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## School Insurance and the Schools Insurance Program of Ellensburg School District No. 401

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SCHOOL INSURANCE AND THE SCHOOL INSURANCE PROGRAM  
OF ELLENSBURG SCHOOL DISTRICT NO. 401



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A Research Paper

Presented to  
the Graduate Faculty  
Central Washington College of Education

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In Partial Fulfillment  
of the Requirements for the Degree  
Master of Education

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by  
Wallace Gilbert Auty  
August 1959

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THIS PAPER IS APPROVED AS MEETING  
THE PLAN 2 REQUIREMENT FOR THE  
COMPLETION OF A RESEARCH PAPER.

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Eugene J. Kosy, CHAIRMAN

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## CHAPTER I

### THE PROBLEM AND DEFINITIONS OF TERMS USED

#### I. INTRODUCTION

Insurance is a device people invented for taking the sting out of the risks that constantly face them (18:1). No one expects to keep all accidents from happening, but with the help of insurance one can keep resulting financial losses from becoming disastrous.

#### II. STATEMENT OF THE PROBLEM

This research was an investigation of school insurance and related factors such as legal sanction, seven types of insurance, insurance rates, the amount of insurance to carry, the terms of policies, placing the insurance, insurance records and reducing hazards, and investigation of the insurance program in Ellensburg School District No. 401.

#### III. IMPORTANCE OF THE STUDY

This study is of particular value to the young inexperienced administrator confronted abruptly with the many facets of administration. One of the many responsibilities placed upon his shoulders is that of school

insurance. While there is a wealth of information on other types of insurance, the number of pamphlets and other material adapted to the problems of the school administrator appear to be limited.

In school institutions where there is risk of loss, the monetary "damage" may be prevented by governments or by the school district (16:62). There is a dual responsibility when considering a school insurance program. School boards and school administrators protect themselves against financial loss and relieve themselves of any legal obligation in the performance of their duties as officials of the public.

In spite of every precaution, school accidents and misfortunes do occur, with damage to property and/or injury to people. Usually, these accidents entail expense and often bring distress and suffering to many people. Insurance softens the blow of these misfortunes (20:427).

Therefore, it behooves each school board member and each administrator to familiarize himself with the risks incident to the function of his school or school district and to assure himself that his district has adequate and proper protection against all types of losses.

#### IV. LIMITATIONS

The seven types of insurance in the school portfolio

considered in this study are as follows:

1. Fire insurance
2. Types of windstorm insurance (extended coverage)
3. Boiler insurance
4. Liability insurance
5. Collision insurance
6. Accident insurance
7. Fidelity insurance

This study was not concerned with the exact amount of insurance coverage a school district has or should have. This information, based on the needs of an individual school district, would be of no significance to other school districts. This paper will investigate the types of school insurance, not the quantity.

#### V. METHOD OF STUDY

The information for this paper was procured through the following methods:

1. Library reading
2. Personal interviews with
  - a) Insurance agents
  - b) Ellensburg insurance broker
  - c) Central Washington College staff members
  - d) Insurance district representative
  - e) Ellensburg superintendent of schools
  - f) Secretary to the Ellensburg superintendent of schools
  - g) Ellensburg Chamber of Commerce
  - h) Principal of Ellensburg Senior High School

- i) Maintenance Department of School District  
No. 401
- j) Kittitas County superintendent of schools

## VI. DEFINITIONS OF TERMS USED

Insurance is a "contract whereby one party, in consideration of a stipulated premium, promises to pay a stipulated sum upon the occurrence of a stipulated contingency,..."(20:427).

Tort is a wrongful act which is punishable.

School district is a local organization for deciding all matters concerning schools, distinct from the civil township, and includes all personnel who are a part of the organization.

School board is a body, sometimes elected, sometimes appointed, but organized under the authority of the state and having jurisdiction over all educational matters connected with the local public schools in a school district.

Official is a person invested with an office; one having administrative or executive powers in a government or public institution.

Administrator is one who directs, manages, executes or dispenses school affairs.

Risk is a particular field of disaster which may be insured (i.e., fire, collision, liability or boiler).

Hazard is a source of danger to which the risk is subjected.

Rate, the amount of premium per unit of insurance, is sometimes expressed as a percentage.

Floater clause is a clause that designates the general nature of the subject insured and insures the subject at various locations and in transit.

Doctrine of immunity is that the school is an agency of the state and agents cannot be sued without the state's consent.

Coinsurance is the term used when the property is insured for a certain percentage of its value and on which property the insurer will pay all losses in full up to the face amount of the policy. The face amount of the policy is a percentage of the total value of the property so that if the property suffers a total loss, the insurer will pay the face amount of the policy and the insured is responsible for the balance of the total value of the property.

Save-harmless law is a law which requires a school district to defend a teacher in an action for negligence brought against him personally and to pay any judgment rendered against him as a result of such action, but it does not make the school district liable(9:44)

Fire insurance pays for loss or injury to or destruction of school property caused by fire.

Tornado, cyclone, or other type of windstorm insurance pays for a loss occasioned by any type of windstorm.

Boiler insurance pays for a loss to school property caused by the explosion of a boiler which is insured; it usually pays for personal injuries caused by the explosion.

Liability insurance consists of two kinds. Bodily injury pays all the sums that the insured is obligated to pay because of a bodily injury resulting from an accident. Property damage liability pays for the insured all the damages to or destruction of the property of the other person, not his own.

Collision insurance consists of two kinds. Full collision pays the full loss consisting of damages to or destruction of the transportation vehicle and its equipment. Deductible collision pays the loss, but only for the amount in excess of a deductible sum stated in the policy.

Accident insurance pays the amount stated in the policy for certain types of injury and death; this amount is paid whether or not the school district is responsible.

