

Bliss Educational Services Center  
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## LIABILITY INSURANCE

Our District has a **General Liability policy** which affords coverage for bodily injury, property damage, and personal and advertising injury to a third party for which the District is legally obligated to pay. This policy is extended to include employees as insureds for acts within the scope of their employment. The coverage is not impacted by an employee's union status. (For example, a student stands on a desk, falls to the floor, and breaks an arm. The parents file a lawsuit naming the District, the school, and the teacher for their child's injuries and claims lack of supervision. The District's General Liability policy would afford coverage for each party named in the lawsuit. The employee's personal assets would not be at risk.)

Our District has a **Professional Liability policy**, typically referred to as an Educators Legal Liability or School Leaders Errors and Omissions policy. This type of policy affords coverage for wrongful acts, which include actual or alleged errors; misstatements or misleading statements; or an act, omission, neglect, or breach of duty by an insured in the discharge of District-related duties. This coverage responds to financial loss of a third party as opposed to bodily injury, property damage, and personal, advertising injury. The definition of insured is also extended in this policy to all employees, including temporary or substitute employees, while acting within the course and scope of their employment while conducting District business. This policy is also not impacted by an employee's union status. (For example, a parent files a complaint with the Department of Education claiming the Individual Education Plan (I.E.P.) failed to educate their child. The complaint specifically names the teacher, the school, and the District. The District's Professional Liability policy would afford coverage for each party named in the lawsuit. The employee's personal assets would not be at risk.)

Our District has an **Umbrella policy** which provides coverage in excess of the General Liability and Professional Liability policy. The General Liability and Professional Liability policies typically provide a \$1, \$2, or \$3 million limit of liability, and the Umbrella policy attaches to these limits to provide additional coverage. Sometimes the Professional Liability policy will not be attached to the Umbrella policy. It is recommended that the District's Umbrella policy is reviewed to confirm the Professional Liability policy is included in the schedule of underlying insurance.

### Wisconsin State Statutes

In addition to the insurance coverages purchased by the District, Wisconsin State Statutes also provide protection for employees of governmental units. The protection includes limitations on tort and civil liability awards and an obligation of the governmental unit to provide employees with defense.

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Reference:	<i>Board Policy 8710</i>	Insurance
	<i>Wisconsin Statutes:</i>	§893.80
		§893.82
		§895.46