



All You Need is a Little Liability Insurance?

(Handout)

Confuse and mislead with details –wouldn't sending the complete policy written in legalese do this best?

While being accused of spreading rumors, we are actually spreading the truth about what our organizations include and exclude from both liability and employment protection. Included you will find a simple one-page insurance comparison. It is necessary to send this since it is so difficult to obtain a complete copy of the TEA "Educators Employment Liability Policy" especially the rate filing. The rate filing is sent from the insurance company (Horace Mann) to the Tennessee Department of Commerce and Insurance in Nashville. In the filing received August 23, 2002 the rate was \$3.99 projected to go to \$4.72 maximum for the 2006-2007 school year. The reason it is unavailable is obvious – NEA's pays less than \$5.00 per teacher.

TEA provides legal services (or not) at their discretion. Because of the optional nature of these services conflicts may be difficult to resolve.

If there were a conflict between two members such as a teacher and an administrator:

- TEA would pick whom they would represent (OR NOT) – usually based on political expediency (teachers have more votes). Or they might choose to represent no one.
- PET has *GUARANTEED* legal protection for each member. Since both are members, each person would be entitled to legal representation.

TEA also tells you that they have full-time attorneys at no cost. This is like the federal government telling you that there is an army to protect the nation at no cost. Since approximately 1% of TEA's membership dues goes for insurance, wouldn't the other 99% of dues be considered a cost?

Telling you that their liability policy covers 2.6 million members is a disingenuous representation of inaccurate facts (It's just a lie). NEA does not have the huge number of members they claim. NEA claimed to have 2,764,875 members on the "NEA Membership" table dated September of 2005. Tennessee's portion was 56,741. The number of members claimed in Tennessee is equal to or greater than the number of total educators in the state for that year. Don't they wish that they had just 100% membership? This is an internal document for NEA – If they will lie to themselves, why would you expect them to tell you the truth?

- Every PET local president has a copy of the insurance policy – ask to see it if you choose – we have nothing to hide.
- Where is TEA's policy? Ask for a complete copy, including the rate schedule, before you join.

It is agreed that liability insurance is insufficient – do you want employment protection that is guaranteed or available on a whim?

LIABILITY AND EMPLOYMENT RIGHTS INSURANCE COMPARISON

Percentage of claims at PET	PET Professional Educators of Tennessee	TEA Tennessee Education Association
< 5%	Liability Insurance (Coverage A)	
	\$2,000,000 per insured per occurrence plus defense costs and \$3,000,000 per occurrence if more than one member is involved, <u>plus defense costs</u> . NOT reduced for civil rights cases.	\$1,000,000 per member per occurrence including defense costs and \$3,000,000 per occurrence if more than one member is involved, including defense costs, but <u>limited to \$300,000</u> for civil rights cases, <u>including</u> defense costs.
	Errors & Omissions	
	\$2,000,000	\$1,000,000
< 8%	Attorney Fee Reimbursement in Criminal Cases (Coverage B)	
	\$35,000 per claim for criminal cases if exonerated and up to <u>\$10,000</u> if not <u>exonerated</u> .	\$35,000 per criminal proceeding, only if exonerated . If the criminal proceeding is the result of corporal punishment, attorney fees are reimbursed up to the limit whether or not the member is exonerated.
< 1%	Bail Bond Reimbursement	
	\$1,000	\$1,000
Too new to tell	Private Instruction/Tutoring Coverage	
	\$1,000	NONE
< 1%	Assault-Related Personal Property Damage	
	\$500	\$500
> 85%	Employment Rights Insurance (Coverage B)	
	Guaranteed: If a professional's rights having to do with the job are illegally violated, the policy provides legal assistance. PET's employment rights insurance reimburses up to \$10,000 in defense costs. If the violation is not proven, up to \$1,000 in attorney's defense fees will be provided.	NONE

Either organization may cover things not specifically listed in their policies, at their discretion.