Fidelity insurance guarantees the honesty of the individual.

State insurance is an insurance fund set up by the state to which a certain amount is added each year.

Blanket insurance insures all buildings and/or

equipment in the school district.

## CHAPTER II

### AN ANALYSIS OF LITERATURE CONCERNING SEVEN TYPES OF SCHOOL INSURANCE

#### I. PURPOSE OF INSURANCE

"Under the usual type of district organization in American schools, the board of education, school directors or trustees, and the employed officials to whom they delegate powers are responsible for sound administrative and financial practices"(3:5). One of their major responsibilities is protecting the school district against preventable losses or from collectible claims for injury or damage of any sort. These school officials, guardians of properties of considerable value, are responsible for the protection of school district funds and credit. They are representatives of the people, handling public properties and funds, and as such, they want to reduce losses to a minimum(3:3-5).

As a protection against financial losses, school boards may purchase several different types of insurance. The last statement said, "protection" not "prevention." Insurance does not prevent loss but does aid in distributing loss(3:6). Various types of insurance will meet the needs of school districts.



The types of insurance carried are determined first by the statutes and court decisions of the states(20:428). Secondly, they are determined by the types of risks to which the school district will be subjected. Following are three main categories into which the risks fall:

1. Damage to property, buildings, contents, vehicles and other miscellaneous property due to fire and other perils.
2. Theft of property and funds.
3. Legal liability for accidental death or injury to employees, pupils, and the public(15:76-7).

### Legal Sanction

The following is a part of a law of 1909 as amended by the Washington State legislature in 1947:

A school district shall constitute a body corporate and shall possess all the usual powers of a corporation for public purposes, and in that name and style may sue and be sued, purchase, hold and sell personal property and real estate, and enter into such obligations as are authorized by law. The board of directors of the school district shall have exclusive control of all school buildings and other property, real or personal, owned by the district(30:7).

In most other states and before the above law was passed in Washington state, the authority to buy insurance was implied in the power the school board had to manage and control the property of a school district(20:433). Such reasoning applied to all types of property insurance. The legal right to purchase liability and pupil-accident insurance, however, was not clear. It was felt that without

authorization, such legality was doubtful(20:433).

In 1909, the Washington legislature enacted a law which empowered all school boards in Washington state "to protect their districts against loss through theft, fire, property damage and liability by purchasing insurance" (30:22). Washington state was more fortunate than others because while each of the states had the doctrine of immunity, Washington was one of the few which had the legal authority to purchase insurance. However, this law did not compel the school board to purchase insurance, but merely gave the school board the authority to purchase it.

#### Insurance Rates

The school system should learn as much as possible about the insurance rates which the insurance companies charge on insured risks. A responsible official should review the rates so the school district will get all the credits which may reduce the rates. The school district should be sure, too, that the rates are not discriminatory (16:42). Committees appointed by the school district have attempted to secure reduced rates. In most instances, the committees have been successful, especially on better risks (20:432).

#### Determining Amount of Insurance to Carry

On most property insurance policies, the insurance

company is liable for "actual cash value," which means the cost of replacement at the time of loss minus reasonable deduction for depreciation. The insurable value is the responsibility of the insured, not the insurance company. Therefore, the school district or administrator responsible should review the value periodically, usually every three to five years(15:51).

### Terms of Policies

In order to have lower premiums and save school officials' time, it is advisable to insure for a period of three to five years rather than one or two years, if allowed by the insurance company. This advice is applicable to fire, extended coverage, boiler and fidelity insurance. The premium rate for three years was usually two and one-half times the one-year rate(20:435). The Ellensburg insurance broker said the three-year rate now is equivalent to two and seven-tenths times the one-year rate.

The fire, extended coverage, boiler and fidelity insurance policies may be written for a period of three years each and the liability, collision and accident insurance policies are written for a term of one year each.

It is also advisable to plan the insurance premiums so the same amount of premiums are due each year. By this method, approximately the same budget load is assured for

insurance payments each year.

### Methods of Buying Insurance

Property responsibility is one of the administration's major concerns. Five principal methods of buying insurance coverage for a school district are as follows:

1. The Board (whole or a committee) handles all insurance matters.
2. Full responsibility is delegated to the superintendent, business manager, or a responsible officer.
3. An insurance adviser is selected and in return is given all or a major portion of the district insurance business.
4. The local agents' association handles the school insurance as a unit and the commissions are distributed to the members.
5. Insurance is awarded to a large insurance brokerage organization with the understanding that the major portion of commissions provide expert appraisal, engineering and other services to improve coverage and rates and to render loss prevention services(15:76).

### Placing the Insurance

The school board should refrain from directing the insurance to be divided up in an effort to spread the insurance around. The insurance should be awarded to agents qualified and equipped to render the service associated with the insurance policy purchased(15:76). Each company should have a first class rating. No school board member or employee should profit from the placing of the

insurance(3:18).

A typical community has several insurance agencies, and each agency wants the school insurance business. School officials are faced with two problems. First, they must choose reliable companies, and secondly, they must apportion the insurance to several agencies on a just and equitable basis. Some school districts spread the insurance on an equal basis and others give it out in proportion to the amount of local taxes which each agency pays(20:436).

### Insurance Records

The clerk of the board of education or some other responsible official should be given the obligation of keeping all insurance records and of notifying the board when the renewal of a policy is nearly due. This is a vital part of the insurance program, as a lapsed policy or incorrect insurable value could be disastrous in the event of a loss(20:436).

The insurance policy or policies should be filed in a fireproof safe or vault. A record of each policy should also be made and filed in a safe or vault. This record should indicate the type of policy, the amount of the policy, the dates of the policy's beginning and ending, the rate, the total premium, and the name of the insurance

company and the agent writing each policy. These records should also show the present worth and the insurable value of each building and the contents, with the date of the last adjustment(3:20).

