing after loss to prejudice such rights.

The NCSIG shall not be bound to pay any loss if the covered member has impaired any right of recovery for loss; however, it is agreed that the covered member may:

1. As respects property while on the premises of the covered member, release others in writing from liability for loss prior to loss, and such release shall not affect the right of the covered member to recover hereunder; and
2. As respects property in transit, accept such bills of lading, receipts, or contracts of transportation as are ordinarily issued by carriers containing a limitation as to the value of such goods or merchandise.

First Reading: March 20, 1996  
Adopted: May 15, 1996  
Legal Authority: \_\_\_\_\_

Workers' Compensation: \_\_\_\_\_  
Property and Liability: ✓

**RISK MANAGEMENT**

**Subrogation Policy--Property/Liability**

Authorization to settle any subrogation claim should adhere to the following procedures:

1. Keenan & Associates will be authorized to settle any property or liability claim up to and including \$10,000, providing Keenan & Associates has approval from the JPA in consultation with the district.
2. Settlements above \$10,001 and up to the SIR will involve consultation with the district representative and a majority vote of the Board members at a Board meeting

or

3. Settlement above \$10,001 and up to the SIR will involve consultation with the district representative and approval from a majority of the officers.

As respects any recoveries for payment made under the provisions of the Memorandum of Coverage, disbursement of these monies shall be as follows:

1. Member districts to the extent of their deductible.
2. NCSIG to the extent of their payment on behalf of the member districts up to the SIR.

Adopted: May 15, 1996

**RISK MANAGEMENT**

**Subrogation Policy--Workers' Compensation**

Authorization to settle any subrogation claim should adhere to the following procedures:

1. Keenan & Associates will be authorized to negotiate any Workers' Compensation settlement up to and including \$15,000, in consultation with the district.
2. All settlements between \$15,001 and \$25,000 will require consultation with the district and a majority of the JPA elected officers.
3. Any settlement over \$25,000 will require consultation with the district and a majority of the Board of Directors at a regularly scheduled meeting.

Adopted: May 15, 1996

**RISK MANAGEMENT**

**Subrogation Policy--Workers' Compensation**

The NCSIG has the covered members' rights and the rights of persons entitled to compensation benefits from the covered member, to recover the NCSIG's loss from any third party liable for the injury. The covered member will do everything necessary to protect those rights for the NCSIG and to assist in enforcing them. The recovered loss, after deducting the NCSIG's recovery expenses, will be first used to reduce the NCSIG's loss. The balance, if any, will be returned to the covered member.

On behalf of the member district for their obligation under the Workers' Compensation laws of the State of California, all monies recovered shall be credited to the Workers' Compensation file to offset file expenses.

First Reading: March 20, 1996  
Adopted: May 15, 1996  
Legal Authority: \_\_\_\_\_

Workers' Compensation: ✓  
Property and Liability: \_\_\_\_\_

**RISK MANAGEMENT**

**Coverage for Auxiliary Organizations**

Insurance coverage may be provided to auxiliary organizations through the NCSIG JPA.

Auxiliary organizations wishing coverage through the NCSIG must comply with the guidelines established for such groups. For auxiliary organizations unwilling or unable to comply, the NCSIG will attempt to obtain a commercial insurance policy for the auxiliary organization at a reasonable cost. Auxiliary organizations shall be required to name the district as an additional insured on such commercial policies.

First Reading: January 17, 1996  
Adopted: March 20, 1996  
Legal Authority: \_\_\_\_\_

Workers' Compensation: \_\_\_\_\_  
Property and Liability: ✓

**RISK MANAGEMENT**

**Coverage For Charter Schools**

It is the intent of this administrative regulation to provide guiding principles for the NCSIG Board of Directors and staff to use in determining whether to endorse specific charter schools for coverage or renewal of coverage.

The following attributes are required for endorsement or renewal of coverage:

- ◆ The charter school operations are subject to an annual independent financial audit.
- ◆ The charter school has a written policy of conformance with Education Code §47605(d) (1) regarding discriminatory practices in admitting students.
- ◆ The charter school adheres to the personnel policies of the chartering agency or has independent personnel policies that comply with state and federal regulations as they apply to charter schools.
- ◆ The charter school adheres to NCSIG policies and procedures and risk management guidelines.
- ◆ The chartering agency is a member of NCSIG.

The following attributes are generally seen as positive in evaluating acceptable risks:

- ◆ The charter school is a joint venture with the community under the fiscal control of the chartering agency governing board, and their funds are included in the County Treasury and under the control of the chartering agency.
- ◆ The charter school is classroom based.
- ◆ The charter school is physically located within the geographic boundaries of the NCSIG and within the geographic boundaries of the chartering agency.

First Reading: September 18, 2002

Adopted: November 13, 2002

Legal Authority: Vote of Board of Directors on September 20, 2000

Workers' Compensation:     

Property and Liability:   ✓

**RISK MANAGEMENT**

**Coverage For Charter Schools**

The NCSIG Memorandum of Coverage excludes coverage for liability claims arising out of the operation of a charter school unless specifically endorsed for coverage by the Board of Directors. Since charter schools can materially change their methods of operation at will, yearly renewals of this endorsement are required beginning October 1, 2000 and then annually on July 1.

