

## Hanover Education Advantage

# School and Educators Legal Liability Coverage Guide

Can your institution afford to be without this protection? Check out how Hanover's Education Advantage Insurance coverage stacks up.

## School and Educators Legal Liability Coverage

PRODUCT FEATURES	THE HANOVER	NOTES
<p><i>This coverage part is designed to provide broad coverage and flexibility for Educational Institutions with two coverage parts.</i></p> <ul style="list-style-type: none"> <li>• Coverage A—Educators Liability</li> <li>• Coverage B—Directors and Officers Liability</li> </ul>		
<b>Coverage A—Educators Liability</b> Protects educational institutions and their employees, substitute teachers, volunteer workers, student teachers and student interns against actual or alleged wrongful acts committed while acting within the scope of his or her duties that are inherent to the operation and functioning of an educational institution.	✓	
<b>Coverage B—Directors and Officers Liability</b> Protects against actual or alleged wrongful acts by individual Insureds and the organization, including error, omission, misstatement, misleading statement, neglect, or breach of duty by an insured while acting in the scope of their duties.	✓	
Defense Coverage Outside the Limits of Liability	✓	
No warranty provision applies	✓	
Duty to Defend and Pay on behalf of	✓	
WHO'S COVERED?	THE HANOVER	NOTES
Named insured educational institution	✓	
Any past, present or future executive, employee, intern and volunteer	✓	
Executives, trustees, directors and officers as well as their estates, heirs, legal representative spouses and domestic partners, in-house counsel and committee members	✓	
Employees, faculty, student teachers, substitute teachers and teaching assistants employed by you and your volunteer workers.	✓	
Your students while serving in a supervised internship programs	✓	
Authorized parent-teacher organizations or associations	✓	
Newly Acquired or Formed Organizations—automatic coverage for 90 days	✓	
Additional Insured endorsements available: <ul style="list-style-type: none"> <li>• Designated Entities endorsement</li> <li>• Other Insurance—Primary and Non-Contributory endorsement</li> </ul>	✓	

WHAT'S COVERED?	THE HANOVER	NOTES
No built in exclusions for: <ul style="list-style-type: none"> <li>• Antitrust</li> <li>• Insured vs. Insured</li> </ul>	✓	
Deletion of Insurance Exclusion Endorsement	✓	
Outside Directorship Liability: service by an insured as a director, officer, trustee, regent, governor or equivalent executive for an outside organization at the request of the insured entity as part of their duties	✓	
Title IX Civil Rights claim by a past, current or accepted student, or applicant for admission seeking loss for discrimination resulting in a violation of Title IX of the Education Amendments of 1972 or similar federal or state laws except those arising out of or related to the actual or threatened abuse or molestation.* Note: Claims that are student sexual discrimination arising from a sexual abuse/misconduct incident will fall under the Abuse or Molestation Coverage part.	✓	
Punitive Damages Optional Endorsement where insurable by law	✓	
Non-Monetary Relief Defense Coverage (defense costs for non-monetary or injunctive actions alleging an educators wrongful act)*	✓	
Professional Liability included for claims arising out of <ul style="list-style-type: none"> <li>• Accounting services performed for the insured entity by employed accountant</li> <li>• Legal services performed for the insured entity by in-house counsel</li> </ul>	✓	
Automatic Extended Reporting Period for 60 days with options of 12, 24 and 36 months	✓	
Professional Liability Coverage for Health Care Services activities, including: <ul style="list-style-type: none"> <li>• Education, teaching or supervision of students</li> <li>• The educators wrongful act of an employed psychologist, psychometrist supervised by a school psychologist or a school counselor employed by the insured entity</li> <li>• Student intern participating in any supervised practicum, field work experience or internship program</li> </ul>	✓	
TYPE OF CLAIMS COVERED	THE HANOVER	NOTES
Educational malpractice or failure to educate	✓	
Failure to provide due process	✓	
Improper or inappropriate academic discipline	✓	
Violation of Family Education Rights and Privacy Act (FERPA) or the Buckley Amendment	✓	
Violation of Title IX of the Civil Rights Act except those arising out of or related to the actual or threatened abuse or molestation*	✓	
DEFENSE COVERAGE	THE HANOVER	NOTES
Defense Coverage is Outside the Limits of Liability	✓	
Non-Monetary Relief Defense Coverage (defense costs for non-monetary or injunctive actions alleging an educators wrongful act)	✓	
Limited Consent to Settle Optional Endorsement (70/30 hammer clause)	✓	
Worldwide Defense Optional Endorsement (excludes U.S Government Prohibited and Sanctioned Countries)	✓	
Plaintiff's attorney fees awarded pursuant to statutes (in covered loss)	✓	

## Educational Institution Employment Practices Liability Endorsement

*Employment Practices Liability Insurance (EPL) protects the insured against claims alleging a "wrongful employment act" against your employees, third parties and applicants for employment.*

WHAT'S COVERED?	THE HANOVER	NOTES
Wrongful dismissal, discharge or termination of employment, including constructive termination, dismissal or discharge	✓	
Breach of an implied contract or agreement relating to employment	✓	
Wrongful failure to employ or promote	✓	
Wrongful demotion, denial of tenure or practice privileges or deprivation of a career opportunity	✓	
Negligent supervision, training, evaluation, reassignment, hiring or retention	✓	
Negligent failure to adopt or enforce employment-related policies and procedures	✓	
Employment-related wrongful discipline	✓	
Employment discrimination or violation of any employment discrimination law*	✓	
Disparate treatment of or failure or refusal to hire a claimant because he or she is or claims to be a member of a class which is or is alleged to be legally-protected*	✓	
Employment-related invasion of privacy, false arrest or false imprisonment	✓	
Employment-related defamation, libel or slander, including statements in an "employee" reference	✓	
Employment-related wrongful infliction of emotional distress, mental anguish or humiliation	✓	
Employment-related misrepresentation	✓	
Sexual harassment or other workplace harassment	✓	
Retaliation against an employee arising out of employment by or services performed for the insured	✓	
Violation of any federal, state or local civil rights laws*	✓	
"Third Party Wrongful Act" means any actual or alleged: <ul style="list-style-type: none"> <li>• Discrimination against a Third Party based on race, color, religion, creed, genetic information, age, sex, disability, marital status, national origin, pregnancy, HIV status, sexual orientation or preference, Vietnam Era Veteran status or other protected military status or other</li> <li>• Sexual harassment or Workplace harassment against a third party*</li> </ul>	✓	
The limits provided in this endorsement are separate per occurrence and aggregate limits in addition to the limits provided in the School and Educators Legal Liability Coverage Part.	✓	
Defense Outside the Limits of Liability (optional Defense Inside Limits)	✓	
Punitive Damages Optional Endorsement where insurable by law	✓	
Wage and Hour Laws Exclusion with Defense Expense Sublimit Optional Endorsement	✓	
Automatic Extended Reporting Period for 60 days with options of 12, 24 and 36 months	✓	

TYPE OF CLAIMS COVERED (Subject to Applicable Limits)	THE HANOVER	NOTES
Violation of Americans with Disabilities Act (ADA)*	✓	
Violation of Age Discrimination in Employment Act (ADEA)*	✓	
Violation of Family Medical Leave Act (FMLA)*	✓	
Violation of Title VII of the Civil Rights Act*	✓	
Violation of Equal pay acts*	✓	
Violation of Whistleblower protection acts, retaliation*	✓	

## Let's explore more.

We're ready to partner with you to take advantage of this market.

Visit us at [www.hanover.com/agentsolutions](https://www.hanover.com/agentsolutions) to learn more about our programs for Educational Institutions or contact your local team.



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