



SCHOOL BOARD OF BREVARD COUNTY, FLORIDA  
**School Board Policy Executive Summary**  
 Form D

<b>Policy Number:</b>	8710
<b>Title of Policy:</b>	Insurance
<b>Cabinet Member:</b>	Dr. Beth Thedy
<b>Purpose of Revisions:</b>	The purpose of the proposed revisions to the policy is to ensure compliance with all applicable federal and state laws, Florida State Board of Education Rules, Board policies, administrative rules, procedures, and guidelines. In addition, the proposed revisions promote transparency and accountability.
<b>Tentative Schedule:</b>	<ul style="list-style-type: none"> <li>• Cabinet – 10/11/21</li> <li>• Rule Development Workshop – 11/16/21</li> <li>• School Board Meeting Information – 11/16/21</li> <li>• School Board Meeting Approval – 12/14/21</li> <li>• Effective Date – upon approval</li> </ul>
<b>Summary of Proposed Policy Revisions:</b>	<ul style="list-style-type: none"> <li>• This policy is being revised to clarify the settlement authority of certain legal claims regarding personal injury, property damage, and workers’ compensation in compliance with applicable Florida law.</li> <li>• Particular areas of revision include the following: The addition of authorization for settlement of certain legal claims and monetary limits regarding same.</li> <li>• These proposed revisions encompass the suggested language from NEOLA.</li> </ul>
<b>Specific Authority:</b>	§§768.28, 1001.42; F.S.
<b>Next Steps:</b>	<ul style="list-style-type: none"> <li>• Revisions to internal procedures</li> </ul>

**Current  
Version**



Adopted

May 1, 2002

## 8710 - **INSURANCE**

The Superintendent or designee shall negotiate with commercial insurance carriers for the insurance policies necessary to protect the District from major financial losses.

Insurance purchased shall include, but need not be limited to, the following types of losses:

- A. buildings and their contents
- B. boiler and machinery
- C. broad term money and securities
- D. special coverage for equipment not ordinarily covered under a standard policy
- E. the expenses of defending any claim against Board members, officers, or employees of this District arising out of and in the course of performance of their duties
- F. loss or damage from liability for the general acts or errors and omissions of District officers, employees, or volunteers
- G. open stock burglary

Insurance for a given coverage shall be obtained at the lowest possible cost, assuming that service and company reliability are satisfactory.

The Superintendent or designee may choose to retain the cost of certain liabilities (self-insure) through a Risk Management program as found in F.S. 768.28. These items may include, but need not be limited to, the following:

- A. comprehensive bodily injury, property damage on automobiles, buses, and trucks
- B. loss or damage from liability established by worker's compensation statutes
- C. legal liability for Board members and employees
- D. loss or damage to District property, real or personal
- E. loss or damage from liability resulting from the use of District property

Legal

F.S. 768.28

F.S. 1001.42

# Neola Template

## Neola Template

### 8710 - INSURANCE, RISK MANAGEMENT, AND CLAIMS SETTLEMENT

The  **Superintendent**  **Director of Risk Management** shall negotiate with commercial insurance carriers for the type and amount of insurance policies necessary to protect the District from major financial losses.

Insurance purchased shall include, but need not be limited to, the following types of losses:

- buildings and their contents
- boiler and machinery
- broad term money and securities
- special coverage for equipment not ordinarily covered under a standard policy
- the expenses of defending any claim against School Board members, officers, or employees of this District arising out of and in the course of performance of their duties
- loss or damage from liability for the general acts or errors and omissions of District officers, employees, or volunteers
- open stock burglary

Insurance for a given coverage shall be obtained at the lowest possible cost, assuming that service and company reliability are satisfactory.

The Board may, after considering the recommendations of the superintendent, choose to retain the cost of certain liabilities (self-insure) through a risk management program as found in F.S. 768.28. These items may include, but need not be limited to, the following:

- comprehensive bodily injury, property damage on automobiles, buses, and trucks
- loss or damage from liability established by worker's compensation statutes
- legal liability for Board members and employees
- loss or damage to District property, real or personal
- loss or damage from liability resulting from the use of District property

#### **Settlement of Certain Legal Claims**

The Board authorizes its  **third party administrator**  **Director of Risk Management** to settle personal injury, property damage, and workers' compensation claims up to \$10,000.

