

LIABILITY INSURANCE

Although the Districts and their employees are covered by liability insurance while on duty, preventive measures are even more important since most accidents can be prevented.

In general, liability cases consider the following criteria:

- (1) Did an injury in fact occur?
- (2) Did the defendant (school and/or employee) owe a duty of care to the injured party?
- (3) Was there a breach of this duty?
- (4) Was there a casual relationship between the breach of duty and the injury?

If the answer to any one of these questions is “no” then no liability exists on the part of the District and/or employee. Further, the key phrase is “reasonable and prudent action” -- what would a prudent person have done to anticipate the problem, what preventative steps would a prudent person have taken, and how would a prudent person have responded to the problem?

Therefore, each Principal should develop staff procedures for preventing, handling, and reporting injuries to employees, students, and visitors within the school, on playgrounds, and at athletic events and practices. Such procedures shall be brought to the immediate attention of all new employees and should be reviewed with the entire staff at least annually.

The Director of Plant should develop procedures for preventing, handling, and reporting injuries to maintenance and custodial employees. Such procedures shall be brought to the immediate attention of all new employees and should be reviewed with the entire staff at least annually. In addition, the Director of Plant shall correct immediately all potentially hazardous conditions connected with the buildings, vehicles, and grounds of the District and/or shall bring such hazardous conditions to the attention of the Superintendent of Schools.

The School Business Manager should develop procedures for preventing, handling, and reporting injuries to employees of the School Administrative Unit #70 Office, and passengers and operators of school busses. Such procedures shall be brought to the

immediate attention of all new employees and should be reviewed with the entire staff at least annually. In addition, the School Business Manager shall ascertain that an adequate pre-service and in-service safety program is conducted by each bus contractor.

EFFECTIVE: 1 July 1973 REVISED: 30 April 1992