

# COAL CITY COMMUNITY UNIT SCHOOL DISTRICT NO. 1

## RISK MANAGEMENT PROGRAM

Coal City Community Unit School District No. 1 shall have in operation a comprehensive Risk Management Program which shall reduce or prevent the District's exposure to liability or loss as more fully described in the Illinois Local Governmental and Governmental Employees Tort Immunity Act (745 ILCS 10/1-101 *et seq.*) (hereinafter referred to for convenience only as "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 all 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 Governmental and Governmental Employees Tort Immunity Act permits a school district to annually levy a tax that could pay the costs and expenses of risk management. Specifically, the Act provides that funds raised pursuant to this authorization may be used to:

. . . (i) pay the cost of insurance, individual or joint self-insurance (including reserves thereon), including all operating and administrative costs and expenses directly associated therewith, claims services and risk management directly attributable to loss prevention and loss reduction, legal services directly attributable to the insurance, self-insurance, or joint self-insurance program, and educational, inspectional, and supervisory services directly relating to loss prevention and loss reduction, participation in a reciprocal insurer . . . , including all costs and reserves directly attributable to being a member of an insurance pool, . . . ; (ii) pay the costs of and principal and interest on bonds issued . . . ; (iii) pay judgments and settlements . . . ; and (iv) . . . pay the cost of risk management programs.

Adopted: March 19, 2001

Amended: 10/15/2007, **5/7/2014**

Reviewed: 2/2/09, 2/1/10, 3/7/11, 5/7/12, 4/24/13, 4/29/15, 4/27/16

745 ILCS 10/9-107(b). Given the recent litigation across the State of Illinois involving the interpretation of this statute, and the costs of defending such litigation, the District will not fund the entire Risk Management Program under this levy. However, the Risk Management Program remains in effect.

The District's Risk Management Program shall provide for:

1. Identification of various components of risk management;
2. Clearly delineated personnel responsibilities;
3. Adequate insurance against liability exposure; and
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 Chief School Business Official. The Chief School Business Official 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 as necessity dictates. It is expected that the Chief School Business Official will continuously evaluate the effectiveness of the Program and be apprised of needed revisions and additions or deletions to the components and assigned responsibilities.

A primary component of the Risk Management Program is the provision of an insurance/compensation program that will provide protection to the District against liability. The Chief School Business Official is responsible for this portion of the Risk Management Program which includes, but shall not be limited to, the following components:

1. Purchase of insurance consultant services;
2. Payment of premiums for various necessary insurance, including all liability insurance, building and fleet insurance, workers' compensation, unemployment compensation, personnel bonds, etc.;
3. Payment of judgments or settlements arising against the District; and

4. Payment of all legal fees connected with protecting or defending the District against liability.

The bidding of supplies, equipment, and contractual services is also a responsibility of the Chief School Business Official. The Chief School Business Official is responsible for the bidding of supplies, equipment, and contractual services in such a manner that the District meets all requirements for freedom from tort situations by meeting statutory and regulatory requirements for toxic materials, equal opportunity employment, prevailing wage rates, quality of supplies and equipment, verifying bidder qualifications, etc.

It is expected that the Chief School Business Official will expend twenty-five percent (25%) of his/her time directly related to fulfilling the responsibilities of his/her position in the District's Risk Management Program.

The Superintendent, in his/her capacity as the chief executive of the District, has responsibility to ensure that the Risk Management Program is adopted and implemented in the District. Along with the Chief School Business Official, the Superintendent evaluates the effectiveness of the Program and suggests revisions to the Program. The Superintendent is also directly involved in risk management activities, especially those related to litigation.

The responsibilities for special education services are assumed by the Superintendent.

These responsibilities are in four major areas:

1. The guarantee of protection of the constitutional and statutory rights of students;
2. Reducing exposure to tort situations involving the legal and proper student testing, evaluation, identification, and placement of special education students;
3. Providing for the confidentiality of student psychological profiles and records; and
4. Discipline of special education students.

It is expected that the Superintendent will expend twenty percent (20%) of his/her time directly related to fulfilling the responsibilities of his/her position in the District's Risk Management Program. It is expected that the Superintendent's secretary will expend ten percent (10%) of her/his time assisting the Superintendent in fulfilling his/her responsibilities under the District's Risk Management Program.