### Reducing Hazards

The school board should select a competent person to make a survey of the loss risks. He needs to work closely with the administrator to get the essential information (15:76-7).

The stress has been, throughout the literature, on the fact that insurance is a protection not a prevention. Despite all precautions, some hazards still remain, and it is these that should be covered by insurance if practicable. The school officials can eliminate or reduce some of the hazards and thereby reduce the insurance cost and lessen the risk of loss of school district property(3:5).

### Self-insurance

The larger school districts and governmental units with ample resources who want to establish a self-insurance program may set up one of four plans. These are:

1. They may set up reserve funds from which to meet losses.
2. They may insure only their most hazardous risks and carry no insurance on select risks.
3. They may carry no insurance and set up no

reserves. The losses are met from the current operating fund. Only the largest districts can operate under this plan with any degree of reasonable assurance.

4. In a government insurance plan, local agencies usually are required to participate and to pay premiums. Governmental units represent select risks, have lower loss ratios, and will have to pay less premiums since they save the profit normally made by the insurance company. Premiums must be in proportion to the risk to have the plan succeed(14:11).

Two advantages of the self-insurance program are that school risks are better than average and there is a possibility of operating the plan for less money(14:11).

There are several factors to consider before a district contemplates setting up a special insurance fund. They include the types of building construction, the location of the buildings, building replacement possibilities from reserve funds or from current incomes or easily provided credit, local loss ratio experience over a number of years, and the amount of saving that may be effected. Smaller school districts hesitate to use the self-insurance program because a single loss can be disastrous(3:22).

The basic principles with which to evaluate a state school building insurance program (which is self-insurance administered on a state level) are as follows: (1) size and fluidity of the state reserve fund; (2) protection of such

funds against diversion, (3) basis of district contribution (the type of risk and the local school property evaluative procedures in case of loss), and (4) ultimate economy to the schools of the state(3:23).

There are conflicting statements about the advantages and disadvantages of the self-insurance or state insurance programs. Two examples of states which had a self-insurance program and suffered losses are Michigan and Colorado(1:42). The self-insurance program has had successful trials in South Carolina, Wisconsin, North Dakota, and Cincinnati. A suggestion was made that insurance funds be created for other types of school risks as well as fire risks(1:433).

### No Insurance

Many school systems in large cities do not carry insurance(5:327). Their schools are so numerous and so widely scattered that it is better "to take a chance." Fires in schools are infrequent, and large losses are less frequent. A "no insurance" program is practical in large school systems but not in small districts because the loss of one building would be a staggering blow to the finances of the system(20:432-3).



## II. SEVEN TYPES OF SCHOOL INSURANCE

Fire Insurance

The 1943 New York Standard Fire Insurance Policy, an almost national standard contract, is the model used in forty-seven states, Hawaii, and Washington, D.C. This policy, also used in the state of Washington, is the most liberal of the standard policies in interstate use providing protection from direct loss by lightning as well as fire. Only ten hazards are excluded. They are:

1. Enemy attack by armed forces, including action taken by military forces resisting an immediate or impending attack.
2. Invasion.
3. Insurrection.
4. Rebellion.
5. Revolution.
6. Civil war.
7. Usurped power.
8. Order of any civil authority except acts for the purpose of preventing the spread of fire, provided that such fire did not originate from any of the perils excluded by this policy.
9. Neglect of the insured to use all reasonable means to save and preserve the property at and after a loss, or when the property is endangered by fire in neighboring premises.
10. Nor shall this Company be liable for loss by theft(14:31).

This policy does not insure property except at one particular place. To insure materials temporarily in and out of one location, a floater clause may be added to the policy.

Rates. The insurance rate is the unit charge which the district must pay for insurance protection. In fire insurance there is a charge for each hundred dollars of insurance. Rate making is usually performed by jointly supported associations or rating bureaus. Some are national, some regional (several states), and some operate in separate states only(14:8). The rates set up are advisory or optional and member companies are not bound to abide by them(16:62). The local school insurance representative says that this is not true; that if an agency is a member of a rating bureau, it is mandatory that the agency abide by the rates set by the rating bureau.

Insurance companies grant reduced rates, varying according to contract percentage, type of building construction, and local fire protection provided. Rate reductions are fixed according to a published schedule. Coinsurance rate reduction percentage for tornado and extended coverage usually is greater than for fire insurance on the same building, and reduction percentage is less for nonfire-resistive buildings or those in non-protected

areas(3:14).

A school district may purchase at one of two insurance rates. One is called the flat rate. When a building is completely destroyed, the insurance pays the total amount for which it was insured. The other is called coinsurance. This is a mutual agreement between the owner and the insurance company whereby the owner agrees to maintain coverage to an agreed-upon percentage (specified in the contract) of the insurable value. The percentage usually is eighty per cent although other percentage contracts are permitted(20:435)

Insurance rates fall under two basic types. One is called the class rate, for risks with a marked degree of similarity. The other is called the specific rate, for risks where important differences exist. Dwellings, apartment houses, and one-room rural schools are examples of risks to which class rates would apply. Specific rates would apply on contents and where important differences exist in types of construction, occupancy, exposure, protection and location, such as on larger school buildings (17:104).

Amount of insurance to carry. In order to have an adequate property insurance program, the insurable value of the property to be protected must be determined. The insurable value may be found by determining the current

replacement cost through an estimate or an appraisal by a commercial appraisal company, architect, contractor, or state school specialist. Subtract from the replacement cost the depreciation for wear, tear, and obsolescence, and the balance will be the current present worth. Subtract from the current present worth deductions for supposedly nonburnable items, and the balance is the minimum reasonable insurable value. Straight line depreciation allows for a building life expectancy of from forty to sixty-five years(3:10).

