



## Prevention and Protection for Education™ Educators Legal Liability Policies

United Educators' (UE) educators legal liability (ELL) policy provides broad form coverage for the educational institution as well as its trustees, directors, and officers with limits up to \$40 million. At the institution's option, the policy also covers employees, volunteers, and in some circumstances, students and interns. The ELL policy includes educators' errors and omissions, employment practices liability, and trustees and officers coverage.

### ELL Coverages

*ELL coverage is triggered by liability from wrongful acts as defined in the policy and can arise from:*

- **Educators' Errors and Omissions (professional liability)**—Failure to grant due process, Title IX violation, educational malpractice or failure to educate, negligent instruction, failure to supervise, inadequate or negligent academic guidance or counseling, improper or inappropriate academic placement or discipline, professional liability of employed general counsel.
- **Employment Practices Liability**—Discrimination or violation of civil rights, harassment, wrongful termination of employment, discrimination in the terms and conditions of employment, FMLA violations.
- **Trustees and Officers Coverage**—Trustees treated as a separate category of individual insureds, with unique rights and protections. These include:
  - An order of payments provision so that, if policy limits are insufficient to cover a loss, trustee obligations are paid before those of the institution.



- Coverage for trustees' spouses, domestic partners, and estates (for the acts of the trustees).
  - Severability on the application: Protection for trustees by not imputing the actions of other trustees or officers to an innocent trustee.
  - Non-rescindable coverage: Rescission voids coverage when the institution has made statements that materially affect its insurability. Under UE's policy, coverage for trustees cannot be rescinded for any reason.
  - Blanket coverage for serving on other 501(c)3 nonprofit boards on the institution's behalf; operates in excess of any indemnity or coverage provided by the other organization.
- **Excess Educators Legal Liability**—Available to institutions that have ELL coverage with another carrier with limits up to \$40 million.

## Select Policy Features

*In addition to education-specific terms and conditions, UE policies offer the features described below.*

- **Worldwide Protection:** Lawsuits do not have to be brought in U.S. courts. UE has defended against overseas negligence suits brought by foreign nationals. Our worldwide protection is even more critical as educators and students increase their geographic footprint.
- **Defense of Claims:** UE's nationwide network of attorneys specializes in defending claims commonly faced by educational institutions. Our pre-claim advice credit program rewards members who seek legal advice from an attorney chosen by UE for any situation that could lead to a claim. If the incident leads to a UE-reported claim the pre-claim advice fees will be credited to the self-insured retention that applies to that claim, up to \$10,000 per claim. Defense costs may be paid by UE above the liability limit when using UE-approved attorneys.

### UE Coverage Benefits



#### EduRisk™

All UE members have access to EduRisk, education-specific risk management resources, at no additional charge.



#### Seamless Coverage

Members with primary GL and ELL coverage benefit from broader, coordinated coverage for hybrid claims.



#### ProResponse™

Members with any form of GL and ELL coverage have access to crisis response benefits.

For more information, visit [www.UE.org](http://www.UE.org) or call (301) 907-4908.