

No. 3500
SECTION: BUSINESS
TITLE: EMPLOYEE LIABILITY INSURANCE

ADOPTED: 1/18/77
READOPTED: 6/15/09;6/20/13;1/29/14;
11/15/16;6/18/19;3/17/20
REVISED: 3/23/99

OXFORD AREA SCHOOL DISTRICT

- A. It shall be the policy of the Oxford Area Board of School Directors to provide personal liability insurance coverage for its employees to protect them against civil claims which arise from the performance of their duties as employees of the Oxford Area School District.
- B. There shall not be any insurance or board protection of any kind provided to employees of the Oxford Area School District to protect them against criminal charges even though such charges arise from the performance of their duties as employees of the Oxford Area School District.
- C. Employees shall promptly notify their supervisor of any legal action arising out of their employment.

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ADMINISTRATIVE PROCEDURES

- A. Any employee of the Oxford Area School District upon whom service is made of a complaint, summons or other process based upon a claim which arises from the performance of the employee's duties as an employee of the Oxford Area School District must at once forward the notice served upon the employee to the employee's immediate supervisor. Failure to do so may cause the employee to lose the protection of the personal liability insurance coverage provided by the Oxford Area Board of School Directors for its employees.
- B. Supervisors must in turn immediately notify the Superintendent of Schools or in his absence the Assistant Superintendent or the school district Business Administrator concerning any legal action against an employee. If an urgent situation develops, supervisors are authorized to contact the school district solicitor in the absence of the Superintendent of Schools, Assistant Superintendent or Business Administrator.
- C. Employees must fully follow the directions from their supervisor or the district Superintendent. Any cost incurred contrary to school district advice is the total responsibility of the employee.
- D. Administrators and supervisors must be aware that there are limitations on all insurance policies. Board policies will not cover "everything." Should an employee approach a supervisor concerning a legal action, a check with the Business Administrator for an update on applicable coverage of liability policies or directions to be given an employee prior to any statement will avoid personal and organizational embarrassment.
- E. The Business Administrator will discuss the reported legal action with school district insurance carriers. The Superintendent of Schools or Business Administrator will discuss the reported legal action with the school district solicitor or legal counsel representing the insurance carrier and transmit appropriate advice to the supervisor and the employee.
- F. Supervisors will advise employees to notify their employee organization of the legal complaint. Likewise, administrators should notify their professional organization should they be served or be a party to a suit.
- G. Supervisors are to remember that the receipt of a summons for a civil or criminal complaint is emotionally upsetting for any school district employee. Helping resolve the issue must become a high priority, handled with all dispatch and confidentiality.

- H. Supervisors who seek personal advice from the school district solicitor will be liable for costs for the solicitor's services as from any other private attorney from whom advice is sought.

- I. Nothing in this Administrative Procedure is meant to prevent any school district employee from seeking personal legal advice at any time. The employee must understand that his or her action will result in a personal, financial obligation to the attorney from whom advice is solicited.