First Reading: September 18, 2002

Workers' Compensation:     

Adopted: November 13, 2002

Property and Liability:   ✓  

Legal Authority: Vote of Board of Directors on September 20, 2000

**RISK MANAGEMENT**

**Late Reporting of Property/Liability/Auto Claims (Losses)**

All member districts have a duty to report all losses and claims against the district in a timely manner. Timely and accurate reporting; cooperation; and good, open communication with the NCSIG and the NCSIG's claims administration are essential to ensure that each case is managed appropriately. Members shall immediately notify the NCSIG JPA and the claims administrator of all claims and potential claims. Late reported claims can seriously prejudice the NCSIG in adjusting fairly the loss to the member.

It is, therefore, the policy of the NCSIG that any loss not reported pursuant to established procedures within fourteen (14) days of the date of knowledge of the loss may be subject to denial of coverage. Such denial of coverage, which shall be subject to a vote of the NCSIG Board of Directors, will obligate the member to be responsible for the NCSIG's full self-insured retention. Should Northern California Regional Liability Excess Fund and/or Schools Excess Liability Fund (excess coverage providers) also deny coverage due to late reporting, the member shall be responsible for the entire loss.

First Reading: January 17, 1996  
Adopted: January 17, 1996  
Legal Authority: Government Code, Sections 910, 911

Workers' Compensation:         
Property and Liability: ✓



**RISK MANAGEMENT**

**Late Reporting of Property/Liability/Auto Claims (Losses)**

Upon receipt of a claim, the District will submit to the NCSIG office a copy of the original claim and all correspondence associated with the claim. In no case shall the claim be forwarded to the NCSIG office any later than two (2) business days from the date of the receipt of such a claim by the district. All materials must be date stamped to verify the date of receipt.

Upon receipt of the copy of the claim, the NCSIG shall forward the claim as received to the appropriate legal counsel who shall review the claim as to form and substance, noting in particular its compliance with Government Code Section 900, seq.

Upon the counsel's review, the claim shall either be returned to the claimant with instructions pursuant to Government Code Section 910.4, or shall be both submitted to the insurance administrator and the district for action (e.g., denial--district, investigation--administrator).

The NCSIG staff, district staff, and legal counsel shall be required to meet all appropriate time lines in the handling of the claim [e.g., 20 days statute for return for insufficiency (Government Code Section 910.8), 6 months statute for presentation of the claim (Government Code Section 911.2)].

Upon the receipt of the claim, the NCSIG shall forward the claim to the appropriate excess coverage provider.

**RISK MANAGEMENT**

**Completion of Property/Liability Questionnaires**

Annually, Northern California Regional Liability Excess Fund (ReLiEF) requires the completion by a certain date of either a renewal questionnaire or a three-year update questionnaire. The purpose of the questionnaire is to provide the ReLiEF program with accurate and timely information for rating purposes.

The staff at the NCSIG encourages all JPA members to submit their questionnaires in a timely manner, including sending reminders and following up with phone calls. However, it is each member's responsibility to complete and return the questionnaire in a timely manner.

It shall be the policy of the NCSIG that any surcharge charged by ReLiEF against a member of the NCSIG for late submission of a questionnaire shall be billed to and paid by the late-reporting district.

It is the recommendation of the NCSIG that the member districts retain a copy of the completed questionnaire each year for their future reference and use.

First Reading: January 17, 1996  
Adopted: January 17, 1996  
Legal Authority: \_\_\_\_\_

Workers' Compensation: \_\_\_\_\_  
Property and Liability: ✓

**RISK MANAGEMENT**

**District Risk Management: Vendor/Contractor Hold Harmless Agreements**

To promote good risk management practice and reduce exposure to loss caused by various vendors/contractors working on districts' campuses, it shall be the policy of the NCSIG that all members be encouraged to require vendors/contractors to provide the district with the following prior to beginning work at any campus:

1. A signed Hold Harmless and Indemnification Agreement, and;
2. Additional insured endorsement, and;
3. A valid certificate of insurance evidencing liability and workers' compensation coverages and limits acceptable to the District.

First Reading: January 17, 1996  
Adopted: January 17, 1996  
Legal Authority: \_\_\_\_\_

Workers' Compensation: \_\_\_\_\_  
Property and Liability: ✓

**RISK MANAGEMENT**

**Playground Equipment - Purchasing**

The NCSIG shall establish guidelines for purchasing playground equipment.

First Reading: November 9, 1999  
Adopted September 20, 2000  
Legal Authority: \_\_\_\_\_

Workers' Compensation: \_\_\_\_\_  
Property and Liability: √

**RISK MANAGEMENT**

**Playground Equipment - Purchasing**

Districts shall obtain, in writing, verification that the playground equipment that they purchase is in compliance with ASTM F1497 standards and meets or exceeds guidelines approved by the U.S. Consumer Product Safety Commission. This verification shall occur before the equipment is received.

