

Product Liability

There is no product liability exclusion. While the serving of food is usually a responsibility of the school, this policy would also provide liability insurance for the furnishing of food in connection with trips, picnics, parties, and similar events.

Coverage B

Reimbursement of Attorney Fees

Such reimbursement as is afforded the member for actions involving tenure, dismissal, revocation of certification and other professional rights and duties is guaranteed under the policy and is not contingent on the approval of a board or review committee, as might be the case where the only available assistance is from a defense fund.

QUESTIONS AND ANSWERS

- Q 1 Does this policy cover a teacher who is also a member of a school board?
A Such member is covered while engaged in duties as a teacher but not while acting as a member of a school board.
- Q 2 Are libel and slander covered?
A Yes, while the member is engaged in activities as a professional educator.
- Q 3 A member of the public is injured while on school property and sues the school system. Would this be covered?
A No. This policy does not cover the school system. It covers the individual members.
- Q 4 A student is physically injured during a scheduled football practice. He alleges negligence on the part of the coach. Is the coach covered?
A Yes, in a case where the coach instructed a player to "run the bleachers" as discipline for missing practice, the student fell and suffered serious injuries. The claim was covered under liability - Coverage A.

QUESTIONS AND ANSWERS CONTINUED

- Q 5 A claim is made against a teacher for damages as a result of the suspension of a student. Is coverage provided under Coverage A?
A Yes, since monetary damages are alleged.
- Q 6 A suit is filed demanding reinstatement of a student alleging improper suspension by a teacher. What coverage is provided?
A Since this action only asks for "injunctive relief" and since it involves "other professional responsibilities," Coverage B would apply. Reimbursement of attorney fees up to \$10,000 for the teacher would be paid if the suspension were upheld.
- Q 7 Are teachers insured against criminal acts?
A Corporal punishment, whether civil or criminal, is under Coverage A. Other criminal acts covered under B up to 35,000, \$10,000 of this amount available whether or not the insured is exonerated.
- Q 8 A claim is made against a teacher as the result of a student being injured during an experiment in the science lab. What coverage is provided?
A This accident falls under Coverage A.
- Q 9 A claim is falsely and fraudulently made against a teacher for bodily injury to a student alleging negligence on the part of the teacher. Is this covered?
A Yes. The duty of the insurance company to defend is far greater than the duty to pay. It pays when an insured is judged liable; but it must defend even if the allegation be false, groundless or fraudulent.
- Q 10 What coverage is there in the policy for a member who feels unjustly terminated or unjustly censured by a board action?
A The policy covers attorney fees up to \$10,000 provided termination or allegations at a hearing are resolved in favor of the teacher. In one case, a teacher was suspended and asked to resign although he felt he had done nothing to void his contract. Negotiations resulted in the teacher recovering requested pay, a contract of release and a recommendation. His attorney's fees were paid under Coverage B.
- Q 11 An educator is accused of sexual misconduct with a student or another teacher. Is coverage provided?
A Yes, under Coverage B only. This may or may not be a criminal action, but whether criminal or civil, attorney fees up to \$10,000 available whether or not the insured is exonerated.

EDUCATORS PROFESSIONAL LIABILITY INSURANCE



ADMINISTRATORS ARE NOT
ELIGIBLE FOR ACoE's COVERAGE

Available Through
Alabama Conference of Educators
P. O. Box 102035
Birmingham, Alabama 35210
866/266-2263

Offered Through
Copeland Insurance Services
3385 Marquess Moor
Alpharetta, Georgia 30022
770/667-0390

Underwritten by
Carrier rated A+ XV Superior
by A. M. Best