An important factor is to deduct certain parts of the building less subject to fire damage or which probably would not have to be replaced because this lowers the insurance premiums and would not be recognized by the insurance company as payable. These parts would be the value of the excavations, all footings and foundation walls, the plumbing or piping below the ground, and the architect's fees. These deductions are included in the exclusion clause and should be added to the contract in order to be claimed as a deduction.

The amount of insurance coverage depends upon the size of the community, the number and distribution of the risks, and the hazards involved in each property(20:435).

Appraisals of values should be made at least every three years, both on the buildings and their contents.

Property values change through depreciation and changes in construction costs. There are several ways to maintain data on values: (1) Independent appraisal companies will contract to revise estimates periodically, (2) some school boards make changes infrequently and consequently may have their property overinsured or underinsured, and (3) other public schools adjust values of buildings every one, two, or three years through index and depreciation factors. The formula for figuring the data on values is the old insurable value of the buildings and contents plus or minus the construction index minus depreciation equals the new insurable value. The insurance companies expect the owner to estimate the value of the property to be insured(3: 10-16).

Insurance records. It is essential to establish and maintain current records of the value of equipment and other building contents to be insured. Since building contents to be insured fall under two general categories, two inventories should be prepared. One is for fixed contents such as seats fastened down. The other is for loose contents such as loose chairs and desks. Add the fixed equipment values to the building value and insure under the building fire insurance policies which are at a lower rate than those paid on loose contents. The school

district can purchase special policies for certain valuable items such as irreplaceable books(3:10).

Reducing hazards. School buildings, when compared to other types of buildings and dwellings, are relatively free from fire hazards. Annually, school fires cause approximately \$10,000,000 in damage and there are approximately six school fires daily.

Attack fire losses by prevention and control. Eighty-eight per cent of school building fires are classified as strictly preventable. The first efforts of school officials is to ascertain the causes of fires. Then eliminate them(20:437).

The school officials should give careful attention in the early stages of planning and operation to the types and location of buildings erected and property purchased (3:5). This planning can eliminate or reduce insurance rate penalties. Preventive measures in and around school plants can result in better maintenance, improved house-keeping, and reduced rates(3:21).

School officials should define the responsibilities of personnel carefully and have regular check-ups for compliance with school safety regulations. Adequate and frequent inspections should be held with an awareness of the presence of fire risks kept in mind. Analysis of the

building rating sheets and a more complete current study of loss ratios (losses to premiums paid) should be made(3:5)

Heating plants and electrical systems are the most prevalent causes of fires(20:437). Install them carefully and then keep them in excellent repair. Remove all fire hazards both in the heating plant and in and around the school building. Store combustible material properly. Provide each department and corridor with fire-fighting apparatus. Examine them at least annually to make certain of their efficiency.

The White House Conference on Child Health and Protection said that school buildings or at least the outer walls and the walls separating rooms should be of fireproof construction. Stairways should be adequate to discharge the personnel from the school building rapidly, and all doors should swing outward. There should be fireproof doors leading to the basement, and all woodwork and partitions about the heating plant should be protected by asbestos or metal. The doors leading from school buildings should not be secured during school hours. There should be fire gongs or alarms in the halls, and special provisions should be made for fire escapes. There should be handrails on the stairs and fire escapes. Provisions should be made for safety in the school laboratories by installing fume hoods and fire extinguishers. These precautions can not

only help prevent and lessen fire losses but reduce insurance rates as well(20:438).

#### Common names for school fire insurance policies.

One policy, called a specific policy, is for a specific amount on one building or its contents. Another policy, called a specific schedule policy, is usually written as an attachment to a policy. On this policy form are listed all of the buildings and contents the board wishes to insure, with the amount of coverage of each. When a school district estimates the total insurable value of its school risks and purchases so many dollars worth of coverage, this is called a blanket coverage policy. The insurance company will pay the losses not to exceed the amount of the policy. Under the blanket coverage policy, contents of school buildings may be exchanged and still be insured. When the insurance company is liable for loss by fire or lightning, the policy is called a named peril policy(15:51).

#### Types of Windstorm (Extended Coverage) Insurance

Perils of windstorm fall under the endorsement called "extended coverage," a comparatively recent and important addition to fire insurance coverage. It is a step toward the "all-risk" type of coverage. The extended coverage endorsement covers perils of windstorm, hail, explosion, riot, riot attending a strike, civil commotion,



aircraft, vehicles, and smoke. This plan affords broad coverage and is an important part of any school district's insurance program. It is possible to collect more under this clause than under fire coverages in the event of loss (14:53-54).

The rate charged for extended coverage is slightly higher than the rate charged for only wind damage insurance(3:13). The extended coverage endorsement provides the same financial coverage as the fire insurance policy to which it is attached and does not increase the amount or amounts of insurance provided in the policy to which it is attached. The provisions of the extended coverage endorsement apply to each item of loss separately.

If a school district has windstorm or extended coverage, this information should be included on the insurance records together with the published insurance rate paid by the school district and dates of the beginning and ending of the endorsement.

### Boiler Insurance

"Many school districts carry boiler insurance, primarily to cover heating plant equipment such as steam boilers, piping, and unfired vessels;..."(14:390). Boiler insurance covers the loss to school property caused by the explosion of the boiler which is insured; the insurance

usually pays for personal injuries caused by the explosion (20:427). The purpose of boiler insurance is to insure unpreventable losses due to explosion or rupture, not those due to defects which may be discovered and remedied. School districts more often insure high pressure boilers, admittedly more hazardous than low pressure boilers. Sometimes a city or state may have a compulsory periodic inspection service for all boilers, for which there is a fee(14:390-91).