The Board authorizes the superintendent, after consultation with the Board attorney, to settle personal injury, property damage, and workers' compensation claims exceeding \$10,000 [SELECT ONE OF THE FOLLOWING]

- but less than \$100,000 as well as all other claims less than \$100,000

**OR**

- up to the limits of sovereign immunity imposed by F.S. 768.28.

The Board authorizes the superintendent to execute on the Board's behalf appropriate settlement documents prepared or approved by the Board attorney in connection with the settlement of any of the foregoing claims.

## Legal

F.S. 768.28

F.S. 1001.32(3)

F.S. 1001.42

## Cross References

ap8710 - INSURANCE

# **Redline Draft**



~~Adopted~~ ~~May 1, 2002~~

## 8710 - INSURANCE

The Superintendent or designee shall negotiate with commercial insurance carriers for the insurance policies necessary to protect the District from major financial losses.

Insurance purchased shall include, but need not be limited to, the following types of losses:

- A. buildings and their contents
- B. boiler and machinery
- C. broad term money and securities
- D. special coverage for equipment not ordinarily covered under a standard policy
- E. the expenses of defending any claim against Board members, officers, or employees of this District arising out of and in the course of performance of their duties
- F. loss or damage from liability for the general acts or errors and omissions of District officers, employees, or volunteers
- G. open stock burglary

Insurance for a given coverage shall be obtained at the lowest possible cost, assuming that service and company reliability are satisfactory.

The Superintendent or designee may choose to retain the cost of certain liabilities (self-insure) through a Risk Management program as found in F.S. 768.28. These items may include, but need not be limited to, the following:

- A. comprehensive bodily injury, property damage on automobiles, buses, and trucks
- B. loss or damage from liability established by worker's compensation statutes
- C. legal liability for Board members and employees
- D. loss or damage to District property, real or personal
- E. loss or damage from liability resulting from the use of District property

The Board authorizes its third-party administrator after consultation with its Director of Employee Benefits



and Risk Management to settle personal injury, property damage, and workers' compensation claims up to \$100+00,000.

The Board authorizes the Superintendent or designee, after consultation with the Board attorney, to settle personal injury, property damage, and workers' compensation claims exceeding \$100,000 up to the limits of sovereign immunity imposed by F.S. 768.28.

The Board authorizes the Superintendent or designee to execute on the Board's behalf appropriate settlement documents prepared by its third-party administrator or approved by the Board attorney in connection with the settlement of any of the foregoing claims.

Adopted May 1, 2002  
Revised

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Legal                      F.S. 768.28  
                                    F.S. 1001.42

**Clean  
Version**

## 8710 - INSURANCE

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- E. the expenses of defending any claim against Board members, officers, or employees of this District arising out of and in the course of performance of their duties
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- G. open stock burglary

Insurance for a given coverage shall be obtained at the lowest possible cost, assuming that service and company reliability are satisfactory.

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- A. comprehensive bodily injury, property damage on automobiles, buses, and trucks
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- C. legal liability for Board members and employees
- D. loss or damage to District property, real or personal
- E. loss or damage from liability resulting from the use of District property

The Board authorizes its third-party administrator after consultation with its Director of Employee Benefits and Risk Management to settle personal injury, property damage, and workers' compensation claims up to \$100,000.

The Board authorizes the Superintendent or designee, after consultation with the Board attorney, to settle personal injury, property damage, and workers' compensation claims exceeding \$100,000 up to the limits of sovereign immunity imposed by F.S. 768.28.

The Board authorizes the Superintendent or designee to execute on the Board's behalf appropriate settlement documents prepared by its third-party administrator or approved by the Board attorney in connection with the settlement of any of the foregoing claims.

Adopted May 1, 2002  
Revised \_\_\_\_\_

**Legal** F.S. 768.28  
F.S. 1001.42