Districts may use the form supplied by NCSIG or develop their own form that contains the following:

To ensure that our school's playgrounds are structurally sound and suitable for safe play, we need the following statement verified by your company. Please sign this document and return it before shipping the equipment. Our district requires that the completed statement be received before we will accept the merchandise.

The equipment listed on purchase order # \_\_\_\_\_ complies with ASTM F1497 standards and meets or exceeds guidelines approved by the U.S. Consumer Product Safety Commission.

Company \_\_\_\_\_

Signature \_\_\_\_\_

Title \_\_\_\_\_

Date \_\_\_\_\_

**RISK MANAGEMENT**

**Claims Administration Audits**

It shall be the policy of the NCSIG to contract for independent claims audit services to determine that all claims are properly set up, reviewed, resolved, settled, and/or litigated at appropriate levels and in the best interests of the NCSIG. The frequency of such a claim audit shall be determined by the Board of Directors.

First Reading: January 17, 1996  
Adopted: January 17, 1996  
Legal Authority: \_\_\_\_\_

Workers' Compensation: \_\_\_\_\_  
Property and Liability: ✓

**RISK MANAGEMENT**

**Cross Country Team Training Guidelines**

Where cross country team training takes place off of a closed course, the administration and coaching staff must adhere to the following guidelines:

1. A definite course should be determined and clearly communicated to the runners.
2. The course should be designed to eliminate or minimize exposure of runners to traffic by avoiding use of busy streets and intersections.
3. The course must be inspected by the coach prior to its use by the team, preferably at the same time of day it will be used by the team.
4. Runners are pedestrians and must obey all regulations applying to pedestrians. These include, but are not limited to, crossing only at intersections, obeying traffic lights, and staying on the sidewalk or running on the shoulder facing traffic where there is no sidewalk.
5. Runners should wear bright, highly visible colors.

First Reading: January 17, 1996  
Adopted: January 17, 1996  
Legal Authority: \_\_\_\_\_

Workers' Compensation: \_\_\_\_\_  
Property and Liability: ✓

**RISK MANAGEMENT**

**Athletic Events--Basketball**

Member district shall limit the duration of athletic contests to minimize the risks of injury or harm to student athletes as a result of fatigue.

First Reading: January 17, 1996  
Adopted: March 20, 1996  
Legal Authority: \_\_\_\_\_

Workers' Compensation: ✓  
Property and Liability: ✓



**RISK MANAGEMENT**

**Athletic Events--Basketball**

The following limitations are established and shall be followed:

Eighth Grade:

Regular games shall consist of four (4) quarters of eight (8) minutes duration or less. No more than one (1) game of this length may be played per day by any team. Tournament games shall consist of four (4) quarters of seven (7) minutes duration or less. No more than two (2) games of this length may be played per day per team.

Seventh Grade:

Regular games shall consist of four (4) quarters of seven (7) minutes duration or less. No more than one (1) game of this length may be played per day by any team. Tournament games shall consist of four (4) quarters of six (6) minutes duration or less. No more than two (2) games of this length may be played per day per team.

Sixth Grade and Under:

Regular games shall consist of four (4) quarters of six (6) minutes duration or less. No more than one (1) game of this length may be played per day by any team. Tournament games shall consist of four (4) quarters of six (6) minutes duration or less. No more than two (2) games of this length may be played per day per team.

Adopted: March 20, 1996

**RISK MANAGEMENT**

**Medical Exams--Athletic/Student Participants**

It is the policy of the NCSIG that medical exams are required prior to participation\* for athletic participants (including cheerleaders) of any school sports team.\*\* (High school student athletes are already required to have pre-participation physicals. All student athletes will be required to have pre-participation physicals starting the 2015/16 school year).

The districts shall accept the Pre-participation Physical Evaluation forms, JPA form #24, (both pages) or the Child Health and Disability Prevention (CHDP) Program Pre-participation Physical Evaluation History form (both pages) (effective 1/21/15). The following medical examiners can sign the forms: Doctor of Medicine M.D., Doctor of Osteopathic Medicine D.O., Naturopathic Doctor N.D., Nurse Practitioner N.P., or Physician’s Assistant P.A.

Team managers, trainers, and other non-athletic field participants are exempt.

*Medical exams are valid for twelve months from the date of the exam.*

\* Participation includes: tryouts (except cheerleading tryouts that only have standing cheers), practice and competitive play.

\*\* *School sports team – represents the school and competes against other schools or outside organizations.*

Adopted: January 22, 1997  
Updated: June 9, 2015  
Legal Authority:

Workers’ Compensation:  
Property and Liability: ✓

**RISK MANAGEMENT**

**Football Equipment**

Since claims resulting from injuries may include allegations of defective condition of the equipment, districts must adhere to the following guidelines:

1. Football equipment\* shall not be loaned, rented, sold or donated to any outside agency.
2. Football equipment\* shall not be loaned, rented, sold or donated to an individual or student to be used outside the district's program, unless the equipment is reexamined by a district certified coach prior to use within the year of certification.

Football equipment is defined as helmets and shoulder pads and/or any other protective equipment that requires certification before reuse.