The District's finance and payroll secretaries are assigned the responsibility for serving as the District's liaison to the various consulting services, claims and adjustment services, and insurance companies. They are also assigned the responsibility for receiving all incoming communications, either written or by telephone, from various consulting services, claim and adjustment services, insurance companies, attorneys and collective bargaining agents pertaining to risk management, answering questions, and directing the communications to the appropriate personnel. The bookkeepers are responsible for typing, proofing and mailing all correspondence concerning these assigned responsibilities.

The District's finance and payroll secretaries also have the responsibility to receive, check for accuracy and, when approved by the Board of Education, make payment on all bills to consulting services, claim and adjustment services, and insurance companies.

It is expected that the finance and payroll secretaries will devote approximately five percent (5%) of their time toward the fulfillment of these duties.

The District's Risk Management Program in relation to the safe conditions of the buildings and grounds and protection of the District's real and personal property shall primarily be the responsibility of the Director of Buildings and Grounds. His/her responsibilities and duties shall include, but not be limited to:

1. Development and identification of responsibilities for the periodic and routine inspection, maintenance, and repair of buildings, grounds, vehicles, and equipment to provide protection to the District, its employees, its students, and the general public;
2. Maintenance of legal and safe conditions of the buildings and grounds in compliance with state and federal laws regarding employee and student health and safety (asbestos, radon, lead, pesticides, herbicides, etc.);
3. Serve as the District's official Asbestos Management Director;
4. Training of the District's custodial and maintenance personnel to perform work on safety and health matters; and
5. Supervision of custodial and maintenance personnel in the performance of their duties under the Risk Management Program.

It is expected that the Director of Buildings and Grounds will expend twenty-five percent (25%) of his/her time directly related to fulfilling the responsibilities of his/her position in the District's Risk Management Program. It is expected that custodial and maintenance personnel will devote between ten percent (10%) and fifty percent (50%) of their time, depending upon their individual job assignments, in daily inspection, maintenance, and repair of buildings, grounds, vehicles, and equipment, to provide a risk-free environment.

The District's Risk Management Program in relation to the health and safety of the District's students and employees is the responsibility of the Building Principals, their administrative staff, and other staff they supervise. The degree of this responsibility (time invested) varies in accordance with the number of students involved, the age of those students, and the number of employees involved. Building Principals and the employees they supervise shall provide for the protection of students and employees from exposure to tort-producing situations which arise from, but are not limited to, the following:

1. Incidents in the lunchrooms;
2. Incidents on playgrounds;

3. Incidents occurring during school athletics;
4. Incidents occurring during physical education classes;
5. Incidents occurring during vocational training, technical education, or shop work;
6. Incidents in connection with the transportation of students:
  - a. Boarding a bus, van, or other District-owned vehicle;
  - b. During transit to/from school or school-related events in a bus, van, or other District-owned vehicle;
  - c. Disembarking from a bus, van, or other District-owned vehicle; and
  - d. Immediately prior to boarding and after disembarking a bus, van, or other District-owned vehicle;
7. Incidents in connection with safety of students from traffic hazards and exposure to risk;
8. Incidents due to acts of fellow students:
  - a. Committed in classroom; and
  - b. Committed outside of classroom; and
9. Incidents occurring:
  - a. Before school buses arrive;
  - b. During or between class periods;
  - c. During noon hour or recess periods; and
  - d. After school buses depart.

It is expected that each Building Principal and Assistant Principal will expend thirty percent (30%) of his/her time in meeting his/her responsibilities associated with the Risk Management Program.

It is expected that the secretarial and clerical staff supervised by the Building Principals and Assistant Principals will devote five percent (5%) of their time on duties directly related to risk management.

Certificated teachers and coaches have specific job responsibilities relating to student safety as related to their overall job responsibilities in their specific areas of instruction. As a result of their specific job responsibilities they expend between ten percent (10%) and twenty-five percent (25%) of their time in meeting their responsibilities associated with the Risk Management Program. Clerical staff supervised by certificated teachers and coaches are expected to spend between five percent (5%) and twenty percent (20%) of their time on risk management duties.

Certificated special education teachers are responsible for monitoring the behavior and protecting the health and safety of the individual students and groups of students they serve. The time expended by special education teachers in fulfilling their responsibilities under the Risk Management Program will vary each year, depending upon the types of services required by District students. It is expected that between ten percent (10%) and fifty percent (50%) of the cost of special education services is attributable to special education teachers' risk management duties.

The District employs aides in regular classes. The aides oversee individual and group behaviors inside and/or outside of the classroom. As a result of their inherent duties, these aides expend ten percent (10%) of their time meeting risk management objectives.

