

# EDUCATORS PROFESSIONAL LIABILITY INSURANCE

Membership includes **\$1 Million Professional Educators Liability Insurance** and **legal assistance** from Alabama attorneys

Available through:  
**Alabama Conference of Educators**  
P.O. Box 102035 Birmingham, Alabama 35210  
(866) 266-2263 | www.ACOE.us

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

Offered through:  
**Copeland Insurance Services**  
"Proudly Serving Educators since 1986"  
www.associationins.com | (877) 454-8484

## WHAT THE POLICY COVERS

### Coverage A Broad Insuring Clause Liability

A True Professional Liability Policy

- Errors and omissions insurance for claims for damages arising out of a member's duties as a professional educator, including all defense costs.
- The occurrence giving rise to such claims is simply defined as an event which results in damages to some other person.

### Coverage B Attorney Fees Reimbursement Clause

*(Payments may be assigned and paid directly to an attorney for covered claims)*

This coverage provides for reimbursement of attorney fees in a broad range of situations not insured under Coverage A, such as:

- Criminal charges, allegations of sexual misconduct, actions involving dismissal, revocation of certification, and other professional rights and duties. As respects some of these situations, payment of attorney fees is contingent on the educator's case prevailing. In such cases, \$1,500 (for consultation or otherwise) is reimbursed without regard to that outcome.

### Coverage C

Provides for payment of premium on bail bonds.

## WHAT THE POLICY PAYS

(ACOE MEMBERSHIP INCLUDES ALL COVERAGES)

- COVERAGE A** ..... Up to \$1,000,000 per insured, per occurrence/\$3,000,000 per occurrence, plus the cost of defense, investigation and legal fees.\*
- COVERAGE B** ..... Up to \$10,000 per claim, per insured. Up to \$35,000 for criminal proceedings, \$10,000 of this amount available whether or not the member is exonerated.
- COVERAGE C** ..... Up to \$1,000 premium on bail bonds.
- SPECIAL COVERAGES:** ..... Assault Related Property Damage - Up to \$2,500  
Reimbursement of Attorney Fees: Identity Theft - Up to \$2,500

\*Note: The duty of the insurer to defend extends even to groundless, false and frivolous suits or accusations.

## SPECIAL FEATURES

### Corporal Punishment

The policy wording with respect to corporal punishment is vital to the professional educator. Relevant sections of our policy make it clear that coverage applies under A (\$1,000,000 limit plus defense costs) regardless of whether the act be deemed civil or criminal. Furthermore, the customary exclusion of damages resulting from intentional acts has been carefully worded to clarify that corporal punishment is covered even though intentional.

### Outside Activities

As long as the educator is within the scope of his/her professional duties, the policy covers liability for injury to students and others while the educator is conducting visits to industrial and commercial establishments, entertainment centers, outings, picnics and other similar school functions, subject to specific automobile, watercraft, and aircraft exclusions.

## Questions & Answers

**Q** 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** Are libel and slander covered?

**A** Yes, while the member is engaged in activities as a professional educator.

**Q** 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** 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.

**Q** 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** 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** Are teachers insured against criminal acts?

**A** Corporal punishment, whether civil or criminal, is under Coverage A. Other criminal acts are covered under B up to 35,000, \$10,000 of this amount available whether or not the insured is exonerated.

**Q** 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** 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** 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** 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.

## SUMMARY OF COVERAGE

### Product Liability

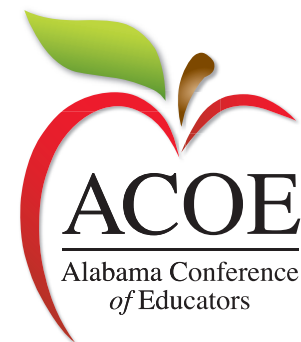
There is no product liability exclusion. While the serving of food is usually a responsibility of the school, this policy would also provide liability insurance for the furnishing of food in connection with trips, picnics, parties, and similar events.

### 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.

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