

Administrators Operating Guide is intended to supplement and define Board policies, serve as administrative regulations and official directives.

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## **22.1 PROPERTY, CASUALTY AND LIABILITY INSURANCE**

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1. The Purchasing/Risk Manager will administer the insurance program and advise the Assistant Superintendent of Finance & Operations on all matters pertaining to risk management.
2. Insurance carriers will be selected on a periodic basis, with contract anniversary dates which are in the best interest of the District.
3. Broker consultant services will be selected, within budget parameters, as may be needed to aid in drawing specifications for the District's insurance requirements.
4. Contracts for insurance coverage will be let, based on either bids or quotes, whichever is in the District's best interest, and in compliance with existing State law and official regulatory requirements.

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## 22.2 SCHOOL LIABILITY FOR ACCIDENTS

A Texas school district, as an arm of the state government, is immune from liability regarding accidents that occur on school grounds or any place that is under the jurisdiction of the school district, **except** liability incurred from the operation and use of school-owned motor vehicles. See **Section 10.8**, Car Rental for School Employees on Approved Travel.

However, this immunity applies only to **governmental and not proprietary functions**. A proprietary function is one in which the District would assume the role of a for-profit private business, rather than performing its governmental duties. While Texas appellate courts have declined to rule that a school district was engaged in a proprietary capacity when presented with claims, all Texas school districts should watch their activities closely to avoid creating any perception that an activity is proprietary. This caution is particularly appropriate when a private organization is involved. In those instances a district should avoid assuming a portion of the financial risk, such as sharing in the gate.

The TISD purchases motor vehicle liability insurance to protect against claims for its automobile property damage and automobile liability exposures for vehicular accidents involving district owned vehicles.

The TISD does not purchase liability insurance for other types of accidents/incidents such as medical bills for a student injured on school grounds, replacement of a windshield broken by a rock thrown from a district mower, etc. The purchase of such liability insurance to protect against a liability, for which state law provides immunity, would be an improper use of funds. TISD carries workers' compensation insurance to provide benefits to employees who are injured in the course and scope of their employment.

In accordance with TISD policies and procedures, all accidents/incidents involving district vehicles, van/trucks rented to move equipment, theft, or vandalism that result in property or equipment damage should be timely reported. The Risk Management department should be notified in the event of an accident/incident as soon as feasible, but no later than 30 days from the date of the occurrence and followed up with a written report. See **Section 23.2**.

All vehicles (vans/trucks) that will be rented must acquire liability and comprehensive coverage from the lessor.

The broad immunity provided to governmental entities is a major reason that students are offered the opportunity each year to purchase student insurance. Should the organization have questions desire clarification, or need assistance, they should contact the Purchasing/Risk Manager.

## TYLER ISD MOTOR VEHICLE ACCIDENT REPORT

<b>COMPLETE AND RETURN FORM TO THE FOLLOWING:</b>			
<b>TO:</b>		<b>DEPARTMENT:</b>	
<b>FAX NO:</b>		<b>LOCATION:</b>	Administration Bldg.
<b>PHONE NO:</b>			
<b>DATE OF ACCIDENT:</b>			
TIME:			
POLICE NOTIFIED:			
TICKETED:			
LOCATION/ADDRESS OF			
DESCRIPTION OF ACCIDENT:			
<b>DISTRICT VEHICLE #:</b>			
YEAR/MAKE/MODEL:			
VIN:			
TISD DRIVER'S NAME:			
PHONE NUMBER:			
DEPARTMENT:			
DATE OF BIRTH & DRIVER LIC #:			
ANY INJURIES:			
DESCRIBE DAMAGE TO VEHICLE:			
PASSENGERS/NAME/ADDRESS:			
<b>OTHER DRIVER'S NAME:</b>			
ADDRESS:			
BUSINESS PHONE #:			
HOME PHONE #:			
YEAR/MAKE/MODEL			
VIN:			
PASSENGERS NAME/ADDRESS:			
DESCRIBE DAMAGE TO VEH:			
NAME OF INSURANCE CO:			
POLICY #:			
PHONE #:			
<b>INJURED:</b>			
NAME AND ADDRESS:			
BUSINESS PHONE #:			
HOME PHONE #:			
EXTENT OF INJURIES:			
<b>WITNESSES:</b>			
NAME AND ADDRESS:			
HOME PHONE:			
REMARKS:			
<b>DATE:</b>			
<b>EMPLOYEE'S SIGNATURE:</b>			
<b>SUPERVISOR'S SIGNATURE:</b>			
<b>RISK MANAGEMENT USE ONLY</b>			
DATE REPORT		ICW NOTIFIED:	
AJUSTE		CLAIM #:	

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### **22.3 INDEMNITY BOND**

All funds are insured against dishonest acts of employees under a Public School Systems Employees Blanket Bond carried by the Tyler Independent School District. This bond protects the District to a set limit for each employee handling monies.