One of the primary responsibilities of the school nursing services is the protection of the health and safety of students and employees. School nurses and nurse aides are directly involved with the District's compliance with state health laws and ensuring that the students have been physically examined in a legal manner and are in a risk-free physical condition, both in relation to other students and District personnel. Nursing services have the additional risk management responsibility of reducing student/employee exposure to communicable diseases and other health and safety problems. Not only are the school nurses and nurse aides responsible for limiting exposure, but they are also responsible for the assistance and protection of students with specified health problems, health needs, and safety needs. The portion of time devoted by school nurses and nurse aides to limiting and avoiding tort and situations arising from the health, safety, and physical conditions of all students is seventy-five percent (75%) of their time.

The District's Computer Technology Director is responsible for the installation and maintenance of the District's software programs, including Internet filtering software, and for monitoring the use of these programs in accordance with licensing agreements. The Computer Technology Director plans and implements staff development programs for the classroom and educational use of computers. He/she is also responsible for supervising and monitoring the use of the Internet by students and employees in accordance with state and federal law. These duties require the Computer Technology Director to expend fifty percent (50%) of his/her time meeting risk management objectives. The technology assistant will expend five percent (5%) of his/her time assisting the Computer Technology Director in meeting these risk management objectives.

The District employs head cooks, assistant cooks, and cafeteria staff in the preparation and service of wholesome meals to students and employees in accordance with health and safety standards required by state and federal law and regulations.

All cooks and cafeteria staff are required to perform their duties in accordance with the rules, regulations and laws that will ensure a healthy and safe environment for themselves and their fellow employees. In fulfilling their job responsibilities, all cooks and cafeteria staff devote ten percent (10%) of their time in meeting the objectives of the Risk Management Program.

The District employs a Police Liaison Officer for the protection and welfare of its students and staff. The Liaison Officer performs many of the same duties as those listed under the Building Principal and his/her staff. As a result of his/her job responsibilities the Liaison Officer expends seventy-five percent (75%) of their time meeting risk management objectives.

Employees in other positions may be assigned duties and responsibilities that involve exposure to tort and risk situations or the monitoring, modification, and/or elimination of such situations. The Administration shall be responsible for identifying such employees and for documenting the duties and allocating the time to be expended by them under the Risk Management Program.

**Expectation of Time Dedicated to Risk Management Activities**

Chief School Business Official	25%
Superintendent	20%
Superintendent's secretary	10%
Finance & Payroll secretary	5%
Director of Buildings and Grounds	25%
	5%
Custodial and maintenance	10%
Maintenance – vehicle inspections	15%
Maintenance – building inspections	50%
Building Principals and Assistant Principals	30%
Early Childhood Center secretary	5%
Elementary School secretary	5%
Intermediate School secretary	5%
Middle School secretary	5%
High School secretary	5%
Early Childhood Center clerk	5%
Elementary School clerk	5%
Intermediate School clerk	5%
Middle School clerk	5%
High School clerk	5%
Early Childhood Center art teacher(s)	12%
Early Childhood Center physical education teacher(s)	20%
Early Childhood Center music teacher(s)	12%
Early Childhood Center reading teacher(s)	12%
Early Childhood Center kindergarten teacher(s)	15%
Early Childhood Center 1 <sup>st</sup> grade teacher(s)	12%
Elementary School art teacher(s)	12%
Elementary School physical education teacher(s)	20%
Elementary School music teacher(s)	12%
Elementary School reading teacher(s)	12%
Elementary School 2d grade teacher(s)	12%
Elementary School 3d grade teacher(s)	12%
Intermediate School art teacher(s)	12%
Intermediate School physical education teacher(s)	20%
Intermediate School music teacher(s)	12%
Intermediate School 4th grade teacher(s)	12%
Intermediate School 5th grade teacher(s)	12%
Homebound teacher(s)	12%
Reading improvement teacher(s)	12%

