

ATTACHMENT NO. XI-C

ATTACHMENT NO. XI-C: Risk Assessment Plan Adoption

Suggested motion: Move to adopt the Risk Management Plan for North Boone CUSD #200

Recommended action: Approve the motion

It is recommended that the Board approve the attached Risk Management Plan, as a requirement of the FY2016 audit. This plan should fulfill our requirement for future audits.

NORTH BOONE CUSD

#200

Risk Management Plan

North Boone CUSD #200
Comprehensive Risk Management Program

Description	Page
Summary	3
Risk Management Procedure	3
Tort Fund Items	5
Examples of Risk Management Activities Relating to Loss Prevention and Loss Reduction	6
District 205 Specific Positions with Suggested Salary Allocations	7

North Boone CUSD #200

Comprehensive Risk Management Program

Summary

North Boone CUSD #200 (“District”) has in operation a Risk Management Program which is intended to reduce or prevent the District’s exposure to liability or loss as more fully described in the Illinois Local and Governmental Employees Tort Immunity Act (the “Act”) (745 ILCS 10/1-101 et seq.) (Hereinafter, referred to 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 sure that the District’s buildings and grounds are maintained in a safe condition;
3. To provide careful supervision and protection of all the District’s real and personal property, including vehicles.

The District’s Risk Management Program provides 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.

Risk Management Procedure

The Local and Governmental Employees Tort Immunity Act allows school districts to levy tort funds to pay expenses related to risk management for the District. Risk Management is defined as a *process* that consists of:

1. Identifying and analyzing loss exposures;
2. Selecting a technique or combination thereof to be used to handle each exposure;
3. Implementing the chosen techniques;
4. Monitoring and modifying the Risk Management Program as needed.

NORTH BOONE CUSD #200 will implement the following procedures:

Step 1. Identifying and analyzing loss exposures

The Superintendent or designee will identify and analyze loss exposures by:

- a. Identifying persons that are exposed to loss and the perils that can cause the loss; and
- b. Measuring the potential frequency and severity of the loss exposures.

Identification should be a systematic and continuing process to review all property, activities, and personnel to determine what loss exposures are faced by the District.

Measurement of potential loss exposures should include review of the number of accidents that are likely to occur, how severe the dollar losses are likely to be, and the variation in the potential losses in order to prioritize the exposures according to their importance.

- All staff will be responsible for identifying possible risks.
- Staff training will take place to provide additional knowledge in which to identify risk.
- External specialists will be used as necessary.
- All parties recognize that the process of identifying and analyzing risk is an ongoing process.

Step 2. Selecting a technique, or combination of techniques, to handle each exposure

After loss exposures have been identified and analyzed, techniques to handle significant exposures must be developed, by analyzing various risk-handling techniques and selecting those best suited to address each exposure. The specific goal for treating each loss exposure must be determined, as an initial step.

Risk-handling techniques include, but are not limited to:

- Loss Exposure Avoidance – Eliminate the sources of loss exposures and replace them with lower risk solutions;
- Loss Exposure Transfer – Reallocation of the exposure to others, e.g. the purchase of insurance;
- Loss Exposure Control – Reduce the likelihood of loss occurrence and/or minimize the effect of the loss; and

- Loss Exposures Assumption – Acknowledge the existence of a particular loss exposure and make a determination as to whether to accept the associated level of loss exposure without engaging any special efforts to control it.

To determine which risk-handling technique to implement with regard to loss exposures, all potentially applicable risk-handling techniques should be identified and evaluated – for each loss exposure – using the following criteria:

- i. Feasibility;
 - ii. Expected effectiveness;
 - iii. Cost implications; and
 - iv. Effect of use of the risk-handling technique on the District's performance.
- The Superintendent or designee, after obtaining all relevant information will determine the best course of action to achieve the desired result.

Step 3. Implementing the Chosen Technique(s)

- a. Choose specific person(s) to implement the chosen procedures.
- b. Ensure that the selected person(s) have the proper training and equipment needed to implement the techniques.
- c. Supervisory personnel verify that work has been done.

Step 4. Monitor and Modify the Risk Management Techniques as Needed

- a. Superintendent or designee analyzes result of technique(s) used and determines whether the goal of the procedure has been met.
- b. If goal has not been satisfactorily met, repeat steps above.

Tort Fund Items

The following are allowable items that the District can pay with Tort funds:

1. Partially funding wages and salaries of personnel only when part of a formal risk management process which is designed to identify, specifically address, and then reduce or eliminate the risk of exposure to tort liability.
2. Safety related expenditures, only where such expenditures are required as part of the formal risk management process, and are not merely routine safety-related expenses.
3. Claims, services and risk management directly attributable to loss prevention and loss reduction.