First Reading: September 19, 2001  
Adopted: March 20, 2002  
Legal Authority: \_\_\_\_\_

Workers' Compensation: \_\_\_\_\_  
Property and Liability: √

**RISK MANAGEMENT**

Cheerleading

The NCSIG shall establish guidelines regarding cheerleading.

First Reading: March 17, 2004

Adopted: May 26, 2004

Legal Authority: \_\_\_\_\_

Workers' Compensation: \_\_\_\_\_

Property and Liability: ✓

**RISK MANAGEMENT**

Many cheerleading routines require gymnastics skills such as flips, rolls and dismounts. These are usually done without spotters, protective cushioning on the ground or personal protective equipment. Also, the advisor to the cheerleading squad may not have sufficient expertise in gymnastics. Cumulatively, this results in a significant injury potential and liability exposure which should not be overlooked.

Cheerleading should be considered an athletic activity and given the same risk management attention as other athletic programs.

**General Safety Rules**

All cheerleading activities shall adhere to the American Association of Cheerleading Coaches and Administrators (AACCA) high school safety rules for the current school year.

**Advisor/Coach Requirements**

1. The cheerleading advisor/coach must be CPR/First Aid certified (and current) prior to employment.
2. The cheerleading advisor coach must be certified (and current) in one of the following safety courses:
  - America Association of Cheerleading Coaches and Administrators - Cheerleading Safety Course. (This course is available on-line.)
  - American Red Cross – First Aid, Health and Safety for Coaches

**Travel Requirements**

The cheerleading advisor/coach shall be aware of and follow district travel policies.

**Documentation**

- Per NCSIG policy 4057, medical exams are required prior to any form of participation of athletic participants at the high school level.
- All cheerleaders will complete a JPA form #2 or #5 (district choice) “Acknowledgement & Assumption of Potential Risk”.

Adopted: May 26, 2004

Revised: January 20, 2016

**RISK MANAGEMENT**

**Safety Credit Funds**

It is the policy of the NCSIG to encourage its member districts to manage their exposures to prevent losses whenever possible. The Board may establish a safety credit program to help fund those expenses that are considered necessary and to promote safety.

First Reading : January 17, 1996  
Adopted : January 17, 1996  
Legal Authority: \_\_\_\_\_  
Amended : March 15, 2000

Workers' Compensation: \_\_\_\_\_  
Property and Liability: ✓

**RISK MANAGEMENT**

**Safety Credit Funds**

Safety credits are available to members of the liability pool. The safety credits are to reimburse the member districts for purchases made to address immediate safety needs, items addressed in safety inspection reports, or safety training costs for staff. The amount of the safety credits for each member district will be determined by the district's ADA according to the following schedule:

| <u>ADA</u>    | <u>CREDIT</u> |
|---------------|---------------|
| 0 - 75        | \$ 300        |
| 76 - 250      | \$ 500        |
| 251 - 450     | \$ 750        |
| 451 - 1,000   | \$ 1,000      |
| 1,001 - 1,500 | \$ 1,500      |
| 1,500 - up    | \$ 2,500      |

Each year, reimbursement forms from the districts must be received in the NCSIG office by May 31<sup>st</sup>. If there are any remaining funds after May 31<sup>st</sup>, NCSIG will purchase safety-related items for districts that participated in the safety credit program that year.

Adopted: March 20, 1996  
Amended: May 1, 2003

**RISK MANAGEMENT**

**Designated Physician**

The designation of a physician and/or a clinic for the treatment of work-related injuries and illness shall be undertaken by all member districts subject to the employees' right to designate a treating physician.

First Reading: January 17, 1996  
Adopted: March 20, 1996  
Legal Authority: \_\_\_\_\_

Workers' Compensation: ✓  
Property and Liability: \_\_\_\_\_



**RISK MANAGEMENT**

**Designate Physician**

In accordance with the policy statement, each district will be assisted in the designation of a physician and/or clinic to treat employees for work-related injuries and illnesses and shall publish a list of those physicians/facilities deemed to be otherwise qualified to treat employees. Designated physician/clinic information shall be posted with Workers' Compensation benefit information in appropriate locations.

Adopted: March 20, 1996

**RISK MANAGEMENT**

**Volunteers**

Volunteers for NCSIG school districts are covered under workers' compensation.

First Reading: November 13, 2002 Workers' Compensation: √  
Adopted: November 13, 2002 Property and Liability: \_\_\_\_\_  
Legal Authority: Ed. Code 35021, Labor Code 3364.5

**RISK MANAGEMENT**

**Volunteers**

Districts that have volunteers at their sites must follow the guidelines listed below:

- Volunteers must be registered, pursuant to Ed. Code 35021, with the district.
- The district and/or approved representative, prior to the volunteer commencing actual work, must approve the work to be done.

Adopted: November 13, 2002\_\_\_\_\_

**RISK MANAGEMENT**

**Claims Procedure**

The NCSIG will assist the districts in the processing of claims as made against member districts in order to keep all legal defenses available to members, and to not create unnecessary exposure to the NCSIG.

