

Avoiding the Guess-Who of Coverage

Who is Insured under CSDSIP's SEL Coverage?

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Your community counts on you, so we have put together this article to help you identify whether or not an individual or group you are working with is an insured under our School Entity Liability (SEL) Coverage Form or if they should be providing you with their own insurance. Keep in mind that as a Member you have a duty to defend and indemnify your Board and employees. You also have a duty to protect your Member organizations assets as well.

What is Included in My School Entity Liability Coverage?

Our SEL Coverage Form is a blended coverage form that includes three coverage parts:

- **Coverage A – General Liability** - Coverage for damage or injury directly resulting from your school operations
- **Coverage B – School Leaders Wrongful Acts** - Coverage for your Board, administrators, and teachers and other staff wrongful acts
- **Coverage C – Employment Wrongful Acts** - Coverage for losses resulting from hiring, firing and other employment practices

Who Is an Insured Under My SEL Coverage?

Our SEL Coverage extends to your employees, lawfully elected or appointed members of the Board of Education or governing board; including members of Board appointed committees and volunteers. These individuals are only insured while acting within the course and scope of their duties for you. Other **policy terms, conditions and exclusions** may also apply to alter who is an insured or the application of coverage to an insured.

Additionally, non-compensated student teachers and your students while participating in supervised internships as a part of their educational curriculum are also insureds under the SEL Coverage Form.

Acting within the Course and Scope of Duties for Me

Our SEL Coverage Form is designed to protect you, and those working at your direction and your control, from unintended liability claims. To be considered an insured under our SEL Coverage Form, individuals or groups must be working at your direction and under your control. Their acts must be authorized by you or so closely related to your authorization that you should be held responsible.

Many individuals or groups may provide goods and services to you from whom you benefit, but you do not control the methods or the means by which they operate. These parties are likely

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not considered an insured under the SEL Coverage Form and need their own liability insurance. Additionally, they may need to extend their liability coverage to you for their negligent acts.

When you boil it all down, it all comes down to the question of who has control over the group or the individual?

Putting it Together

It is important to understand our SEL Coverage and how it may apply to individuals and groups in your community that help you with various activities. They might be covered under our SEL Coverage or they might need to provide their own insurance.

If you want to know if a group or individual is an insured under our SEL Coverage, ask these two questions:

- #1 – Do they meet the definition of an insured as outlined above?
- #2 – Do you have control over the group or individual?

If your answer is “yes” to both questions, then our SEL Coverage will likely apply to the group or individual (subject to the terms and provisions of the policy).

If your answer is “no” to one or both questions, then our SEL Coverage likely would not apply to the group or individual. For individuals or groups that fall into this category, they must provide their own insurance policy to protect themselves as well as you.

For questions regarding your SEL Coverage, or a specific group or individual you are working with, please contact our Risk Programs Team at 303.722.2600.