

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: January 10, 2012

TO: **BOARD OF EDUCATION**

FROM: Dr. Joe A. Hairston, Superintendent

SUBJECT: **CONSIDERATION OF THE PROPOSED CHANGES TO BOARD OF EDUCATION POLICY 3150, BOARD INSURANCE PROGRAM**

ORIGINATOR: Renee A. Foose, Deputy Superintendent

RESOURCE PERSON(S): Kara Calder, Executive Director of Planning and Support Operations

RECOMMENDATION

That the Board of Education approves the proposed changes to Policy 3150. This is the third reading.

Attachment I – Policy Analysis
Attachment II – Policy 3150

**POLICY ANALYSIS FOR
BOARD OF EDUCATION POLICY 3150
BOARD INSURANCE, RENAMED AS
“BOARD INSURANCE PROGRAM”**

Statement of Issues or Questions Addressed

In accordance with Board of Education Policy and Superintendent’s Rule 8130, Policy 3150 is scheduled for review in school year 2011-2012. Policy 3150 articulates the need for adequate insurance coverage to minimize the adverse impacts of risk and losses to the school system. Policy 3150 has been revised to: (1) include a policy statement; (2) rename the policy to “Board Insurance Program” to more appropriately identify the intent of the policy; (3) include an implementation statement and reporting requirements; and (4) conform with the Policy Review Committee’s editing conventions.

Cost Analysis and Fiscal Impact on School System

No fiscal impact is anticipated by the revision of this policy, with the exception of potential cost savings.

Relationship to Other Board of Education Policies

1. Board of Education Policy 3128, *Board-Owned Vehicles*
2. Board of Education Policy 3151, *Accident Insurance*
3. Board of Education Policy 3160, *School-Sponsored Activities*
4. Board of Education Policy 8410, *Fraud Reporting*

Legal Requirements

1. *Annotated Code of Maryland, Education Article §4-105, Comprehensive liability insurance; defense of sovereign immunity.*
2. *Annotated Code of Maryland, Education Article §4-106, Immunity of county board employees, volunteers and board members*

Similar Policies Adopted by Other Local School Systems

1. Anne Arundel County Board of Education, Policy 702, *Insurance Management*
2. Carroll County Board of Education, Policy 306, *Insurance*
3. Montgomery County Board of Education, Policy EIA-RA, *Insurance/Self-Insurance Management*

Draft of Proposed Policy

Attached

Other Alternatives Considered by Staff

No other options were considered.

Timeline

First reading – November 22, 2011

Public comment – December 6, 2011

Third reading/vote – January 10, 2012

NON-INSTRUCTIONAL SERVICES: NON-INSTRUCTIONAL SERVICES [Risk Management]

Board Insurance PROGRAM

I. POLICY STATEMENT

The Board of Education of Baltimore County (BOARD) shall MAINTAIN AN INSURANCE PROGRAM CONSISTENT WITH STATE LAW AND WITHIN THE AUTHORITY GRANTED TO THE BOARD FOR THIS PURPOSE. THE BOARD WILL PURCHASE INSURANCE OR PARTICIPATE IN A SELF-INSURED GROUP INSURANCE POOL IN ORDER TO provide adequate insurance coverage to protect the interests of the Board [of Education of Baltimore County], its members, [and] employees, AND AGENTS.

II. IMPLEMENTATION

THE BOARD DIRECTS THE SUPERINTENDENT TO IMPLEMENT THIS POLICY BY DEVELOPING APPROPRIATE RULES AND PROCEDURES SO THAT ADEQUATE INSURANCE PROGRAMS ARE IN PLACE TO MINIMIZE THE ADVERSE IMPACT OF RISKS AND LOSSES TO THE SCHOOL SYSTEM AND TO NOTIFY EMPLOYEES OF THEIR REPORTING RESPONSIBILITIES.

Legal ReferenceS: *Annotated Code of Maryland*, [:] Education Article [, Section] §4-105, *Comprehensive liability insurance; DEFENSE OF SOVEREIGN IMMUNITY.*
ANNOTATED CODE OF MARYLAND, Education Article [, Section] §4-106, *Immunity of county board employees, VOLUNTEERS AND BOARD MEMBERS*
[Education Article, Section 6-108 *Immunity of School Employees from Civil Liability for Certain Actions*]

RELATED POLICIES: BOARD OF EDUCATION POLICY 3128, *BOARD-OWNED VEHICLES*
BOARD OF EDUCATION POLICY 3151, *ACCIDENT INSURANCE*
BOARD OF EDUCATION POLICY 3160, *SCHOOL-SPONSORED ACTIVITIES*
BOARD OF EDUCATION POLICY 8410, *FRAUD REPORTING*

Policy
Adopted: 09/18/68
Revised: 06/19/80
Revised: 06/12/07
REVISED: _____

Board of Education of Baltimore County