

Millstadt Community Consolidated School District #160



RISK MANAGEMENT PROGRAM

Final

2022-2023

The Millstadt Community Consolidated School District #160 shall have in operation a comprehensive Risk Management Program which shall reduce or prevent the District's exposure to liability. It is of the utmost importance for the district: (1) to ensure that statutory and common law, health and safety rights are extended to visitors, employees and students; (2) to make certain that the district's buildings and grounds are maintained in a safe condition; and (3) to provide careful supervision and protection of all the district's real and personal property, including vehicles.

The Illinois Local Government and Governmental Employees Tort Immunity Act (Ill. Rev. Stat., Ch. 85, 10101 et seq.) provides for a school district to levy a tax which when collected will pay the cost of risk care management (Ill. Rev. Stat. Ch. 85, 9-107). In addition, this section (9-107) provides for funds raised pursuant to this section to be used:

. . . to pay the operating and administrative costs and expenses, including the costs of legal services and the wages and salaries of employees, in connection with defending or otherwise protecting itself against any liability or loss described herein above and under Federal or State common or statutory law, the Worker's Compensation Act, and the Unemployment Insurance Act, to purchase insurance, to purchase claim services, to pay for judgments or settlements, or to otherwise provide protection to the local public entity or its employees or, pursuant to an intergovernmental contract, other public entities or their employees.

The district's Risk Management Program shall provide for: (1) identification of the various components of the Risk Management Program; (2) clearly delineated personnel responsibilities; (3) adequate insurance against liability exposure; (4) identified and allowable costs for the maintenance of the Risk Management Program.

The general, overall responsibility for the development and maintenance of the district's Risk Management Program rests with the Superintendent of the district. The Superintendent shall be responsible for the development of the program, identifying the

various components of the program, and delegating responsibilities for these components to the appropriate personnel. It is expected that the Superintendent will continually evaluate the effectiveness of the program and be apprised of needed revisions, additions or deletions to the components and assigned responsibilities. The Superintendent or their designee will be responsible for monitoring all staff evaluations to assure that risk care responsibilities are being evaluated. It is expected that, because of delegating of responsibilities, the Superintendent would spend no more than thirty percent (30%) of his time toward the fulfillment of this task. It will also be the Superintendent's responsibility to provide for the protection of students, personnel, and the general public and freedom from exposure to tort-producing situations which arise from incidents at all school functions and activities. Thirty percent (30%) of his time will be spent fulfilling this obligation.

One primary component of the Risk Management Program is the provision of an insurance/compensation program that will provide protection to the district against liability. Portions of this component shall include, but not be limited to:

1. Premiums for the various necessary insurances, including liability insurance, building and fleet insurance, workers' compensation, unemployment compensation, etc.
2. Pay judgments or settlements arising against the district.
3. Pay for all legal fees connected with protecting or defending the district against liability, including unfair labor practice charges and employee collective bargaining.
4. Allowance for the time expended by assigned district personnel concerning the above delineated assignments.

- 5. Pay for architectural, engineering, and consulting services connected with protecting the District against liability involving Life/Safety issues, ADA issues, asbestos issues, and environmental issues.**

The district's Superintendent is assigned the responsibility for the administration of this component to the Risk Management Program, and shall serve as the district's liaison to the various consulting services, claim and adjustment services, and insurance companies. In addition, he/she shall be responsible for all communications concerning claims against, or on behalf of, the district. He/she shall also be responsible for the bidding of supplies and contractual services in such a manner that the district meets all the requirements for freedom from tort situations, which include meeting the requirement for toxic materials, Equal Opportunity Employment, prevailing wage rates, comparable name equipment, responsible bidders, etc

The district's Risk Management Program, in relation to the health and safety of district students and personnel is the responsibility of the Superintendent and Building Principals. The degree of this responsibility (time invested) varies in accordance to each person's assigned supervisory activities. They shall provide for the protection of students, personnel, and the general public and freedom from exposure to tort-producing situation, which arise from, but are not limited to:

- 1. Incidents in parking lots and on the campus.**
- 2. Incidents in the lunchroom.**
- 3. Incidents occurring during school athletic activities and other school-sponsored events.**
- 4. Incidents occurring during physical education classes.**

- 5. Incidents occurring in connection with the transportation of students (a) before boarding, (b) during, and (c) after exiting the school bus.**
- 6. Incidents in connection with safety of students from traffic hazards and exposure to risk.**
- 7. Incidents due to acts of fellow students committed both in the classroom and outside the classroom.**
- 8. Incidents due to lack or insufficiency of supervisors (a) at bus loading/unloading, (b) during or between class periods, (c) during lunch hours, and (d) miscellaneous undetermined times.**

It is expected that the building Principals shall devote approximately forty-five percent (45%) of their time to the above tasks. He/she is also responsible for the management of the supervision and protection of elementary and junior high students, and the discipline of such. In this capacity, he/she is responsible for guaranteeing the protection of the constitutional and statutory rights of students.

Playground and lunchroom monitors will create and maintain safe and orderly environments for students. One hundred percent (100%) of their time will be devoted to fulfilling these responsibilities.

The District custodial and maintenance employees are partially responsible for the health, life, and safety of those within the school. The district's Risk Management Program in relation to the safe conditions of buildings and grounds, protection of the district's real and personal property shall include, but not be limited to:

- 1. Identification of the various components and responsibilities concerning inspection of buildings, grounds, and equipment to provide protection to**

the local district, its employees and the public, daily inspection of buildings and grounds and operation of the district's building security system.