4. Educational, inspectional and supervisory services directly relating to loss prevention and loss reduction.
5. Purchases of Risk Management and Consultant Services including Human Resources, Safety, Athletic Trainer Services, Insurance, Background Screening and Fingerprinting Services.
6. To pay the cost of insurance premiums for the necessary insurances, including all liability insurance, workers compensation, student insurance, etc.
7. Pay judgments or settlements arising against the District.
8. Pay for all legal fees connected with protecting or defending the District against liability including unfair labor practice charges and employee collective bargaining.
9. Pay the cost of principal and interest on bonds issued under Section 9-105 of the Act.

Examples of Risk Management Activities Relating to Loss Prevention and Loss Reduction

Policies, procedures and training related to:

- Vehicle Post Accident Investigations
- Hazard Procedures
- Emergency Action Planning
- CPR & AED
- Pesticide
- Blood Borne Pathogens
- Emergency Preparedness and Response
- Child Sex Offender
- Sexual Harassment
- HIPAA Rights and Protection
- EEOC
- Access to Internet
- Students Rights
- Privacy Acts
- Search and Seizure
- Administering Medication
- Suicide Awareness
- Bullying
- Mandated Reporting
- OSHA Training
- ADA Compliance

Below are specific examples for different positions within the District, as well as a recommended salary allocation percentage.

Superintendent or Designee

- Ensures that the Risk Management Program is adopted and implemented.
- Oversees development of Risk Management Program and evaluates effectiveness.
- Identifies and analyzes loss exposure in accordance with the Risk Management Program.
- Serves as the District's designated Freedom of Information Act (FOIA) Officer for responses to FOIA requests.

It is expected that the Superintendent will expend ten percent (5%) of his/her time in meeting his/her responsibilities associated with the Risk Management Program.

General Counsel to the Board of Education

- As requested, assists members of the Administration in identifying pertinent legal requirements and procedural and policy changes as required by law.
- Identifies and advises the Board and Administration concerning new developments in legislation, regulation and case law of relevance to District operations.
- Provides legal advice regarding District responsibilities under FOIA, Open Meetings Act, and the Election Code, as well as addressing issues concerning ethics questions, real estate tax appeals and leases, other matters governed by the Illinois School Code and applicable State and federal legal requirements and regulations, grievances, tort claims, environmental contamination and OSHA issues, workers compensation litigation, federal and State court litigation, administrative agency claims and investigations (EEOC, IDHR, IELRB, IDOL), and personal injury claims of students and third parties.
- May serve on the negotiating team(s) as legal counsel and may also serve as the Superintendent's designee as chief negotiator in all collective bargaining matters.
- Represents the District in any legal matter as requested by the Board of Education and authorized by the Superintendent until the Board has an opportunity to consider the matter.
- Reviews material pertaining to student expulsion and suspension appeal proceedings for completeness and compliance with Board Policy and statutory and regulatory guidelines.
- Drafts and/or prepares a variety of legal pleadings for filing in judicial and administrative proceedings, ensuring that all accompanying exhibits,

attachments, or enclosures are properly identified and assembled in the manner described in the pleading.

- Reviews incoming correspondence, messages, administrative and judicial pleadings, and other documents, directing the course of action as it relates accordingly.

It is expected that the Legal Counsel will expend 100 percent (100%) of his/her consulting time in meeting his/her responsibilities associated with the Risk Management Program.

Director of Business Services

- Assists the Superintendent in the development and implementation of the Risk Management Program.
- Interprets District goals, programs and policies to staff and community.
- Diagnoses non-routine or large scale problems, determines needs, and advises the Superintendent of the need for a special response.
- Directs, maintains and annually reviews the District's insurance programs including those for health, property, casualty and liability.
- Actively manages employee claims and coordinates with legal counsel in managing the defense and resolution of litigation, including worker's compensation claims.
- In compliance with State and Federal law and with District policy, coordinates the District's workers compensation including working with Third Party Administrator on resolution of claims activities, monitors litigated cases, and facilitates return to work and modified duty programs.
- Coordinates the District's health insurance plans and flexible spending account program for the various union and non-union employee groups.
- Coordinates the District's short-term and long-term disability programs in coordination with IMRF and TRS to ensure disability benefits.
- Coordinates annual open enrollment period and initial enrollment for new hires in various health and life insurance plans including flexible spending accounts.
- Troubleshoots problems in administering the health insurance plans.
- Coordinates the administration of COBRA continuation of health insurance.
- Assists with coordinating new employee orientations and facilitates insurance meetings as needed.
- Prepares employee benefit plan reports, statistics as required.
- Audits the entire function of the Benefit administration.

