



Charter Schools Insurance Program

Protecting your independence

▶ Tom Boobar MS, MBA, CSP
Top 10 Risk and Safety Concerns for Charter School Leaders

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The slide features a woman on the left, a hand holding a banner that says 'FUTURE' in the center, and a person climbing stairs on the right. The background is a mix of green and white geometric shapes.

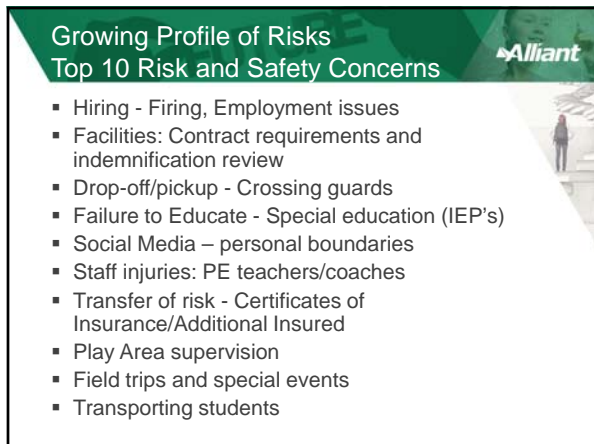


Charter Schools

- Fastest-Growing segment of public education
- Diverse community of institutions
- Growing Risk Profile
- Founded on Innovation and Independence

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Growing Profile of Risks

Top 10 Risk and Safety Concerns


- Hiring - Firing, Employment issues
- Facilities: Contract requirements and indemnification review
- Drop-off/pickup - Crossing guards
- Failure to Educate - Special education (IEP's)
- Social Media – personal boundaries
- Staff injuries: PE teachers/coaches
- Transfer of risk - Certificates of Insurance/Additional Insured
- Play Area supervision
- Field trips and special events
- Transporting students

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Hiring - Firing; Employment Issues 

<p>Risks:</p> <ul style="list-style-type: none"> ▪ Wrongful Termination #1 ▪ Poor decisions during the hiring process ▪ At Will vs Contract employees ▪ Wage and Hour ▪ Discrimination and Harassment ▪ Board making decisions on personnel 	<p>Solutions:</p> <ul style="list-style-type: none"> ▪ Providing Fair and Unbiased environment ▪ Consistent handling of all personnel issues ▪ Hiring should formalized, involve multiple hiring agents, and have pre-hire screening criteria ▪ Document, Document, Document ▪ Be familiar with Protected Classes ▪ Don't be a lone ranger, ask for help from legal or claim resources
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Contracts and Indemnification 

Risks:


- All Contractual obligations for the school:
 - MOU's, Funding sources, Leases, Authorizer requirements, CMO specific, Nonprofit LLC's, Foundations, Friends of organizations, vendors
- Indemnification language #1 worry
- Complicated triple net lease situations
- Hold harmless vs Additional Insured – Transfer of risk

Solutions:

- Insurance Section of each contract needs to be reviewed by your Insurance Professional carefully
- Involve the broker/legal early in negotiations with legal teams


Drop off/Pick up – Crossing guards 

<p>Risks:</p> <ul style="list-style-type: none"> ▪ Students running to parent vehicles across the street #1 concern ▪ Busy cross streets without a crossing guard ▪ Buses around smaller students ▪ Custody issues ▪ After hour decisions when parents have been notified multiple times 	<p>Solutions:</p> <ul style="list-style-type: none"> ▪ Trained team including crossing guards (Outsourced guards need to be part of the training) ▪ Highly visible jackets, cones, clearly defined zone with detailed rules ▪ Well rehearsed, organized, written rules outlined ▪ Letter to parents with details about their responsibility in the process
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Failure to Educate - Special Education 

<p>Risks:</p> <ul style="list-style-type: none"> ▪ Not following Individual Education Plan's (IEP's) #1 – (*8.37% of students in charters compared to +10% Districts) ▪ Civil rights suits and administrative hearings ▪ Following IDEA (Individuals with Disabilities Education Act) carefully ▪ Ensure FAPE (Free Appropriate Public Education) 	<p>Solutions:</p> <ul style="list-style-type: none"> ▪ Experienced Director of SPED focused on administration ▪ Highly trained teaching staff that have designed effective curriculum to meet academic needs ▪ Individual needs must be met
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*Reference from El Dorado County Charter SELPA annual dashboard

