

SECTION: 4.0 ADMINISTRATIVE

SUBJECT: RISK MANAGEMENT AND INSURANCE

Title: Risk Management Policy

Background: The purpose of this policy is to provide information and guidance to the campus community on risk management, insurance, and accident prevention/reporting, in order to protect the College's physical and human resources and deal effectively with liability issues. The objectives of the LCSC Risk Management program are to coordinate risk- and insurance-related matters with the state Office of Risk Management in Boise; to assist LCSC personnel in obtaining insurance (when required) in a timely and accurate manner; to mitigate potential liability through review of certificates of insurance (COIs) provided by outside vendors/agencies who take part in College events; to provide guidance on risk/liability-related language in contracts and memoranda of agreement/understanding (MOAs/MOUs); to provide guidance on accident reports and reports of damages to property; to assist departments and employees with the filing of claims; and to provide guidance on liability release waivers associated with high risk events.

Point of Contact: Office of the Vice President for Finance and Administration. The Vice President's Administrative Assistant (792-2240) serves as the primary contact for coordination of risk-management related activities.

Other Lewis-Clark State College offices directly involved with implementation of this policy, or significantly affected by the policy: Campus Safety and Security; Student Affairs (Student Activities, International Programs Office); and Athletics.

Date of approval by Lewis-Clark State College authority: August 22, 2014

Date of State Board Approval: N/A

Date of Most Recent Review: N/A

Summary of Major Changes incorporated in this revision to the policy: N/A. This policy is new in its entirety and takes effect in August 2014.

POLICY OVERVIEW:

Risk Management matters are handled by Administrative Services, through the office of the Vice President for Finance and Administration. Administrative Services oversees all insurance policies for Lewis-Clark State College, including but not limited to; property insurance, (i.e. buildings and contents of buildings owned and leased by the College), small property insurance, (i.e. including but not limited to laptop computers and tablet's), liability insurance, professional liability insurance, vehicle insurance, campers insurance, fine arts insurance, and foreign travel insurance. High risk activity participation waivers and certificates of insurance are also obtained through Administrative Services. In order to effectively manage risk and liability for the college, there are procedures for reporting new property acquisition, damage of property, filing claims, notification of injuries, (including students, staff, faculty and visitors), use of college owned or leased vehicles, requests for certificates of insurance, and requests

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for campers insurance.

Risk Management also works to prevent injuries and property damage/loss through proactive measures. As part of this goal, the [Safety Committee](#) was formed. The role of the Safety Committee is threefold; to promote health and safety on campus, to prevent occupational and environmental hazards, and to establish a forum in which individuals may bring attention to safety issues and concerns. Everyone is encouraged to report safety concerns to the Safety Committee, online at the above website, or to Risk Management in person, at ADM 106, or by phone (208) 792-2240.

PROCEDURES FOR NOTIFYING RISK MANAGEMENT:

1. REPORT ALL INJURIES ON LEWIS-CLARK STATE COLLEGE PROPERTY TO RISK MANAGEMENT:

- A. Injuries to students, faculty, staff and/or visitors should be reported without delay to Security (immediate emergency assistance, if necessary, can be requested by dialing 911). An injury to an employee at the college needs to be reported to their supervisor and Human Resource Services within 24 hours. All injuries, including minor injuries, to students, faculty, staff and/or visitors need to be reported to Administrative Services within 24 hours and no later than 48 hours. A Lewis-Clark State College [Accident Injury Form](#) should be completed for the injured party, and submitted to Administrative Services in ADM 106 or by [email](#). When possible, an employee who has witnessed the incident should complete the form for the injured person. The injured party does not receive a copy of the College's injury form; it is for internal use only. If the injured party inquires about possible medical bills or filing a claim, direct their questions to Administrative Services, who can be contacted in person at ADM 106, or by phone, 208-792-2240 or [email](#).

2. REPORT ALL INCIDENTS OF DAMAGE AND/OR THEFT OF LEWIS-CLARK STATE COLLEGE PROPERTY TO RISK MANAGEMENT:

- A. All College departments should report damage or theft of property, owned or leased vehicles, owned or leased buildings, small property (i.e. laptops) or liability issues to Administrative Services within 24 hours, if possible, and no later than 48 hours. Serious damage, including fire or flooding, needs to be reported immediately in person at ADM 106, or by phone, 208-792-2240. For large or small property damage or theft complete the [Property Loss Reporting](#) form and submit it to Risk Management in Administrative Services.
 - a. When reporting a vehicle accident to Administrative Services, complete the auto accident report guide that is located in every glove compartment of College owned and leased vehicles along with the proof of insurance and tips of what to do if you have an accident in a college owned vehicle. For further guidance about policies for driving college owned vehicles visit [Policy 4.112 Use of College Owned and College Rented Vehicles](#).