#### **Reports of Loss**

In the event that a loss or dishonest act involving monies is uncovered, it should be reported immediately to the Purchasing & Risk Manager, who will advise the bonding company to make an investigation.

#### **Acts Not Insured**

This indemnity bond does not cover burglary, theft by a non-employee, mysterious disappearance or accidental destruction of money or property. It is, therefore, incumbent upon each organization manager and/or school principal to provide the maximum security available for the protection of District assets.

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#### 22.4 REPLACEMENT OF MISSING/STOLEN GOODS

All losses - mysterious disappearance, vandalism, burglary, theft or fire - should be reported immediately to:

1. Police/Fire Department
2. Principal/Organization Manager
3. District Security
4. Insurance Services

This report should be followed up with a written report (**Section 22**), that has complete detailed information, including the police report number, (attach written report if available) within **two work days** to:

1. District Security
2. Insurance Services

Any individual incident involving a loss of district property/equipment may require an investigation by Insurance Services to determine if the loss was preventable or non-preventable. Non-preventable losses are losses from theft/vandalism that occur even though the organization or school took all precautions necessary to safeguard the District assets. Preventable losses are losses from theft/vandalism that occur when the organization or school failed to take all precautions necessary to safeguard the District assets. Should Insurance Services' investigation determine the loss was preventable due to the school or organization failure to comply with the AOG guidelines, the replacement/repair will not be paid from general funds. All costs must be paid from the campus' budgeted funds.

Personal items lost, stolen or damaged cannot be replaced from District funds.

Money stolen (petty cash, cafeteria, campus activity, etc.) from the campus/organization will not be replaced.

Uninsured losses or vandalism of standard equipment may be replaced from sources outside the school or organization budget after receipt of documentation of loss (written report/Insurance Services with police report number).

Approved replacement/repair for losses of standard equipment will be replaced with the original or a comparable item from an approved vendor. If the organization decides to "upgrade" after a loss, the added cost will come from the organization's budget.

Mysterious disappearance of equipment does not qualify as a burglary, and replacement will come out of the organization or school's budget.

**TYLER INDEPENDENT SCHOOL DISTRICT  
THEFT / VANDALISM INCIDENT REPORT**

DATE OF LOSS: \_\_\_\_/\_\_\_\_/\_\_\_\_ TIME: \_\_\_\_ (AM) \_\_\_\_ (PM) \_\_\_\_  
POLICE REPORT # \_\_\_\_\_

LOCATION: \_\_\_\_\_  
ORGANIZATION# \_\_\_\_\_  
(SITE / ORGANIZATION)

ADDRESS:

\_\_\_\_\_  
(STREET) (CITY) (STATE) (ZIP CODE)

DESIGNATION OF LOSS: \_\_\_\_\_ THEFT \_\_\_\_ VANDALISM \_\_\_\_ OTHER \_\_\_\_  
(RM#, LIBRARY, OFFICE, ETC.)

DESCRIPTION OF HOW INCIDENT OCCURRED:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**DETAILED DESCRIPTION OF ITEMS BEING REPORTED: ALL INFORMATION REQUESTED BELOW IS  
REQUIRED IN ORDER TO RECEIVE PROPER REPLACEMENT IF APPROVED BY INSURANCE SERVICES  
(REFER TO AOG, Section 22.4).**

<u>DESCRIPTION OF ITEM</u>	<u>FIXED ASSET #</u>	<u>TISD TAG#</u>	<u>SERIAL #</u>	<u>ORIGINAL COST</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

OTHER INFORMATION (VENDORS PREVIOUSLY USED, PURCHASED BY PTA, OLD INVOICES, ETC).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DATE: \_\_\_\_/\_\_\_\_/\_\_\_\_ PHONE # (\_\_\_\_) \_\_\_\_ - \_\_\_\_

REPORT SUBMITTED BY:

\_\_\_\_\_

APPROVED BY PRINCIPAL:

\_\_\_\_\_

<b>INSURANCE SERVICES USE ONLY</b>
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DATE REPORT RECEIVED: \_\_\_\_/\_\_\_\_/\_\_\_\_ APPROVED OR DENIED: \_\_\_\_/\_\_\_\_/\_\_\_\_

PO # \_\_\_\_\_ VENDOR # USED: \_\_\_\_\_ STOCK REQ # \_\_\_\_\_  
TRANSFER # \_\_\_\_\_

NOTIFICATION SENT TO SITE/ORG: \_\_\_\_/\_\_\_\_/\_\_\_\_  
REASON FOR  
DENIAL: \_\_\_\_\_