Social Media – Personal Boundaries 

<p>Risks:</p> <ul style="list-style-type: none"> ▪ Teachers-Student, Student-Student interactions #1 ▪ Personal Websites, blogs, texting, emails, social networks, online forums, virtual worlds ▪ Blurred line between Professional and personal relationships 	<p>Solutions:</p> <ul style="list-style-type: none"> ▪ Written policy clearly defining staff's use of social media for school business ▪ Requirements put in place and signed by each employee ▪ Red Flags Training ▪ Board adopted policy ▪ Closely monitored
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Staff/Volunteer Injuries 

<p>Risks:</p> <ul style="list-style-type: none"> ▪ PE Teachers participating too aggressively #1 ▪ Slip and Fall ▪ Lifting/Back Injuries ▪ Teachers standing on chairs/smaller ladders falling down ▪ Breaking up fights ▪ Fall from ladder ▪ Staff Retreats concerns 	<p>Solutions:</p> <ul style="list-style-type: none"> ▪ Training and awareness for staff on most frequent injuries at a school ▪ Approved footwear ▪ Job Safety Analysis ▪ Outsource: Maintenance, custodial, food service, bus drivers
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Transfer of Risk – Certificates/Additional Insured 


Risks:

- Make sure any vendor that comes on school premises adds the school on to their policy as “additional insured”

Solutions:

- Certificates of Insurance folder kept onsite and updated frequently

Certificate of Insurance 




Play Area Supervision 

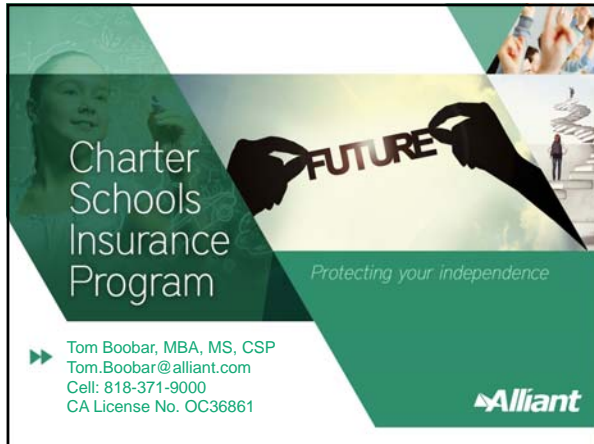
<p>Risks:</p> <ul style="list-style-type: none"> ▪ #1 claim against our schools is “Lack of Supervision” ▪ Fencing/Gate hazards ▪ Sprinkler head holes ▪ Hidden areas of playground ▪ Fighting and Bullying ▪ Play Structure – inspected using the CPSC’s Playground Safety Handbook ▪ Fall zones, ground material ▪ Swimming Pools – self closing gates, silent drowning ▪ Athletics 	<p>Solutions:</p> <ul style="list-style-type: none"> ▪ Highly attentive staff during play periods ▪ Clearly defined rules for the play area which students are accountable for ▪ Formalized inspection process ▪ Training on Risk Management for staff
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Field Trips and Special Events 

<p>Risks:</p> <ul style="list-style-type: none"> ▪ Transportation to the event ▪ Transfer of Risk for the event #1 ▪ Overnight Stays ▪ International Trips ▪ High Risk Activities on school campus ▪ Other events: <ul style="list-style-type: none"> ▪ Alcohol use ▪ Fundraising ▪ Bingo – other social events 	<p>Solutions:</p> <ul style="list-style-type: none"> ▪ Appropriate Ratio of Students to parents, volunteers ▪ Field Trip forms utilized and reviewed by legal ▪ Discuss the trip details with your insurance provider, educational value vs risk to students
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Transportation 

<p>Risks:</p> <ul style="list-style-type: none"> ▪ Students driving in Staff vehicles #1 ▪ Parents driving students to events ▪ Charter Buses/Van Services ▪ Subways/Rail ▪ 15 passenger Vans – rollover propensity 	<p>Solutions:</p> <ul style="list-style-type: none"> ▪ Clearly defined guidelines for Staff/Student transportation ▪ Experienced driver for 15 pass-vans due to weight issue, or use smaller vans only ▪ Review contracts carefully for charter buses to transfer liability ▪ School needs to be added on as additional insured to Bus/Van company
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