

LCB File No. R074-07

**PROPOSED REGULATION OF THE
STATE BOARD OF EDUCATION**

(This regulation was previously adopted as T039-07)

Explanation: Matter in italics is new; matter in brackets ~~{}~~ to be omitted.

Statutory Authority: NRS 386.540

NAC 386.215 Provision and maintenance of insurance coverage (NRS 386.540)

1. Except as otherwise provided in subsection 4 of NAC 386.140, a committee to form a charter school shall obtain insurance from an authorized insurer as follows:

(a) Industrial insurance coverage in accordance with the applicable provisions of the Nevada Industrial Insurance Act, chapters 616A to 616D, inclusive, of NRS.

(b) General liability insurance with a minimum coverage of \$1,000,000. The general liability insurance policy must include coverage for sexual abuse, molestation, ~~and sports and athletic participation~~ and have a broad form policy, with the named insured's as follows:

(1) The sponsor of the charter school;

(2) All employees of the charter school, including, without limitation, former, present and future employees;

(3) Volunteers at the charter school; and

(4) Directors of the charter school including, without limitation, executive directors.

(c) Umbrella liability insurance with a minimum coverage of ~~[\$10,000,000]~~ **\$3,000,000.**

(d) Educators' legal liability insurance with a minimum coverage of \$1,000,000.

(e) Employment practices liability insurance with a minimum coverage of \$1,000,000.

(f) Employment benefits liability insurance with a minimum coverage of \$1,000,000.

(g) Insurance covering errors and omissions of the sponsor and governing body of the charter school with a minimum coverage of \$1,000,000.

(h) *If applicable, ~~Automobile~~ automobile, van and bus* liability insurance with a minimum coverage of \$1,000,000.

(i) *If applicable, sports and athletic participation liability insurance with a minimum coverage of \$1,000,000.*

(j) *Based upon a charter school's risk profile and market conditions, the sponsor of a charter school has the discretion to waive or reduce the sexual abuse and molestation coverage minimum for the charter school if it is reasonable to do so, but the sponsor is not required to do so.*

The cost of insurance required by this section must be provided to the proposed sponsor by the authorized insurer and included in each budget submitted pursuant to subsection 4 of NAC 386.180 and NAC 386.370.

2. If an application to form a charter school is approved, the governing body of the charter school shall maintain the insurance required by this section.