The basic boiler policy has a limit of \$5,000 per accident, and the same limit must apply to all boilers insured under one policy at the same location.

The maximum term permitted for a boiler insurance policy is three years but may be shorter(21:521). When a school district applies for boiler insurance, the following information must be submitted:

1. Describe each object (or boiler) to be insured.
2. Class of boiler.
3. Type of boiler.
4. Size of boiler.
5. Indicate further coverage desired.

Boiler insurance premiums are based upon a basic charge, unit amount for each location, and a charge for each boiler.

## Liability Insurance

The following is the extent to which the Washington legislature has authorized the school districts to carry liability insurance:

School boards are empowered to compensate injured parties for the district's liability resulting from its agent's negligence(30:5).

School boards are empowered to protect their districts against loss through theft, fire, property damage and liability by purchasing insurance(30:154).

There are two basic schools of thought regarding the public liability insurance problems. One is that since a governmental body has no liability, insurance is a waste of money, if not illegal. This philosophy is based on the "doctrine of immunity." The other is that the types of programs in public schools create pupil hazards beyond the control of parents; thus, the public body should accept some liability responsibility. Legislation pertaining to this problem has been enacted in some states(8:23).

Washington, Oregon, and California are the only states with the statute which attaches liability to governmental agencies for negligence of their officers, agents, and employees. New York, New Jersey, and Connecticut have save-harmless laws(9:44).

The legal attitude of the court has undergone considerable change over the years. At one time the "master" was the most important person in the court case

because he had the money, not the "servant" who caused the tort. Insurance has brought many changes. Now the insurer (or servant) is the most important. Another factor in increasing litigation is the contingency-fee practice. The ceiling is unlimited in judgments today. The main sources of vulnerability are bus transportation, bad policing, and poor maintenance(6:83).

Courts are becoming increasingly more critical of the doctrine of immunity. One source says the trend has been to absolve school employees from liability for accidents. When negligency has been demonstrated, courts have frequently held against school employees--much more often than they have held against school boards in their corporate capacity(20:430-31).

Tort liability cases are becoming a real concern to administrators(7:89). Most liability policies will pay any judgment against a school district, which means the injured party must first sue the school district and obtain a judgment, which is costly in itself.

For many years the courts ruled against the school boards as defendants on the grounds of the doctrine of immunity. The thought behind this was that public funds were not to be used to pay a tort. Gradually court opinion changed so that even if a school district was not legally authorized to purchase liability insurance and did so in

the absence of a legal statute, liability could exist to the financial limits of the insurance policy. In all states other than Washington, Oregon, California, New York, New Jersey, and Connecticut, there is an immunity against dissipation of public funds in paying a tort judgment(7:89).

There are two grounds upon which courts have made some dissenting decisions. One dissenting decision is whether or not the school district is acting in a proprietary rather than a governmental function. For instance, if a school district is renting a gymnasium for a function at a charge which is more than the amount needed to pay the operating cost of the facility for that function, the district is acting in a proprietary manner and, therefore, may be sued as it is no longer acting in a governmental function and is no longer immune(9:43-45).

The other dissenting decision is based not on whether the school board is negligent for some act but whether it is liable for nuisance or trespass, i.e., for active misconduct. In New Jersey a school was found to have highly waxed and improperly polished floors. An individual slipped and fell, but the school district was not held liable. In Utah a three-year old neighborhood child fell from his tricycle into the hot ashes from the school incinerator. The court refused damages as the disposal of

rubbish was within the board's implied authority(9:45).

Mr. Lee O. Garber, in his article "Liability of Districts That Carry Insurance,"(7:89) gave the following seven recommendations which may guide school districts in setting up a practical liability program:

1. Consult an attorney on the district's liability.
2. Become acquainted with all the statutory provisions relating to liability in your own state.
3. Find out if and how the courts ruled on the question of liability in connection with proprietary functions and nuisance and trespass. Be guided by those decisions as in the future, your courts will in all probability follow those as precedents.
4. If legally possible and permissible, take out insurance. A judgment against the district could be catastrophic and it is good public relations.
5. Get a policy that allows the injured party to sue the insurance company directly. Otherwise, it offers no relief if the courts refuse to hold the district liable.
6. Be particularly cautious in all cases where you may be considered as engaging in a proprietary function, in maintaining a nuisance, or in committing a trespass. The plaintiff is more likely to collect damages on these charges.
7. When in doubt about liability or immunity, take an action which is educationally sound.

The insurance rates for liability insurance as well as for the other types of insurance are set by the rating bureau to which the insurance company belongs. The school board may purchase the type and amount of liability insur-

ance that will protect the district adequately. A factor in determining the protection needed would be the kind and number of hazards to which the school personnel would be exposed.

Liability policies are usually written for a term of one year and are automatically renewable for an additional two years, unless the insured receives notification of amendment or cancellation by the insuring company.

A record kept in a safe or vault of the liability insurance policy should include the type and amount of the policy, the dates of the policy's beginning and ending, the rate, the total premium, and the name of the insurance company and the insurance agent(20:456).

### Collision Insurance

Insurance covering the hazards which occur from the ownership, maintenance, and use of motor vehicles is especially important in a school district which has many pupils to transport. The school district may apply for "Collision or Upset" insurance for self-protection. This pays for direct and accidental loss of or damage to the vehicle (automobile or bus) caused by collision of the vehicle with another object or by upset of the vehicle. Coverage may be taken on fire, theft, and comprehensive if the district feels that the hazards deem it advisable(14:204).

The amount of insurance to carry will depend on the statutes of the state, the finances and beliefs of the school district, and the school transportation situation in the school district. For instance, the Washington State Legislature in 1959 ruled that school buses would be allowed to be depreciated over a period of twelve years. The local school districts may reevaluate their transportation situations and may, on the basis of their beliefs, reapportion their budgeted insurance money between their collision insurance and their other insurance policies. Their beliefs will determine whether they will apply for full collision or deductible collision, and if deductible, in what amount their collision insurance should be deductible.

