

A. Purpose

Frederick County Public Schools (FCPS) recognizes the need for policies and procedures to address any claims of injuries to and the damage of real property owned by FCPS staff, students, visitors, and community members.

B. Background

Staff routinely operate vehicles owned and insured by FCPS for school system related activities, and the local educational agency (LEA) recognizes there could be incidents which result in injuries to individuals or the real property of others not affiliated with FCPS. Students who are actively supervised by FCPS staff can also damage the property owned by FCPS and both staff and non-FCPS affiliated individuals.

C. Definitions

None.

D. Procedures

1. The Board of Education of Frederick County (Board) carries a comprehensive general liability insurance policy to protect it and its personnel in the event of bodily injury to non-school personnel, which may occur on school property.
2. The Board also carries a garage keepers legal liability policy to cover damage to vehicles and equipment which are left in the care, custody, and control of the school system.
3. If a vehicle owned by school personnel, students, or visitors is damaged by a Board vehicle while on school property, and it is deemed the fault of the operator of a vehicle owned by the Board, the Board carries an automobile liability insurance policy to cover such damages.
4. Schools should not accept personal property for display, use, etc., which may have a large value, without consulting the Risk and Safety Manager. Examples of this might be art exhibits, computers, etc. The Risk and Safety Manager will determine insurance coverage for such property.
5. In the event of an injury to an individual or damage to personal property, except as may result from a vehicle collision:
 - a. Necessary medical services should be obtained.

- b. The principal or their designee shall promptly contact the Safety and Emergency Management Department (SEMD) as per [FCPS Regulation 200-29, School Security, Facility Access, and Reporting Emergencies](#).
 - c. The principal or their designee shall complete a [Notice of Injury to Non-School Personnel or Damage to Property Form](#) and forward it promptly to Loss.Damage@fcps.org and other personnel as indicated in the distribution portion of the form.
 - d. The Risk and Safety Manager will investigate the reported incident, collect the following information, and provide a written summary of the incident including a recommendation for repairs or reimbursement up to but not exceeding \$500.00 (five-hundred dollars) to the property owner:
 - i. Who caused the injury/damage;
 - ii. What injuries/damages occurred;
 - iii. When did the injuries/damages occur;
 - iv. Where did the injuries/damages occur (on or off FCPS property);
 - v. How the injuries/damages occurred.
 - e. Any cost to repair or replace which meets or exceeds \$500.01 (five-hundred dollars and one cent), the Risk and Safety Manager will forward all information through the Chief Operating Officer for cabinet review and consideration for reimbursement.
6. Employees should not make statements obligating the Board or any statements regarding responsibility on the part of the Board. Such decisions are the responsibility of the Board's insurance carrier in consultation with the Board's legal counsel.

E. Related Information

- 1. **FCPS Regulations**
 - a. [Regulation 200-29, School Security, Facility Access, and Reporting Emergencies](#)
 - b. [Regulation 408-01, Suspension and Expulsion](#)
- 2. **FCPS Resources**
 - a. [Notice of Injury to Non-School Personnel or Damage to Property Form](#)
- 3. **Negotiated Agreements**
 - a. [Board and FASSE Negotiated Agreement](#)
 - b. [Board and FCASA Negotiated Agreement](#)
 - c. [Board and FCTA Negotiated Agreement](#)

F. Regulation History (Maintained by Legal Services)

<i>Responsible Office</i>	Division of Operations; Safety & Emergency Management Department
Adoption Dates	10/01/82
Review Dates	11/15/23

Revision Dates	03/15/23, 07/23/24
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