

DRAFT UPDATE

Mid-Valley Special Education Cooperative

4:100

Operational Services

Insurance Management

The Executive Director shall recommend and maintain all insurance programs that provide the broadest and most complete coverage available at the most economical cost, consistent with sound insurance principles.

The insurance program shall include each of the following:

1. Liability coverage to insure against any loss or liability of the Cooperative and the listed individuals against civil rights damage claims and suits, constitutional rights damage claims and suits, and death and bodily injury and property damage claims and suits, including defense costs, when damages are sought for negligent or wrongful acts allegedly committed in the scope of employment or under the Advisory Board's direction or related to any mentoring services provided to the Cooperative's certified staff members; Advisory Board members; employees; volunteer personnel authorized by 105 ILCS 5/10-22.34, 5/10-22.34a, and 5/10-22.34b; mentors of certified staff members authorized in 105 ILCS 5/21A-5 et seq. (new teacher), 105 ILCS 5/2-3.53a (new principal), and 2-3.53b (new superintendents); and student teachers.
2. Catastrophic accident insurance at the mandated benefit level for student athletes in grades 9 through 12 who sustain an accidental injury while participating in school-sponsored or school-supervised interscholastic athletic events sanctioned by the Illinois High School Association that results in medical expenses in excess of \$50,000.
- 2.3. Comprehensive property insurance covering a broad range of causes of loss involving building and personal property. The coverage amount shall normally be for the replacement cost or the insurable value.
- 3.4. Workers' Compensation to protect individual employees against financial loss in case of a work-related injury, certain types of disease, or death incurred in an employee-related situation.
- 4.5. Employee insurance programs.

LEGAL REF.: Consolidated Omnibus Budget Reconciliation Act, P. L. 99-272, ¶ 1001, 100 Stat. 222, 4980B(f) of the I.R.S. Code, 42 U.S.C. §300bb-1 et seq.
105 ILCS 5/10-20.20, 5/10-22.3, 5/10-22.3a, 5/10-22.3b, 5/10-22.3f, 5/10-22.34, 5/10-22.34a, and 5/10-22.34b, and 5/22-15.
215 ILCS 5/
750 ILCS 75/
820 ILCS 305/.

ADOPTED: January 9, 2013

CAREEL

Comment [AKL1]: New legislation requires each school district having grades 9 through 12 to maintain catastrophic insurance coverage for student athletes participating in interscholastic athletic events sanctioned by IHSA. The minimum level of coverage must provide aggregate benefit levels of \$3 million or 5 years, whichever comes first, for injuries with total medical expenses exceeding \$50,000. The law authorizes IHSA to promulgate a plan of coverage under a group policy that provides the necessary coverage. If a district opts out of IHSA's group policy, it must offer alternative coverage and submit to IHSA a certificate from the provider stating that the insurance complies with the plan of coverage approved by IHSA.

NOTE: This item should not be adopted if the district: (1) does not maintain grades 9-12, or (2) qualifies for an exemption from the mandatory coverage (contact IHSA or the board attorney for information about claiming an exemption).

OPTIONS A and B: A district maintaining grades K-8 may, but is not required to, provide accident and/or health insurance on a group or individual basis for students injured while participating in any school-sponsored athletic activity. If so, the following may be added to item #2 (for unit districts) or may replace item #2 (for elementary districts): "Accident and/or health insurance on a group or individual basis for students in grades kindergarten through 8 participating in any school-sponsored athletic activity." If item #2 is deleted and the option is not used, the board should omit the citation to catastrophic accident insurance (5/22-15) in the legal references.

NOTE: Elementary districts that do not want option A should not adopt this policy update. Issue 83, October 2013