

# Coverage Corner

## November 2005

### Coverage Question

**Does the SPELL coverage protect the individual Owner Groups (ACCASBO, BCIP, GCSSD, SEJIF) and the individual delegates / representatives / trustees against D&O lawsuits brought against them as a result of their JIF responsibilities?**

Yes. For ease I have inserted the relevant section of the Educators Legal Liability Coverage Section of the SPELL Coverage Document.

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### **WHO IS AN INSURED**

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- 1. The Owner Group and Members;*
- 2. All persons who were, now are, or shall be elected during the Coverage Period or appointed or employed members of the Board of Education, Trustees, Directors, Superintendents, Assistant Superintendents, Administrators, Assistant Administrators, Principals, Vice Principals, or any equivalent administrative position of a Member while acting within the scope of their duties for a Member.*

Per #2 above, the duly appointed representative to the Fund from each member district would be protected while acting within the scope of their duties for the Member district. The resolution adopted by each member district appointing a Fund representative empowers the representative to act at the Fund level on behalf of the member district.

The Fund's retention on each Educator's Legal Liability loss is \$100,000. ACE / Illinois Union Insurance Company provides full follow-form coverage of the SPELL Coverage Document up to the per occurrence limit of \$10,000,000.

The SPELL's coverage is written on a claims-made basis, with full prior acts protection and no retroactive date restriction.

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