

## **Volunteers/Non-Owned Auto Liability Insurance**

The transporting of students other than by school buses may be defined as:

### **1) Volunteers / employees, driving non- Board-owned vehicles, on an occasional basis.**

It is recommended that the Board give approval for this arrangement and it is also recommended that a transportation policy be drawn up enabling the principal to give approval on behalf of the Board for the teachers, employees and volunteer drivers. The driver is then included under the Board / SSBA general liability insurance. Criteria for approval shall include:

- Seat belts are required for each passenger position.
- Driver's skills and maturity shall match the passengers and distance to be traveled.
- The vehicle shall be known to be in safe condition.

Further, it is recommended that the Board consider including the following conditions:

- Verify that the driver has a valid driver's license and has not had serious traffic offenses.
- Verify that the vehicle to be used has a valid license plate registration and insurance, and is mechanically safe, (an annual vehicle inspection could be requested)
- Additional \$1,000,000 (preferably \$2,000,000) in public liability insurance could be requested on the vehicle.
- Student accident insurance shall be in place for all occupants of the vehicle
- Yard pick-up/delivery shall be used for the students.
- Schoolyard drop-off shall be in a safe area, not into a street.
- Consider if cell-phone / satellite phone / fleet-net phone is available in the vehicle

### **1a) Volunteers/Non-Owned Auto Liability Insurance – Insurance considerations**

The following is the coverage in place for parents or volunteers who transport students in private vehicles for school authorized field trips:

Non Owned Automobile Liability Insurance: This provides third party liability protection for your school division if you are included in the legal action.

Volunteer Excess Liability Insurance: As long as the activity is authorized by the School Board this policy provides a total limit of \$10,000,000. third party liability insurance. There is no restriction in the policy as to whether to driver is a volunteer, parent, teacher or employee. This coverage will only respond excess of the license plate and auto pak coverage carried by the vehicle owner.

Third party liability insurance defends legal action and pays for court awarded damage caused by the insured vehicle/driver to other persons or property. **This coverage does not provide insurance for injury to the driver or damage to his vehicle.**

School Boards are encouraged to make sure the volunteer driver has:

- a road worthy vehicle
- valid drivers' licenses
- a Saskatchewan Extension Automobile policy with a minimum third party liability limit of \$1,000,000 (preferably \$2,000,000), physical damage deductible buy-down and accident benefits extensions. As stated above, the school divisions volunteer excess liability insurance does not provide for injury to the driver (accident benefits or PIPP benefits) or for the deductible buy-down.

Effective January 1, 1995 the Saskatchewan Automobile Insurance Act was amended to a modified 'no fault' system. Effective January 1, 2003 an optional Tort (fault) or no-fault system was offered. For this reason it is recommended that the Auto Fund Plate Insurance be augmented with a package policy for the following reasons:

Physical Damage Coverage to the Vehicle: License plates carry a \$700 deductible on private passenger vehicles. This deductible can be reduced with a package policy and eliminated for animal collisions. If during a school sponsored trip a volunteer's vehicle hits a deer or cracks a windshield the school division carries no insurance that would reimburse the volunteer for this.

Liability Insurance: Protection for bodily injury liability is still required for 'out of Saskatchewan' trips. In Saskatchewan, drivers can still be sued for economic loss in excess of the PIIP limit (approximately \$53,000. /year) and for rehabilitation costs in excess of \$500,000.

Injury Payments (Protection for the Driver): Wage earners are entitled to income replacement benefits under license plate insurance of 90% of their net income (up to approximately 53,000. /year). An SGI Canada auto policy will pay the 10% not covered by plate insurance and the amount in excess of the PIIP limit.

Family Security: This section of the package policy protects the driver and/or vehicle owner against uninsured and underinsured motorists.

### **Tort (fault) and no-fault auto insurance**

Tort and no-fault auto insurance considerations for parents / volunteers / teachers / transporting students with their own vehicles.

It is recommended that all these vehicles carry at least \$2,000,000 public liability insurance due to the increased liability to the Board due to (tort and no-fault auto insurance). It is considered that there is less Board liability if the bus drivers, and the parents / volunteers / teachers / transporting students with their own vehicles, have remained with the SGI. – no-fault designation.

**2) Volunteers assisting in Schools / Insurance considerations:**

It is required that the Board give approval for this policy that a “volunteers in schools” policy be drawn up enabling the principal to give approval on behalf of the Board for the placement of volunteers. The volunteer is then included under the Board / SSBA general liability insurance. Criteria for approval shall include:

- reference checks to match volunteer to task with students / school
- qualifications checks, i.e. Coaching certificates.
- police criminal record search.