Middle School 6th grade teacher(s)	12%
Middle School art teacher(s)	10%
Middle School language arts teacher(s)	10%
Middle School physical education teacher(s)	20%
Middle School math teacher(s)	10%
Middle School music teacher(s)	10%
Middle School science teacher(s)	15%
Middle School social studies teacher(s)	10%
Middle School computer education teacher(s)	10%
High School art teacher(s)	10%
High School English teacher(s)	10%
High School foreign language teacher(s)	10%
High School physical education teacher(s)	20%
High School math teacher(s)	10%
High School music teacher(s)	10%
High School science teacher(s)	10%
High School social studies teacher(s)	10%
High School driver education teacher(s)	20%
Title I teacher(s)	10%
High School business education teacher(s)	10%
High School home economics teacher(s)	15%
High School industrial arts teacher(s)	25%
Guidance counselor(s)	12%
Librarian(s)	10%
Early Childhood Center general substitute teacher(s)	10%
Elementary School general substitute teacher(s)	10%
Intermediate School general substitute teacher(s)	10%
Middle School general substitute teacher(s)	10%
High School general substitute teacher(s)	10%
High School vocational education substitute teacher(s)	15%
Athletic coach(es)	15%
Athletic director	50%
High School guidance clerk	20%
Elementary School library clerk	5%
Intermediate School library clerk	5%
Nurses	75%
Elementary School nurse aide	75%
Intermediate School nurse aide	75%
High School nurse aide	75%
Computer Technology Director	50%
Technology assistant	5%
Head cooks, assistant cooks, and cafeteria staff	10%
Police Liaison Officer	75%

**PROGRAMS INVOLVED IN RISK MANAGEMENT ACTIVITIES:**

Extra-curricular programs	25%
Open-gym supervision	80%
Gifted program	10%
Summer school	10%
Intramural program	80%
Early-retirement program	12%

**INSURANCE:**

Building, Workers' Compensation, Unemployment Insurance, Errors and Omissions, Liability, Fleet, Personnel Bonds

**SERVICES:**

Legal fees connected with protecting or defending the District against liability  
Insurance consultant  
Consultants and/or training of employees concerning HIV, Hepatitis B and communicable diseases  
Legal fees for defending against constitutional and civil rights violations and tort suits  
Fire monitoring system  
Special education services through Grundy-Kendall Special Education Cooperative

**JUDGMENTS:**

Any and all tort judgments or settlements for compensatory damages against the District

**OTHER:**

Other such expenses that the administration deems appropriate under the tort immunity legislation

## DETAILED RISK MANAGEMENT EXPENDITURES

### Risk management and/or insurance related:

- Risk management administrative expenses
- Loss prevention program expenses
- Treasurer's bond
- Vehicle insurance
- Comprehensive school package policy
- Unemployment insurance
- Workers' Compensation insurance
- School Board legal liability
- Umbrella policies
- Malpractice insurance (nurse)
- Vandalism expenses
- Insurance deductible costs

### Buildings/grounds alterations:

- Surveys or removal of underground storage tanks
- Testing or building alterations related to sick-building syndrome
- AHERA compliance
- ADA compliance
- Playground equipment repairs
- Replacement playground equipment
- Testing for radon
- Testing for lead in drinking water
- Asphalt repairs and seal coating

### Security:

- Building security systems
- Security devices
- Security monitoring systems (cameras)
- Playground supervisors
- Bus monitors
- Bus camera monitoring systems

### Blood borne pathogens:

- Purchase of universal precaution kits (bandages, Bactine, Lysol, etc.)
- Costs related to personal protective equipment
- Costs related to the disposal of bodily fluids

### Inclusionary education costs:

- Multidisciplinary conference costs (special consultants)
- Appeals, hearings, court recorder costs

Physical education and athletics:

- Gym mats
- Refurbishing/testing football helmets/equipment
- Padded basketball backboards
- Bleacher inspections
- Bleacher repairs
- Replacement bleachers

Miscellaneous:

- Fees associated with attendance at risk management workshops
- Crossing guards
- Eyewash stations for chemistry labs
- Fringe benefit costs related to salaries allocated to risk management

Asbestos:

- Asbestos Management Director
- Sampling and testing
- Air sampling professional
- Project Manager

Security systems:

- Purchase
- Upgrades
- Replacements

**COAL CITY COMMUNITY UNIT SCHOOL DISTRICT NO. 1**

**STATE OF ILLINOIS            )**  
**COUNTY OF GRUNDY         )  SS.**  
**VILLAGE OF COAL CITY     )**

**CERTIFICATE**

I, \_\_\_\_\_, DO HEREBY CERTIFY that I am the Secretary of the Board of Education in and for Coal City Community Unit School District No. 1 and that the foregoing is a true and correct copy of the Risk Management Program duly adopted by the Board of Education of Coal City Community Unit School District No. 1 at a regular meeting held on the 19th day of March, 2001, said adoption being a part of the official records of said Board of Education.

Adoption Date:   March 19, 2001  
Amended:         10/15/2007, **5/7/2014**  
Reviewed:        2/2/09, 2/1/10, 3/7/11, 5/7/12, 4/24/13

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Secretary of the Board of Education  
Coal City Community Unit School District  
No. 1