First Reading: January 17, 1996  
Adopted: January 17, 1996  
Legal Authority: \_\_\_\_\_

Workers' Compensation: \_\_\_\_\_  
Property and Liability: ✓

**RISK MANAGEMENT**

**Claims Procedure**

All claims made by a member district shall be subject to the review of legal counsel to determine if the claim is properly submitted and otherwise meets the requirements of law, in order to be deemed a valid claim.

Adopted: January 17, 1996

**RISK MANAGEMENT**

**Swimming Pool and Open Water Use**

The NCSIG shall establish guidelines for the safe use of swimming pools and waterfront areas for swimming lessons, recreational swimming and all other water activities.

First Reading: January 17, 1996 Workers' Compensation: ✓  
Adopted: March 20, 1996 Property and Liability: ✓  
Updated: October 13, 2014  
Legal Authority: \_\_\_\_\_

**RISK MANAGEMENT**

**Swimming Pool and Open Water Use**

**Swimming Pool**

When school groups are using any of our local pools for recreation or swimming lessons where the pool provides the instructors and/or lifeguards, the pool staff is responsible for the children as soon as they reach the pool deck. The school district staff is responsible for supervision in the locker room areas. In order to maintain adequate supervision in the locker rooms, the following guidelines are established and will be followed:

1. Groups will be accompanied by at least one adult monitor of each sex; and
2. Monitors will supervise the children while they are in the locker rooms; and
3. Monitors will remain in the locker rooms until the last child has left; and
4. Appropriate permission and release forms shall be used.

When school groups wish to participate in swimming activities where paid pool or waterfront staff is not provided, the school group must provide a trained lifeguard with the following certification:

1. American Red Cross Adult CPR or American Heart Association CPR; and
2. American Red Cross Standard First Aid or American Heart Association First Aid; and
3. American Red Cross lifeguard training.

This includes the use of motel pools.

**Open Water (Rivers, Lakes, Bays, Lagoons, Reservoirs or Ocean)**

When school groups are using open water for activities (some examples include, but not limited to, swimming, surfing, kayaking and paddle boarding\*) a lifeguard certified with a Waterfront certificate must be present, and on duty, while any students are in the water.

Surfing shall be limited to Moonstone Beach and South Beach (Crescent City). South Beach usage is limited only to where South Beach parallels Hwy 101.

Adopted: March 20, 1996  
Updated: October 13, 2014

Before students are allowed to begin any water activity, a strict review of the rules governing the area needs to be provided and the rules must be strictly enforced at all times.

Under no circumstances should any student be allowed to go in the water wearing regular street clothes.

\*Check whether the activity is listed on the high hazard section of the NCSIG memorandum of coverage. If it is, district administration will need to determine if the district will accept the liability of the higher deductible in order to participate in this activity.

Adopted: March 20, 1996  
Updated: October 13, 2014



**RISK MANAGEMENT**

**Conduct of District-Sponsored Field Trips**

**One-Day Trip Taken on School Days:**

The standard “Parent/Guardian Voluntary Excursion/Field Trip Notice and Medical Authorization--Minor” form shall be obtained in advance for all minor students going on one-day district-sponsored field trips. Any volunteer adults who accompany staff and students on the trip must file in advance a “Voluntary Excursion/Field Trip Notice and Medical Authorization--Adult” form. With respect to athletics or any other situation where there will be a series of trips for one basic purpose, one permission form can cover the series of trips (such as one sport’s away games).

**One-Day Trip Taken on a Non-School Day:**

The standard “Parent/Guardian Voluntary Excursion/Field Trip Notice and Medical Authorization--Minor” form shall be obtained in advance for all minor students going on one-day district-sponsored field trips which occur on a non-school day. Trips taken by official ASB entities are district-sponsored. Any adult students or adult volunteers who accompany staff and students on the trip must file in advance a “Voluntary Excursion/Field Trip Notice and Medical Authorization--Adult” form.

**Overnight Trip (Excursion) Taken on Any Days:**

The standard “Parent/Guardian Voluntary Excursion/Field Trip Notice and Medical Authorization--Minor” form shall be obtained in advance for all minor students going on such field trips, and the form shall specifically show that this is a multi-day trip involving one or more overnights.

Any adult students or adult volunteers who accompany staff and students on the trip must file in advance a “Voluntary Excursion/Field Trip Notice and Medical Authorization--Adult” form.

**Trip to Another State or Foreign Nation:**

The “Parent/Guardian Voluntary Excursion/Field Trip Notice and Medical Authorization--Minor” form shall be obtained in advance for all minor students going on such field trips, and the form shall have a supplement which gives full information about the trip such as the purpose, an itinerary, the number of students, staff and volunteer adults involved, the means of transportation, and cost. Information must be given about family accident/medical insurance coverage; absence of this

First Reading: March 20, 1996  
Adopted: May 15, 1996  
Legal Authority: \_\_\_\_\_

Workers’ Compensation: ✓  
Property and Liability: ✓

coverage may be handled through special trip coverage. Any adult students or adult volunteers must file in advance a "Voluntary Excursion/Field Trip Notice and Medical Authorization--Adult" form.

For trips to a foreign nation, personal baggage insurance and cargo insurance for district equipment, such as band instruments and uniforms, should be obtained.

