

Risk Management Procedures

Risk Management Procedures—

The Utah Division of Risk Management (“Division of Risk Management”) provides liability coverage for the District through the State’s Risk Management Fund.

District personnel shall therefore adhere to the guidelines provided by the Division of Risk Management, which are summarized in Exhibit 1 to this policy. These Guidelines are intended to accomplish two goals: (1) Notify you of your responsibilities to inform the Division of Risk Management of accidents that might be covered by the Division of Risk Management; and (2) to screen accidents that might be covered. Early investigation of all potential liability situations by Risk Management is essential to allow liability reduction by the Division of Risk Management.

- 1) The Principal of each school or designee in the District should immediately investigate all accidents and injuries in each school building and on school grounds or at school activities involving injuries to any students or employees of the District (staff injuries are covered by workers compensation under separate policies).
- 2) The Principal or designee shall be responsible to prepare and keep a written record of all accidents which are likely to give rise to liability of the District including a complete statement of circumstances in any of the following events.
 - a) If an accident is a result of a condition of the premises, building or equipment.
 - b) If proper supervision by any school employee may be an issue.
 - c) If a parent or guardian has expressed an opinion that the District was responsible for an accident.
 - d) If an accident resulted from an activity or circumstance in which the school may be responsible for the accident.
 - e) If an accident involves school vehicles or other vehicles while engaged in authorized school activities.
 - f) If any accident involves an employee or agent acting within the scope of duties of the District employee who may be responsible for an accident.
- 3) The designee of each school shall be assumed to be the designated person to submit the report in absence of expressed designation.

Liability

- 1) In addition to accidents involving physical injuries, all situations which may give rise to liability of the District should be reported such as employment discrimination, wrongful termination, defamation, sexual harassment, sexual abuse, etc.

- 2) All such potential liability situations should be immediately reported to the District's designated Risk Management Coordinator who will notify the Division of Risk Management. If there is a doubt as to whether a situation gives rise to liability, the District should err in favor of reporting.
- 3) Whenever serious injury occurs or parents request that you assume responsibility or when you feel the District may be exposed to legal action, do not wait to complete an accident investigation or written report before reporting as outlined in Paragraph 2 above.

Litigation guidelines—

As set forth in the Risk Management guidelines,

- 1) Copies of all legal papers or pleadings of a court received by the District or any of its employees for actions in the scope of their duties should be sent to the Business Administrator, who will send it to the Division of Risk management and to the Board of Education's legal counsel.
- 2) Districts are not to make any statements or admission of liability in connection with any situation which may give rise to liability of the District.
- 3) The circumstances surrounding any liability situation should not be discussed by any employee of the District with any third party until after the Division of Risk Management has been notified and the attorney assigned to defend the action has approved such communication.

Risk management coordinator—

The Business Administrator of the District is hereby appointed as the District's Risk Management Coordinator.

Scope of coverage—

All employees of the District and District property are covered by the Division of Risk Management in connection with claims arising from acts or omissions within the scope of their employment with the District. Educators need not purchase alternative insurance to cover liabilities arising from their employment with the District.