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3. HOW TO REQUEST PROPERTY INSURANCE FOR SMALL ITEMS:

- A. Upon purchase of qualifying small property items, your department may request small property insurance if it meets the following criteria: the item or group of items is under \$2000 in value; it is subject to theft or easily damaged; and/or the property is frequently transported off and on campus (such as tablets and laptop computers).
- B. Departments wishing to insure new or existing items under this optional coverage can do so by contacting Risk Management in Administrative Services with the following information: replacement value of item, serial number, and/or state tag number, if assigned. Contact Administrative Services if a claim is needed in the case of loss, theft, or damage. The deductible is \$50.00. All departments that are enrolled in the small property insurance program are sent the yearly renewal request form for annual updates.

4. CAMPERS INSURANCE:

- A. Special events that are not associated with regularly scheduled classes (for example, summer sports camps for youth, field trip discovery experiences, math or science camps, etc.) are recommended to be covered by Campers Insurance. This is a limited health and accident insurance policy for participants or volunteers in "camps." The policy covers only initial treatment expenses that are not covered by the participant's or volunteer's health insurance, such as deductibles or co-payments, and is not intended to provide full coverage
- B. All Lewis-Clark State College departments that facilitate camp or day activities are encouraged to obtain campers insurance for their participants and volunteers. Complete the [Program Insurance Request](#) form at least two weeks before the activity and forward it to Administrative Services in person, at ADM 106 or by [email](#). After the activity is over, complete the [Completed Activity Form](#) and forward that to Administrative Services. The cost for Campers Insurance is 40 cents per person per day, and Administrative Services will request a check from your division after the event is over to pay for the one-time policy. If a participant is injured during the activity, notify Administrative Services within 24 to 48 hours to start the process of filing a claim.

5. CERTIFICATES OF INSURANCE:

- A. Pursuant to a contract, a third party may request proof of insurance from Lewis-Clark State College. These Certificates of Insurance (COIs) are obtained through Administrative Services. COIs for LCSC are issued by and sent from the State of Idaho's Department of Administration's Office of Insurance Management (OIM)—the turnaround time is two to three days. To request a certificate, contact Administrative Services by [email](#) or phone (208) 792-2240 with the following information:
 - Who: Who is actually putting the event on? Is this a College sponsored event?
 - What: Identification as to what the event or activity is about – Its name?
 - When: What dates will the event or activity take place?
 - Where: Where will the event be held?

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- Why: Why is a certificate of insurance (COI) required and in what amount? Is the requirement specified in a contract or agreement?
- When is COI needed: When needed and whom to contact.

6. Liability Insurance Limits for use in Contracts, MOUs and other Agreements:

A. When preparing a new contract or revising an old contract with contractors, vendors, or other outside agencies, the following is the baseline for insurance limits which are used to protect the College. [The Office of Risk Management in Boise provides a more detailed analysis of insurance requirements on their website under [Facilities Use Guidelines](#).]

B. All Certificates of Insurance (COIs) must be forwarded to the Office of Risk Management for review at least two weeks in advance of use of the COI. Any questions regarding appropriate amounts of coverage can be directed to Administrative Services by phone (208) 792-2240 or [email](#). Lewis-Clark State College requires the following minimum requirements before entering into a general contract:

1. Commercial General Liability coverage with limits of not less than \$1,000,000 with the State of Idaho/Lewis-Clark State College being named as additionally insured.
2. Workers Compensation including employer's liability with limits of not less than \$500,000 bodily injury by accident-each accident/\$500,000 bodily injury by disease-policy limit/\$500,000 bodily injury by disease-each employee.
3. If a vendor or contractor uses their own vehicle as part of the event/activity: auto liability coverage with limits of not less than \$1,000,000 for each accident, with the State of Idaho/Lewis-Clark State College named as additionally insured.
4. Indemnity Clause: (Name of business) shall **hereby agree to release, forever discharge and hold harmless the State of Idaho, and Lewis-Clark State College**, their administrators, directors, coordinators, employees, or their agents from liability for any injuries or property loss or damage even if arising out of the negligence on their part. This release, however, does not extend to loss or damage arising out of intentional acts by, or from gross negligence of, the administrators, directors, coordinators, employees, or agents of Lewis-Clark State College.