Note that the Education Code stipulates that "no expenses of pupils participating in a field trip or excursion to any other state, the District of Columbia, or a foreign country authorized by this section shall be paid with district funds."

**Legal Requirement:**

In accordance with Education Code Section 35330, all persons making field trips and excursions are deemed to have waived all liability claims against the member district. In this regard, it is required that all parents/guardians of minor students and all adults taking field trips sign a statement waiving the right to make claims.

It is recognized that all field trips and excursions are voluntary for students and staff.

First Reading: March 20, 1996  
Adopted: May 15, 1996  
Legal Authority: \_\_\_\_\_

Workers' Compensation: ✓  
Property and Liability: ✓

**RISK MANAGEMENT**

**Walking Field Trips**

The NCSIG shall establish guidelines for walking field trips.

First Reading: March 15, 2000  
Adopted: May 10, 2000  
Legal Authority: Ed. Code Section 32041, 35330

Workers' Compensation:         
Property and Liability: √

**RISK MANAGEMENT**

**Walking Field Trips**

Minimally one week before the field trip, the teacher must request in writing approval from the principal with the route to be taken described.

The principal shall approve, change or disallow the trip after determining the safety of the chosen route.

The minimum ratio of adults to students shall be:

- Kindergarten thru 3<sup>rd</sup> grade            1 adult per 6 students
- 4<sup>th</sup> grade thru 8<sup>th</sup> grade                1 adult per 10 students
- 9<sup>th</sup> grade thru 12<sup>th</sup> grade               1 adult per 20 students

The teacher shall take the following items with them on the field trip

- Roster of children attending
- Permission forms with emergency contact phone numbers
- List of emergency numbers
- First aid kit
- Cell phone or other communication device

Adopted: May 10, 2000

**RISK MANAGEMENT**

**Service Learning**

Students participating in service learning, job shadowing, workability, transition partnership and similar programs are covered under workers' compensation.

First Reading: March 15, 2000 Workers' Compensation: ÷  
Adopted: May 10, 2000 Property and Liability:       
Legal Authority: 1998 California Child Labor Laws, Ed. Code Section 51769  
Updated: September 17, 2007

**RISK MANAGEMENT**

**Service Learning**

Districts participating in service learning, job shadowing, workability, transition partnership and similar projects must follow the guidelines listed below.\*

- Σ Students must be registered or enrolled in the district project/program.
- Σ The district and/or approved representatives, prior to the student commencing actual work on the project, must approve student projects.
- Σ The following activities (the list is not exclusive) are not permitted as part of student projects:
  - 1) Student use of power tools
  - 2) Student use of motorized tools (i.e. lawn mowers and chain saws)
  - 3) Student use of ladders or scaffolds
  - 4) Work on boats or docks
  - 5) Projects that involve use or disturbance of asbestos, lead-containing paint, or other hazardous materials

*\*Transition Partnership Program (TPP) students over 18 years old may participate in 1-3 activities.*
- Σ The following activities are strongly discouraged as part of student projects:
  - Σ Street or highway cleanup projects
  - Σ Activities between the hours of 9:00 p.m. and 6:00 a.m.
  - Σ Driving motor vehicles
- Σ Refer to work permits for explanations of what is allowed per student's age.

\* These guidelines do not apply to students performing activities while enrolled in regular classes (i.e. woodshop).

Adopted: May 10, 2000

Updated: September 17, 2007

**RISK MANAGEMENT**

**Appeal/Arbitration Policy Regarding Coverage Disputes**

Coverage afforded to members shall be strictly, equitably, and consistently interpreted by the NCSIG staff and the claims administrator. All parties shall agree to the covenants of good faith and fair dealing. Parties involved in a dispute shall refrain from exerting undue influence upon the staff, the claims administrator, or the Board of Directors.

When a question or dispute arises regarding the applicability of coverage(s) provided by the NCSIG as determined by the NCSIG Board of Directors, to an occurrence or claim against a covered member, either the covered member or the NCSIG may make a written request for appeal and/or arbitration. Where such a written request is made, appeal and/or arbitration shall be a condition precedent to the filing of any civil action concerning or in any way arising out of such question or dispute.

Coverage disputes arising out of coverages exceeding the NCSIG's SIR, which are provided by the Northern California Regional Excess Liability Fund and/or the Schools Excess Liability Fund, will be determined in accordance with their arbitration/coverage dispute policies.

First Reading: January 17, 1996  
Adopted: January 17, 1996  
Legal Authority: \_\_\_\_\_

Workers' Compensation: \_\_\_\_\_  
Property and Liability: ✓

**RISK MANAGEMENT**

**Appeal/Arbitration Policy Regarding Coverage Disputes**

**Coverage Determination:**

Interpretation of coverage is determined by the claims administrator and/or coverage counsel at the time a claim against a covered member is received by the NCSIG. A written response indicating coverage, limited coverage, or no coverage shall be issued to the covered member against whom the claim has been made.

