

KENTUCKY DEPARTMENT OF EDUCATION

STAFF NOTE

Action/Discussion Item

Waiver Request of 702 KAR 5:030, Section 22, from the Jefferson County Public Schools

Applicable Statute or Regulation:

KRS 156.160, 702 KAR 5:030

Action Question:

Should the Kentucky Board of Education (KBE) grant a waiver from Section 22 of 702 KAR 5:030 for the Jefferson County Public Schools (JCPS)?

History/Background:

Existing Policy. A local board of education that owns, operates, or contracts for school buses that transport the district's pupils to and from school shall purchase liability or indemnity insurance for these school buses. 702 KAR 5:030, Pupil Transportation, Section 22 prescribes no-fault coverage at \$20,000 per passenger. The State Motor Vehicle Reparations Act, KRS 304.39-020 (2) and 304.39-060 (2) (a) only requires a statutory limit of \$10,000 per passenger in order to provide "basic reparation benefits" under the no-fault program.

Jefferson County Public Schools is requesting a waiver from the "no-fault" coverage amount of \$20,000 per passenger. JCPS will provide the \$10,000 per passenger no-fault limit with the ability to settle, mediate, or contest larger claims. This waiver would be in effect for school year 2015-16.

Staff Recommendation(s) and Rationale(s):

Staff recommends that the KBE approve the request for waiver from 702 KAR 5:030, Section 22 for JCPS.

A letter requesting the waiver and proof the item went before the local board appear as attachments to this staff note.

The lower limit effectively reduces the cost of the insurance premium by approximately half. JCPS will be available to provide additional information to the Kentucky Board of Education concerning the efficiencies provided by this waiver.

Impact on Getting to Proficiency:

The approval of this waiver will assist the school district with efficiency in the area of transportation, which should result in increased resources to focus on instructional activities.

Contact Persons:

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A handwritten signature in black ink, appearing to read "Kay Kennedy". The signature is written in a cursive, flowing style.

Kay Kennedy, Director
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Commissioner of Education

Date:

August 2015