

SECTION: 4.0 Administrative

SUBJECT: Risk Management Policy

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, to protect the college's physical and human resources and deal effectively with liability issues. The objectives of the Lewis-Clark State College (LC State) Risk Management program are to coordinate risk and insurance related matters with the state Office of Risk Management; to assist LC State 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; 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 Coordinator 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: Public Safety, Student Affairs (Student Activities, International Programs Office), and Athletics.

Date of approval by Lewis-Clark State College authority: October 14th, 2021

Date of State Board Approval: N/A

Date of Most Recent Review: October 2021

Summary of Major Changes incorporated in this revision to the policy: Format and language updates throughout for consistency; insurance coverage requirements updated.

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 tablets), liability insurance, professional liability insurance, vehicle insurance, camper's insurance, fine arts insurance, and foreign travel insurance. High risk activity participation waivers and certificates of insurance are also obtained through Administrative Services. 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 for camper's insurance.

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PROCEDURES FOR NOTIFYING ADMINISTRATIVE SERVICES

1. Report All Injuries on Lewis-Clark State College Property to Administrative Services

- A. Injuries to students, faculty, staff and/or visitors should be reported without delay to Public Safety (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. An [Accident Loss Safety Hazard Report](https://www.lcsc.edu/media/6737/accident-loss-safety-hazard-form.pdf) (<https://www.lcsc.edu/media/6737/accident-loss-safety-hazard-form.pdf>) should be completed for the injured party and submitted to Administrative Services in ADM 106. If a student or visitor is injured, 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 his or her questions to Administrative Services, who can be contacted in person at ADM 106, or by phone 208-792-2240 or via email at VPFinanceAdmin@lcsc.edu.

2. Report All Incidents of Damage and/or Theft of Lewis-Clark State Property to Administrative Services

- 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 at 208-792-2240. For large or small property damage or theft, complete the [Property Loss Report](https://www.lcsc.edu/media/2520/property-loss-reporting-form.pdf) (<https://www.lcsc.edu/media/2520/property-loss-reporting-form.pdf>) form and submit it to Administrative Services.
- B. When reporting a vehicle accident to Administrative Services, complete the auto accident report guide that is 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, see [Policy 4.112 Use of College Owned and College Rented Vehicles](https://www.lcsc.edu/policies) (<https://www.lcsc.edu/policies>).

3. How to Request Property Insurance for Small Items

- A. Upon purchase of qualifying small property items, departments may request small property insurance if it meets the following criteria: the item or group of items is under \$2,500 in value and it is subject to theft or easily damaged 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 Administrative Services with the following information: replacement value of item, serial number, and/or state tag number if assigned.

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- C. Contact Administrative Services if a claim is needed in the case of loss, theft, or damage. The deductible is \$100. All departments enrolled in the small property insurance program are sent the yearly renewal request form for annual updates.

4. Camper's Insurance

- A. Special events 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 camper's 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 college departments that facilitate camp or day activities are encouraged to obtain camper's insurance for their participants and volunteers. Complete the [Program Insurance Request](https://www.lcsc.edu/administrative-services/risk-management/campers-insurance) (https://www.lcsc.edu/administrative-services/risk-management/campers-insurance) form at least two weeks before the activity and forward it to Administrative Services by email. After the activity is over, complete the [Completed Activity Form](https://www.lcsc.edu/administrative-services/risk-management/campers-insurance) (https://www.lcsc.edu/administrative-services/risk-management/campers-insurance) and email to Administrative Services. Contact Administrative Services for the current cost of coverage. 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. Certificates of Insurance (COI) are obtained through Administrative Services. COI for the college are issued by and sent from the State of Idaho Department of Administration's Risk Management Program. Typical turnaround time is two to three days. To request a certificate, complete the [Certificate Request Form](https://www.lcsc.edu/administrative-services/risk-management/certificates-of-insurance) (https://www.lcsc.edu/administrative-services/risk-management/certificates-of-insurance) and forward to Administrative Services.

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 minimum for insurance limits which are used to protect the college:
 - i. Commercial General Liability coverage with limits of not less than \$1,000,000 each occurrence and \$2,000,000 aggregate.
 - ii. Workers Compensation including employer's liability with limits of not less than \$1,000,000 bodily injury by each accident/\$1,000,000 bodily injury by disease-policy limit/\$1,000,000 bodily injury by disease each employee.
 - iii. 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.
 - iv. All policies, except Workers' Compensation, shall name Lewis-Clark State College, 500 8th Avenue, Lewiston, Idaho 83501 as an additional insured. A copy of the

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Additional Insured Endorsement must be attached to the certificate verifying that the insured's Policy(s) has been endorsed as required.

- v. 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 (except for students whose clinical learning experiences and internships are covered by the purchased private professional liability policy or another state entity):
 - i. The college'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 and is the college's limit of liability under the Idaho Tort Claims Act specified in Idaho Code 6-901 through 6-929.
 - ii. 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.
- C. Lewis-Clark State College carries a private policy for professional liability insurance for students participating in internships and clinicals in nursing, other medical fields, social sciences, and teacher education 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 decide to provide for themselves if losses occur, and secure an agreement from an individual to indemnify the college. Waivers alert individuals to situations where the college's liability ends and personal liability begins.
- B. The college has two main waivers for students. One waiver can be used for the entire year and the second waiver is for use at a single event as applicable. For additional information on waivers, contact Administrative Services.

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[Waiver for the entire year](https://www.lcsc.edu/media/6230/student-travel-waiver-for-entire-year-2021.pdf) (<https://www.lcsc.edu/media/6230/student-travel-waiver-for-entire-year-2021.pdf>).

[Waiver for a single event](https://www.lcsc.edu/media/6229/student-travel-waiver-1-event-2021.pdf) (<https://www.lcsc.edu/media/6229/student-travel-waiver-1-event-2021.pdf>).

8. Prompt Notification of Safety Concerns

- A. All members of the campus community, including visitors, are encouraged to report any safety concerns to the Emergency Management and Safety Committee by emailing emsc@lcsc.edu. This email is intended for non-emergency items and 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 Public Safety at (208) 792-2226.

9. Foreign Travel Requirement

- A. College Division and Department heads are asked to provide an annual foreign travel report (of projected future travel) to Administrative Services to document overseas college-related travel planned by faculty or staff by mid- February for the annual period of April to March. This report is used to provide State of Idaho foreign travel insurance for faculty and staff travelers. The cost of supplemental travel insurance may be reimbursed by the college if approved by the Division or Department head.
- B. Administrative Services should be notified as soon as a person has received approval through the travel authorization process. Contact Administrative Services by phone at 208 792-2240, or by email at VPFinanceAdmin@lcsc.edu with the following information:
 - i. Department/division name;
 - ii. Name of traveler(s);
 - iii. Travel dates;
 - iv. Destination(s);
 - v. Reason for travel;
 - vi. Number of employees traveling;
 - vii. Employee(s) classification;
 - viii. Itinerary;
 - ix. 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(-ies) they are visiting using [U.S. State Department website](https://travel.state.gov/content/travel/en/traveladvisories/traveladvisories.html) (<https://travel.state.gov/content/travel/en/traveladvisories/traveladvisories.html>) and determine immunization status and health warnings at the [Center for Disease Control and Prevention website](https://wwwnc.cdc.gov/travel/destinations/list/) (<https://wwwnc.cdc.gov/travel/destinations/list/>).