- 2. It is expected that the district maintenance employee will devote eighty percent (80%) of his/her time toward the maintenance of safe conditions of the buildings and grounds. The maintenance employee fulfills requirements for the district's compliance with state and federal laws regarding employee and student health and safety, asbestos, radon, lead, etc.**
- 3. It is expected that all night custodians would devote twenty-five percent (25%) of their time in daily inspection of their respective areas of assignment for a risk free environment. It is expected that day custodians would devote thirty-five percent (35%) of their time for inspections and correction of risk/tort situations.**

The District Bookkeeper is the payment and maintenance of the District Risk Management plan. It is expected the District Bookkeeper will expend twenty-five percent (25%) of their time directly related to fulfilling the responsibilities of their position insuring proper payment and maintenance.

One of the primary responsibilities of the School Nurse is the protection of the health and safety of students and personnel. This position is directly involved with the district's compliance with state and federal health regulations. He/she is responsible for ensuring that the students have been physically examined in a legal manner that ensures that the student is in a risk-free physical condition, both in relation to him/herself and in

relation to other students and district personnel. The school nurse has the additional risk management responsibility of reducing student/personnel exposure to communicable disease and other health and safety problems. Not only is he/she responsible for limiting exposure, but he/she is also responsible for the protection of students with specified health problems, health needs and safety needs. It is expected that no less than eighty-five percent (85%) of his/her time shall be devoted to limiting/avoiding tort situations arising from the health, safety, and physical conditions of students and personnel.

The building cooks have the responsibilities, well beyond their job descriptions, to supervise the protection of students from health problems due to contaminated supplies and/or improperly stored, cooked, or handled food or milk. They are also responsible for the protection of students and employees from harm due to improper or unsafe mechanical devices, such as dishwasher, thermostats, cutting utensils, stoves, etc. The portion of time devoted to these activities should be no less than fifteen percent (15%).

Since it is recognized that many other positions include assignments, which are ripe to create exposure to tort and to risk situations, an effort has been made by the district to allocate a portion of their time, beyond that of the job description and/or normal duties, to risk-care management. It is expected that the athletic directors, P/E teachers, coaches, and science teachers, will closely supervise their students and ensure that all students are protected from undue exposure to risk situations according to the allocations listed below:

(1) Coaches – 14%

(2) Teachers of science and P/E – 12%

SUMMARY OF PERSONNEL TIME EXPENDITURES MANDATED BY THE RISK MANAGEMENT PROGRAM FOR MILLSTADT COMMUNITY CONSOLIDATED SCHOOL DISTRICT #160

Superintendent (30%) - \$40,000.00

- Develop and maintain Risk Management Program.
- Evaluate the effectiveness of the Risk Management Program.
- Monitor staff evaluations to assure that risk care responsibilities are being evaluated.
- Serve as the district liaison to insurance consulting services.
- Communicate claims concerns to insurance carriers.
- Provide for the protection of students, personnel, and the general public and freedom from exposure to tort-producing situations which arise from incidents at all school functions and activities.

Building Principals (45%) - \$85,000.00

- Provide for the protection of students, personnel, and the general public and freedom from exposure to tort-producing situations which could arise from incidents in parking lots or on campus; incidents in lunchrooms, classrooms, hallways, incidents at all school-sponsored events; incidents occurring in connection with the transportation of students before boarding, boarding, and after leaving school-provided transportation; incidents in connection with safety of students from traffic hazards; and exposure to risk incidents due to acts of fellow students committed both inside and outside of classrooms.

District Bookkeeper (25%) – \$15,000.00

- Purchase of insurance consultant services;
- Payment of premiums for various necessary insurance, including all liability insurance, building and fleet insurance, workers' compensation, unemployment compensation, personnel bonds, etc.;
- Payment of judgments or settlements arising against the District; and
- Payment of all legal fees connected with protecting or defending the District against liability

Playground/Lunchroom Supervisor (100%) - \$18,250.00

- Supervise students to ensure a safe and orderly environment when eating and participating in recess.

Insurance Coverage (100%) - \$105,000.00

- Liability, building, fleet, workers' compensation, unemployment, bonds.

Attorney, Architect, Engineer (100%) - \$10,000.00

- Legal, safety, and environmental safety.

Maintenance of Building and Grounds – 80% - \$43,000.00

- Responsible for the safe conditions of building and grounds and for the protection of the district's real and personal property. This will include but is not limited to: inspecting buildings, grounds and equipment for safety and ensuring compliance with State and Federal laws regarding employee and student health and safety.
- Schedule regular inspections and address problems reported by bus drivers.
- Perform scheduled and preventative maintenance on the fleet of buses.
- Replace worn or broken parts as needed.

Day Custodians – (35%), Night Custodians – (25%) - \$45,000.00, \$46,000.00

- Inspection of areas to prevent liability.
- Night salary does not count one custodian paid for with ARP ESSER III funds.

Nurse (85%) - \$46,000.00

- Ensure district's compliance with state and federal health regulations and limiting/avoiding tort situations arising from the health, safety, and physical conditions of students and personnel.

Athletic Coaches (14%) - \$16,500.00

- Supervise and ensure students are protected from undue exposure to risk situations

Teachers of science and P/E (12%) - \$39,745.00

- Supervise and ensure students are protected from undue exposure to risk situations.

Upgrade and expansion of video surveillance camera system to link with local police department (\$10,000)

Total Dollars for possible allocation - \$519,495.00