Collision insurance for school districts is written for a term of one year. If collision insurance were written for three years and every change required an endorsement, the attached paper could make the policy unwieldy.

A complete record should be kept of the collision insurance policy.

### Accident Insurance

A school district may purchase accident insurance for



two reasons. First, school officials may feel they have a moral obligation to discharge whether or not negligence can be proved. Secondly, they may feel it is good public relations to possess an accident policy of this kind. Accident insurance is payable regardless of fault and not because of the negligence of the insured. However, few laws authorize the purchase of insurance of this kind by school districts(20:428).

Accident policies are written for a term of one year.

A school accident policy usually protects a child between the ages of six and nineteen against injuries incurred while going to, attending, or returning from school. Injuries from sports may or may not be included (21:255).

It is impossible to standardize the insurance rates for accident insurance policies because so many different kinds of accident policies exist. The Bureau of Accident and Health Underwriters have reached the closest approach to scientific rate making in the accident insurance field by accumulating statistical material(21:270).

### Fidelity Insurance

All states require by law that certain classes of public officials must be bonded; among these are included

those who are responsible for the collection, care, custody, and disbursement of school funds, such as the tax collectors, treasurers, superintendents, and members of boards of education(14:310-19). These "public official bonds" not only are intended to repay the amount of loss up to the amount of the bond for dishonesty but may compensate for losses through ignorance, negligence, carelessness, burglary, fire, and, in many cases, bank failure.

A fidelity risk "is capable of approximate mathematical calculation," and fidelity insurance rates are based on experience rather than judgment(21:695). Fidelity insurance premiums can be ascertained from a manual of rates published by the Towner Rating Bureau, a private rating bureau supported by the subscriptions of insurance companies that use the rates(21:700). The fidelity insurance rates vary according to the position occupied by the individual and the type of business.

### III. SUMMARY

The purposes of insurance were established and the legal authority for school districts to purchase insurance was indicated. Related factors such as insurance rates, determining the amount of insurance to carry, terms of insurance policies, methods of buying school insurance, placing the school insurance, insurance records, and the

reduction of insurance hazards were enumerated.

An explanation of the following seven types of insurance was given: (1) fire insurance, (2) windstorm (extended coverage) insurance, (3) boiler insurance, (4) liability insurance, (5) collision insurance, (6) accident insurance, and (7) fidelity insurance.

## CHAPTER III

### ELLENSBURG SCHOOL DISTRICT NO. 401 INSURANCE PLAN

#### I. INTRODUCTION

Ellensburg is a small farming community located approximately in the center of the state of Washington. The 1956 population was 8,260 but the town serves additional people from the farming areas. Central Washington College, located in Ellensburg, contributes to the financial well-being of the community.

Ellensburg provides a school experience for children from kindergarten through the twelfth grade, with a school population of 2,660 pupils for the school year of September, 1958, to June, 1959. In that same year, the Ellensburg public schools had an individual school population as follows:

Schools:	Pupils
Washington Elementary School	424
Lincoln Elementary School	537
College Elementary School	189
Cascade School	385
Morgan Junior High School	574
Ellensburg High School	551

Ellensburg School District No. 401 owns and operates a total of five school buildings and other storage and

miscellaneous buildings, dispersed in five different localities throughout the community. The five school buildings consist of two elementary schools, Washington and Lincoln, which house the classes through the fourth grade; Cascade School, which houses the fifth- and sixth-grade classes; Morgan Junior High School, which lodges the seventh, eighth, and ninth grades; and the Ellensburg Senior High School, which quarters the three-year secondary school. The College Elementary School has one class each from kindergarten through sixth grade, but the children are covered for liability exposure only by District No. 401.

## II. TYPES OF INSURANCE

The insurance portfolio of the Ellensburg School District No. 401 contains the following types of insurance:

1. Fire insurance.
2. Extended coverage insurance.
3. Boiler insurance.
4. Liability insurance.
5. Collision insurance.
6. Accident insurance.
7. Fidelity insurance.

The following paragraphs will provide detailed information on the individual coverages.

## Ellensburg Plan

The Ellensburg school district has an insurance broker who advises the district on pertinent insurance affairs, writes the district's insurance policies, and handles all insurance problems for them. While the insurance broker keeps the majority of the insurance commissions, he distributes the balance among the other Ellensburg insurance agencies.

The insurance rates which the Ellensburg school insurance broker charges the school district are determined by the Washington Survey and Rating Bureau, of which the insurance broker is a member.

In order to reduce the school district's expenditure for insurance coverage, the Ellensburg school district purchases the district's policies for as long as is allowed by the insurance companies with whom the district places the insurance. The fire, extended coverage, boiler, and fidelity insurance policies are purchased for a period of three years each, and the liability, collision, and accident insurance policies are purchased for a period of one year each.

The Ellensburg school district budgets the insurance premiums so that approximately the same amount of premiums are paid each year.

Records. The Ellensburg school district insurance policies consist of an original and two copies of each policy. One copy is kept by the issuing insurance company at the main office, and the original and one copy is kept by the Ellensburg insurance broker in his safe in the broker's office. The insurance broker also keeps a record of each school district insurance policy on a form called a Policy Registration. The Policy Registration is also kept in the broker's safe at the insurance office. This record indicates the type of each school insurance policy, the name of the insurance company, the agent who issued the policy, and the dates of the beginning of the policy.