It is expected that the Director of Business Services will expend 10 percent (10%) of his/her time in meeting his/her responsibilities associated with the Risk Management Program.

Director of Facilities

▪ General Responsibilities

- Develops and implements the short and long range facilities and maintenance/custodial plan for the department and District.
- Provides for an effective and comprehensive preventative maintenance program.
- Keeps department records up to date, including, but not limited to contractual obligations, Life Safety, OSHA and other grants, construction documents and asbestos management.
- Has a comprehensive training program that provides for continued professional development of all custodial and maintenance personnel.
- Coordinates two yearly inspections of school buildings with the local fire department and maintain all buildings according to existing fire codes.
- Makes recommendations for changes and improvement of structural and mechanical systems of the buildings.
- As necessary, revises Risk Management Plan to meeting appropriate guidelines and recommendations.

▪ Renovations

- Reports on the conditions of buildings, grounds and fixed equipment, and recommends changes and improvements that should be made.

▪ Life Safety

- Identifies, develops and implements Life Safety measures.
- Keeps detailed records of Regional Office of Education inspections, listed deficiencies, progress toward resolving deficiencies and provide comprehensive reports on all resolved and unresolved deficiencies.
- Submits all identified Life Safety measures to the State Board of Education for approval of funds from tax levy.

▪ Staffing

- Sets standards for all maintenance, grounds and custodial personnel
- Implements Board policies and State laws pertaining to the functions included above.

It is expected that the Director of Facilities will expend twenty percent (20%) of his/her time in meeting his/her responsibilities associated with the Risk Management Program.

Life Safety Architect/Engineer

- Performs Life Safety inspections, prepares reports for submittal, and follows up to ensure that all violations have been corrected.
- Oversees Life Safety code compliance: Certification, amendment filing, and other work pertaining to Life Safety, which may be assigned.
- Inspects work of outside contractors working for District to ensure compliance with applicable codes, laws and regulations.

It is expected that the Life Safety Architect/Engineer will expend thirty percent (30%) of his/her time in meeting his/her responsibilities associated with the Risk Management Program.

School Principals

- **Administration**
 - Develops and implements internal procedures consistent with local policies, State and Federal rules and regulations and contractual agreements.
- **Instructional Leadership and Program Implementation**
 - Implements all District programs (including, but not limited to, Rtl, academic, behavior, special education, and bilingual) and procedures with fidelity.
 - Initiates the placement of students in intervention programs, to address individual student needs.
 - Oversees the special education IEP process including scheduling, ensuring IEP compliance and implementation and monitoring services provided within the building.
- **Buildings and Grounds**
 - Creates a safe and orderly environment in compliance with State and local expectations.
 - Formulates plans to meet emergencies.

It is expected that the Building Principals will expend ten percent (10%) of their time in meeting their responsibilities associated with the Risk Management Program.

Director of Special Education

- Assess and develop IEP requirements for special needs students to determine compliance with State and federal laws.
- Assess District's exposure to risk for all students' IEP requirements.
- Guide staff to maintain compliance with District programs for special needs students related but not limited to, Rtl, behavior, special education, and procedures with fidelity.
- Guides and assesses the placement of students in intervention programs to address individual student needs.
- Oversees the special education IEP process including scheduling, ensuring IEP compliance and implementation and monitoring services provided District-wide.

It is expected that the Director of Special Education will expend ten percent (10%) of his/her time in meeting their responsibilities associated with the Risk Management Program.

Athletic Directors

- Responsible for training coaches and staff for student safety and security as it relates to athletics and clubs.
- Oversees athletic trainers at buildings and events.
- Responsible for the quality of the athletic equipment to ensure the safety of the students.
- Communicates with parents to ensure all paperwork required to join a team or club is completed and meets the requirements of the State and Federal laws and as well as the District's and governing bodies' regulations (IHSA).
- District liaison for the concussion management team as related to State and Federal laws.

It is expected that the Athletic Directors will expend five percent (5%) of his/her time in meeting their responsibilities associated with the Risk Management Program.

District-Wide Nursing Supervisor

- Ensures District-wide compliance with State and federal health laws.
- Supervises and monitors building nurse personnel responsible for assistance and protection of students, staff and visitors as related to specific physical problems, health needs and safety needs.
- District liaison for the concussion management team as related to State and Federal laws.

It is expected that the District-wide Nursing supervisor will expend five percent (5%) of his/her time in meeting their responsibilities associated with the Risk Management Program.