B. The State of Idaho has a Retained Risk Fund, which protects state entities including Lewis-Clark State College under the Idaho Tort Claims Act. As such the college's limit of liability is \$500,000. Below is appropriate language for referring to Lewis-Clark State College insurance in contracts (with the exception of students whose clinical learning experiences and internships are covered by the purchased private professional liability policy or another state entity):

1. The School's liability coverage is provided through a self-funded liability program administered by the State of Idaho Risk Management Program. Limits of liability are \$500,000 per occurrence, which amount is the College's limit of liability under the Idaho Tort Claims Act specified in Idaho Code 6-901 through 6-929."

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2. As a state entity, Lewis-Clark State College cannot agree to indemnify another party due to constitutional and statutory limitations pursuant to the Idaho Constitution Article VII, Section 11. Idaho Code § 59-1015 prohibits state agencies and officers from entering into contracts that create any expense or liability in excess of an appropriation. Idaho Code § 59-1016 provides that any such contract is void. Idaho Code §59-1017 makes entering into such contracts a misdemeanor and bars the person authorizing the contract from state employment for four years.
3. Lewis-Clark State College carries a private policy for professional liability insurance for students doing clinicals in nursing, other medical fields, and social sciences in the amount of \$1,000,000 per occurrence and \$3,000,000 aggregate. This policy does not cover Lewis-Clark State College employees or faculty in nursing or social sciences.

7. REQUEST FOR WAIVERS:

- A. Waivers must be signed for events that are not associated with regularly scheduled classes, especially in circumstances when the activity is considered high risk such as, but not limited to; all field trips off campus, overnight trips, rock climbing, jet boat trips, rafting, skiing, and horseback riding. Waivers inform participants of potential risks associated with an activity, allow the individual to voluntarily choose to incur those risks, put the individual on notice that they need to make arrangements to provide for themselves if losses occur, and secure an agreement from an individual to indemnify the College. Waivers alert individuals to situations where college's ends and personal liability begins.
- B. For waivers to be effective in court, they need to be tailored to each high risk activity or program. If you currently have high risk activities or programs or are planning a new program, contact Administrative Services by phone (208-792-2240) or [email](#) to request a new waiver or to review your current waiver for possible revision. Below are links to sample templates for two typical high risk activity waivers:
 1. [Dance Waiver](#)
 2. [Skiing & Boarding Waiver](#)

8. PROMPT NOTIFICATION OF SAFETY CONCERNS:

- A. All members of the campus community, including visitors, are encouraged to report any safety concerns in person at Administrative Services, ADM 106, by phone (208) 792-2240, by [email](#) or via the link on the Safety Committee website. The [Safety Committee](#) website is designed for your input on matters concerning safety at Lewis-Clark State College. This form is intended for non-emergency items and it should *not* be used if there is an emergency. In case of an emergency dial 911 (or 9-911 if using campus phones) or call the Lewis-Clark State College [Security Department](#) at (208) 792-2226.

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9. FOREIGN TRAVEL REQUIREMENTS

- A. College Deans and Division Chairs are asked to provide an annual foreign travel report (of projected future travel) to Risk Management to document overseas College-related travel planned by faculty or staff, by mid- February for the annual period of April to April. This report is used to provide State of Idaho foreign travel insurance for faculty and staff travelers. LCSC recommends the state foreign travel insurance be supplemented by insurance received at www.insuremytrip.com. The cost of supplemental travel insurance may be reimbursed by the College if approved by the Dean and Division.
- B. LCSC Risk Management should be notified as soon as a person has received approval from their division/department for College business travel and before seeking approval of the applicable Vice President (or President, in the case of travelers assigned to Direct Reporting Units). Contact Administrative Services/Risk Management, ADM 106, by phone 208 792-2240, or by email with the following information:
1. Department/division name.
 2. Name of traveler(s).
 3. Travel dates.
 4. Destination(s).
 5. Reason for travel.
 6. Number of employees traveling.
 7. Employee(s) classification.
 8. Itinerary.
 9. Any brochures, pamphlets, or literature pertaining to your planned or sponsored foreign travel.
- C. Travelers are advised to familiarize themselves with risks particular to the country(s) they are visiting at the U.S. State Department website <http://www.travel.state.gov> and determine immunization status and health warnings at the Center for Disease Control and Prevention at <http://wwwnc.cdc.gov/travel/default.aspx>.