Fire insurance. Ellensburg is classified as one of the smaller school districts on the basis of school population. The loss of all or part of one building or injury to the occupants could be disastrous without a strong insurance program. Therefore, Ellensburg School District No. 401 carries a blanket fire insurance policy on all the district's buildings and equipment with a ninety per cent coinsurance clause. If one building were totally destroyed by fire the fire insurance company would pay the total amount of the damages. However, if the entire school plant were totally destroyed by fire, the fire insurance company

would pay ninety per cent of the total damage and the school district would have to pay the other ten per cent of the damage.

Fire insurance rates. For the purpose of fire insurance, school districts are classified by Class A, B, C, or D rating. This rating is arrived at by the evaluation of existing structures and their susceptibility to fire loss. Washington, Cascade, and Morgan Schools--older, two-story structures made of concrete, brick, and wood--are rated as Class C. Lincoln School, a two-story building made of concrete, brick, and glass, is rated as Class B. The Ellensburg Senior High School, a one-story, reinforced concrete structure, is rated as Class A. The A rating carries the lowest premium rate, whereas the D rating carries the highest.

Amount of fire insurance to carry. To determine the amount of fire insurance protection, the school district obtains the services of an independent appraisal company not associated in any way with the insurer. The independent appraisal company determines the rate of depreciation and the insurable value of the schools and equipment.

Reducing fire hazards. The Ellensburg school district desires to cooperate with the fire insurance



company in reducing fire hazards. A fire hydrant was installed at the Senior High School upon the suggestion of the Ellensburg insurance broker. The stair wells at Cascade School were enclosed at the suggestion of the Ellensburg Fire Department. These acts on the part of the Ellensburg school district will make the district more acceptable to the fire insurance company as an insurance risk.

Each department and corridor in the Ellensburg public schools is equipped with fire-fighting apparatus, but every employee is not trained to use it. The school district feels that the teachers' primary duty is to get the children out of the school building in case of a fire, not to be forced to make the decision whether they should first try to fight the fire or evacuate the children. The school district's primary interest is in protecting the children.

All school doors swing outward and are equipped with panic bars so that although locked, the doors will yield to pressure at any hour of the day or night. There are fireproof doors leading to all school furnace rooms, and the areas surrounding the school boilers are fire-resistant. Ellensburg school laboratories are equipped with fume hoods and fire extinguishers as safety provisions. The Ellensburg fire insurer does not recommend fire escapes for

any school buildings in the Ellensburg school district; icy conditions in winter or unsupervised use of the fire escapes would produce more hazards than they would eliminate.

Extended coverage. Ellensburg's extended coverage insurance covers the perils of windstorm, hail, explosion, riot, riot attending a strike, civil commotion, aircraft, vehicles and smoke. Extended coverage is an endorsement attached to the fire insurance policy for a three-year period.

Boiler insurance. The Ellensburg school district has the broad coverage boiler insurance policy which broadens the definition of "accident" from "a sudden and accidental tearing asunder of an object" to include the cracking, burning, or bulging of the object. The district also carries boiler bodily injury liability insurance, which protects the school district against liability for bodily injury to any person caused by an insured boiler accident, including the total expense of immediate surgical relief rendered at the time of the accident and also the defense or settlement of claims against the school district.

A school district's premium is based upon a basic charge, a unit amount for each location and a charge for each boiler. The Ellensburg school district has seven

boilers at four locations, four in use at one time. Each boiler is equipped with a safety valve which is checked twice a day to insure correct functioning. The term for the Ellensburg school district's boiler insurance policy is three years. The insurer inspects the Ellensburg school boilers at least yearly.

Liability insurance. The liability insurance which Ellensburg School District No. 401 has consists of two kinds, bodily injury liability and property damage liability. The Ellensburg superintendent of schools feels that the district has a liability insurance policy which will give District No. 401 excellent protection in the event a lawsuit arises as a result of an accident.

When the Ellensburg school district allows some group to use a school facility, the school district charges a fee or "service" charge for this function. However, this fee is carefully computed and pays for the actual cost to the school district, such as the charge for electricity, fuel, and the services of any employees who need to be present. In this way, District No. 401 eliminates any possibility that the school district could be considered as acting in a proprietary manner in the event of a lawsuit resulting from an accident occurring at one of the "rental" functions.

The Washington Education Association makes available a \$10,000 liability insurance policy to all members for the low cost of fifty cents a year. The teachers in the Ellensburg public schools and throughout Washington state have liability protection.

Collision insurance. Ellensburg School District No. 401 carries \$1,000 deductible collision insurance on their school vehicles. This seemingly high minimum of \$1,000 is to protect the vehicles against total loss. The Washington State legislature will allow school districts to depreciate the school buses over a period of twelve years. When the Ellensburg school buses are no longer insurable (twelve years), the buses are replaced with new ones.

The thinking of Ellensburg School District No. 401 determines the choice of the driving personnel. The district chooses careful drivers whom the district expects to have few, if any, minor accidents. Minor accidents can be repaired in the school maintenance shop at a cost which will not be a financial burden to the school district. This is another reason for the district's not insuring the school buses for less than \$1,000.

Accident insurance. Ellensburg School District No. 401 does not provide an accident insurance policy of its own. The district does feel a moral obligation to the

children and their parents to make available a low-cost medical protection plan to which the school children may or may not subscribe. The cost to each child for the school year is \$1.25, and the administration of the medical plan is executed by the Ellensburg Parent-Teacher Association.

The low-cost medical protection plan provided embraces all Ellensburg public school pupils through the twelfth grade, with the exception of high school football players. The Washington Interscholastic Activities Association has made a rule of eligibility that high school football players must have additional medical insurance coverage. The football players may acquire this medical insurance coverage independently or the players may request to purchase a rider on the medical protection plan. The rider further insures a football player up to a medical limit of \$500 for an injury. The additional cost for the rider on the medical protection plan is currently \$12. The high school student body pays \$6 and the athlete pays \$6.