**Appeals of Coverage Denials (Due Process):**

In the event that a question or dispute occurs regarding the applicability of coverage(s), as determined by the NCSIG, arising out of an occurrence or claim against a covered member, the covered member may make a written request to have the denial of coverage reviewed by the Board of Directors at its next or at a special meeting. The Board of Directors will hear both sides of the issue(s) and announce their finding. If the denial is affirmed, the covered member may then petition in writing for binding arbitration.

**Arbitration of Coverage Disputes:**

1. In the event that a question(s) or a dispute(s) concerning the applicability of coverage to an occurrence or claim against the covered member has not been resolved through the appeal procedure, either the covered member or the NCSIG may make a written request for arbitration. Where such a request is made, arbitration shall be a condition precedent to the filing of any civil action concerning or in any way arising out of such question(s) or dispute(s).
2. The covered member and the NCSIG shall select an arbitrator. Each party will bear the expense of the arbitrator equally. The finding of the arbitrator will constitute a determination of the matter(s) in question or dispute.
3. If the covered member and the NCSIG fail to agree upon an arbitrator, each party will select an arbitrator and the two arbitrators will select a third. If they cannot agree upon the third arbitrator within thirty (30) days, either may request selection by a judge of a court having jurisdiction. Each party will bear the expense of the third arbitrator equally. A decision agreed to by two of the three arbitrators will constitute a determination of the matter in question or dispute.

Adopted: January 17, 1996



**RISK MANAGEMENT**

**Crossing Guards**

Using school crossing guards may create liability on the part of the school district for the safety of the children using the guarded crossing. For this reason, the crossing guards must be trained and responsible adults. The following guidelines are established and shall be followed for district crossing guards:

1. The crossing guards shall receive appropriate training, using the Redwood Crossing Guard Program materials. Before the crossing guard performs their duties they must minimally be trained by their supervisor using the Redwood Crossing Guard Program School Crossing Guard Training Manual. As soon as it is possible the crossing guard will attend the full training provided by the Department of Health and Human Service (DHHS) or the Police Department. Subsequently, **annually**, each crossing guard will attend training a full training program provided by the DHHS or Police Department.
2. Guards shall wear the appropriate clothing, including a safety vest or jacket.
3. If the district chooses to provide crossing guards, locations shall be approved by the school district's governing board. The guards should be provided only at those crossings where a compelling need exists.
4. The district shall develop a schedule of the hours that the specified crossing(s) will be guarded, and this schedule shall be communicated in writing to the parents of the district's students.
5. Should the district wish to change the hours or the crossing(s) that are guarded or to discontinue providing crossing guards, the changes shall be communicated in writing to the parents of the district's students.
6. The district shall develop a contingency plan, so that the guarded crossing(s) are never left unattended during the hours when they are scheduled to be guarded. Crossing guards who

Adopted: September 24, 1997

Updated: January 21, 2015

- are unable to report for work shall notify the District in a timely manner so that a substitute guard can be provided.
7. Problems with disorderly children shall be reported to the school principal for immediate action. If a child has a problem that is serious in nature and cannot wait until he/she reaches the school, the guard shall notify a school official regarding the nature of the problem.
  8. Guards shall not attempt to stop vehicles that commit traffic violations, but shall obtain the license number and description of the vehicle and report it to the law enforcement agency within that jurisdiction.
  9. Guards shall not direct traffic under any circumstances.
  10. The crossing guard shall perform, at a minimum, the following procedures when crossing students:
    - a. The guard shall stand on the curb on the side of the street from which children are approaching.
    - b. The guard shall wait until a group of children has assembled (when applicable) and shall instruct the children to remain on the sidewalk until the crossing guard signals the children to cross the street.
    - c. The guard shall wait for a gap in traffic and, when conditions permit, he or she shall enter the crosswalk and walk to the center of the roadway. Under no circumstance shall the guards allow the children to follow him or her into the intersection.
    - d. The crossing guard shall establish visual contact with approaching vehicles while holding the hand-held stop sign, to ensure visibility. He/she shall then wait for the traffic approaching in all directions to stop, and then shall motion the children to cross the street.
    - e. The guard shall remain in the center of the street until the last child reaches the opposite curb.

Adopted: September 24, 1997

Updated: January 21, 2015

- f. The crossing guard shall then return to the curb on the side of the street from which children are approaching.
- g. All crossing guards shall have in their possession a note book and pencil with which to record traffic violators.

Adopted: September 24, 1997

Updated: January 21, 2015

**RISK MANAGEMENT**

**School Crossing Guards**

The NCSIG shall establish guidelines for the member districts' school crossing guards.

First Reading: March 19, 1997  
Adopted: September 24, 1997  
Updated: January 21, 2015  
Legal Authority: Ed. Code Sections 1319, 45450, 45451

Workers= Compensation:  
Property and Liability: √

**RISK MANAGEMENT**

**Students in Private Vehicles**

The NCSIG shall establish guidelines for the use of private vehicles by member districts.