Fidelity insurance. Ellensburg School District No. 401 has a blanket fidelity insurance policy which protects the school district from losses by fraud or dishonesty on the part of the following employees: (1) the school district superintendent, (2) secretary to the

superintendent, (3) bookkeeper, (4) assistant superintendent, (5) cafeteria supervisor, (6) individual school principals, and (7) principals' secretaries. In addition the basic fidelity insurance policy has a comprehensive dishonesty, destruction, and disappearance policy form attached, which protects the school district against loss arising from the theft, robbery, or pilferage of school money or school property inside or outside the school buildings and from destruction or damage to school furniture and contents.

### III. SUMMARY

Because of the physical layout of Ellensburg School District No. 401's educational plant and because of the thinking of Ellensburg school officials, the following types of school insurance were chosen to meet the needs of Ellensburg School District No. 401:

1. Fire insurance.
2. Extended coverage insurance.
3. Boiler insurance.
4. Liability insurance.
5. Collision insurance.
6. Accident insurance.
7. Fidelity insurance.

## CHAPTER IV

### SUMMARY, CONCLUSIONS, AND RECOMMENDATIONS

#### I. SUMMARY

This research was an attempt to investigate seven types of school insurance and the insurance program of Ellensburg School District No. 401.

The purposes of this study were: (1) to provide a general knowledge of the essential types of insurance needed in a school district to meet a school board's legal obligations and to insure the school district against a financial loss which might be disastrous; and (2) to make this information available in a condensed form to the new administrator and other interested parties who might be limited by time in delving into the subject more deeply.

This study is limited to the types of insurance most commonly found in a school insurance program(20:427-28; 3:13; 15:76-77) and makes no effort to determine the monetary value of the insurance coverage.

In order to provide a knowledge of the types of insurance operating in a school district and the insurance portfolio in Ellensburg School District No. 401, books, magazines, and pamphlets were read, and personal interviews were conducted with school employees, school officials, and

insurance personnel.

The definitions of terms included insurance vocabulary which might be unfamiliar to a reader and common words altered by the author's interpretation.

The types of insurance which a school district may carry are first determined by the statutes of the state and secondly by the types of risks to which the school district may be subjected.

A knowledge of insurance rates will assure the school officials that the school district is being charged the lowest possible rates for maximum protection. School administrators must be sure of the insurable value of their schools and equipment so that the school property is neither over- or underinsured.

Insurance policies should be written for as long a term as allowable by the insurer. Some policies are written for a three-year term while other policies are written for a one-year period.

There are several ways for a school district to buy insurance coverage, but school officials must be sure that the insurance is awarded to agents qualified and equipped to render the service associated with the insurance policy purchased.

Records of the insurance policies, an important part of the insurance program, should be kept in a fireproof



vault or safe. The insurance records should include the following information:

1. Type of insurance policy.
2. Amount of insurance policy.
3. Dates of insurance policy's beginning and ending.
4. Rate of the insurance policy.
5. Total insurance policy premium.
6. Name of the insurance company.
7. Name of the insurance agent.
8. Present worth of each building and contents.
9. Insurable value of each building and contents.

The school board should make every effort to eliminate or reduce hazards so that the insurance cost and the risk of loss of school district property are lessened.

Some of the large school districts may establish their own reserve insurance fund or they may not carry insurance.

The following are seven types of insurance policies most commonly found in a school insurance portfolio:

1. Fire insurance.
2. Windstorm (Extended Coverage) insurance.
3. Boiler insurance.
4. Liability insurance.
5. Collision insurance.

6. Accident insurance.

7. Fidelity insurance.

The factors which appear to be of importance in determining the kind and amount of insurance to purchase are given below:

1. Legal sanction.
2. Insurance rates.
3. Amount of insurance to carry.
4. The terms of the policies.
5. Placing the insurance.
6. Insurance records.
7. Reducing hazards.

## II. CONCLUSIONS

The following conclusions are presented as an interpretation by the investigator of the findings in this study:

1. Insurance expenditures are an essential part of a school district's budget. If the statutes allow the purchase of insurance, obtaining adequate insurance coverage seems to be an essential duty of school administrators.

2. When there are several hazards which are potentially dangerous, insuring against one risk and not the other risks is not consistent with good administrative policy.

3. A school district may purchase any type of insurance coverage needed if the district is able to pay for it.

4. Ellensburg School District No. 401 appears to have the essential types of insurance coverage to meet legal obligations and to eliminate an occasion of loss to persons or property.

5. There appears to be a good working relationship between the Ellensburg insurance broker and the Ellensburg school superintendent.

6. The Ellensburg school district cooperates with insurance agencies and other miscellany concerned in reducing fire and other hazards.

### III. RECOMMENDATIONS

These recommendations are based upon the findings and conclusions of this study:

1. The insurance records kept by the Ellensburg insurance broker should be revised to include this additional information: a) amount of insurance policy, b) date of insurance policy's ending, c) rate of the insurance policy, d) total insurance policy premium, and e) present worth and insurable value of each building and contents.

2. One copy of each insurance policy should be

removed from the Ellensburg insurance broker's safe and stored in another fireproof safe or vault.

3. Handrails are recommended on both sides of the stairs in Ellensburg school buildings of more than one story.

4. Repetition of this study is recommended in other school districts in the state of Washington to see if this type of insurance pattern is repeated.

5. This study is only interested in the types of insurance commonly found in a school district. School officials might be interested in finding the monetary value of the insurance coverage in a school system in relation to size of district.

6. The Ellensburg school insurance broker should report to the Ellensburg School Board annually so the insurance program may be reviewed and kept up-to-date.

7. The Ellensburg school district should maintain the types of insurance which they now have.

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