First Reading: May 12, 1999  
Adopted: September 15, 1999  
Legal Authority: \_\_\_\_\_  
Updated: \_\_\_\_\_

Workers' Compensation: \_\_\_\_\_  
Property and Liability: ✓

**RISK MANAGEMENT**

Private vehicles being operated for field trips must meet the following guidelines:

1. The Driver must:
  - (a) Be at least 21 years of age
  - (b) Possess a valid California driver's license
  - (c) Possess liability insurance as required by the State of California

|               |   |
|---------------|---|
| Bodily Injury | \$15,000 per person/\$30,000 per occurrence |
| Property      | \$ 5,000                                    |
  
2. The number of passengers shall not exceed ten (10), including the driver. In no case shall the number of passengers, including driver, exceed the number of available seat belts.
  
3. The district prior to the trip must approve all drivers.
  
4. An appropriate Use of Vehicle form must be completed and on file before a trip is taken.
  
5. Use of personal cars where hazardous road conditions exist is prohibited. This includes hazardous conditions declared by California Highway Patrol, or other City, County, State or Federal agencies authorized to monitor road conditions.
  
6. Prior to departure, the driver shall be instructed as follows:
  - (a) Follow the most direct route.
  - (b) Avoid unnecessary stops.
  - (c) Do not carry non-district personnel, non-students or other "guests" as passengers.
  - (d) Do not carry more than ten (10) passengers, including the driver, no matter what size of vehicle; otherwise, the vehicle must be a school bus or student pupil activity bus as defined in the Vehicle Code.
  
7. Passengers will be seated in child passenger restraint systems (car seats/booster seats) unless they are six (6) years of age or older, or weigh 60 pounds or more.
  
8. If the vehicle has a passenger, front seat air bag, passengers 12 years of age or younger shall be seated in the rear seats.

Adopted: September 15, 1999  
Updated: September 18, 2002

**RISK MANAGEMENT**

**Transportation of Students**

The NCSIG shall establish guidelines regarding permitted passengers on school buses during home to school and activity trip transportation of students.

First Reading: September 19, 2001  
Adopted: January 15, 2002  
Legal Authority: \_\_\_\_\_

Workers' Compensation: \_\_\_\_\_  
Property and Liability: ✓

**RISK MANAGEMENT**

It is the intent of this administrative regulation to reduce risk to the greatest extent possible. The different needs of districts are recognized, however, the following guidelines are present as appropriate practices in regard to school bus use.

A "school bus" is any motor vehicle designed, used, or maintained for the transportation of any school pupil at or below the 12<sup>th</sup> grade level to or from a public or private school. (545 VC)

**Home-School Transportation**

**Permitted passengers**

- District enrolled students
- Students enrolled in other districts with a valid inter-district transportation agreement
- Authorized personnel for the purpose of monitoring, training, or testing
- Bus driver trainees

**Prohibited passengers (including but not limited to)**

- Employees riding bus to/from work
- Parents
- Children not enrolled in district programs
- Community Members

**Activity Trips**

**Permitted passengers**

- Students with valid activity trip forms
- Teachers & Instructional Assistants
- Adults acting as chaperones with valid activity trip forms
- Coaches and Managers
- Support Staff/Volunteers (i.e. statisticians, trainers)

**Prohibited passengers**

- Children not enrolled in district programs



**RISK MANAGEMENT**

**School-Chartered Buses (School Pupil Activity Buses - SPAB)**

The NCSIG will establish guidelines regarding use of school-chartered buses.

The NCSIG will annually develop a list of pre-approved charter bus companies.

Companies not on the pre-approved list are not eligible to provide service for NCSIG school districts.

First Reading: November 13, 2002

Workers' Compensation:     

Adopted: January 24, 2003

Property and Liability: √

Legal Authority: VC 546

## **School-Chartered Buses**

Annually the NCSIG will send districts a list of pre-approved potential vendors to charter buses. The districts may request companies to be added to the list.

If a district wishes to use a company that is not on the pre-approved list, the district may request that the company be reviewed for pre-approval by the NCSIG. Request for approval must be received at least 60 days prior to the date of the trip.

### **District Level Responsibilities:**

Before the trip, the **requestor** will:

- Receive administrative approval.
- Send the transportation department and vendor an itinerary with a listing of all stops (this will allow the vendor to ensure the SPAB driver can complete the trip in the legal amount of hours).

Before the trip, the **district** will:

- Review purpose/goal/itinerary of the trip.
- Approve/disapprove the request.
- Ensure the SPAB company is on the pre-approved list.
- Notify the transportation department.
- Assign the day of trip inspector.
- Send the vendor a list of the items the district will check on the day of the trip.
- Forward the SPAB packet to the requestor.

The day of the trip, the **inspector** will:

- Check general condition of the SPAB bus.
- Confirm the vehicle registration is the same as the CHP 292 form.
- Review the driver's –
  - ✓ California driver's license
  - ✓ SPAB certificate
  - ✓ Medical card (DL51A)
  - ✓ Log Book
- Ensure the driver has the final trip itinerary.
- Ensure the driver can complete the trip in the amount of legally allowed hours.

The day of the trip, the **teacher** will:

- Confirm the permission forms are present.
- Confirm the medical release forms are present.
- Confirm the first aid kit is present.
- Ensure the emergency evacuation procedures were explained.

Adopted: January 24, 2003 \_\_\_\_\_