

Educator Protection Act of 2015

Teachers are working harder than ever to prepare Tennessee children for the ever-increasing demands of today's postsecondary options and the workforce, and their work has resulted in historic academic achievement gains for our students. Our educators and aspiring educators deserve the peace of mind in knowing they are protected from lawsuits resulting from simply performing the work they were assigned to do. As part of a more than a \$100 million budget initiative to support Tennessee teachers and in response to feedback from educators throughout the state, Governor Haslam proposed and the General Assembly adopted the Educator Protection Act of 2015, which created the Tennessee Teacher's Liability Fund.

What is the Teacher's Liability Fund and what benefits does it provide?

The Fund provides liability insurance coverage to covered individuals and protects against damages or claims arising out of the performance of their work and within the scope of their employment or assignment.

Who is covered?

All public school teachers and student teachers assigned to public schools by their State-approved college or university are covered.

What is the cost to teachers?

The coverage is provided at no cost to teachers and student teachers. The program is completely funded by the State.

What will a teacher have to do to enroll?

Nothing. The coverage is automatically provided to teachers and student teachers. There is no paperwork required to enroll.

Who administers the program?

The Fund will be administered by the State Board of Claims, which is administratively attached to the Department of Treasury. The benefits provided under the Fund will be similar to those provided to state employees through a separate fund previously established by the State and also administered by the Treasury Department.

How do I file a claim?

- All claims filed against you shall first be considered by the employer.
- You should file the claim with your employer. The claim will remain with your employer until it is adjudicated.
- In the event yours or your employer's primary liability insurance coverage is insufficient for all the claims filed against you, then all the claims shall be considered by any secondary insurance coverage that are afforded to you.
- In the event that the primary and, in some cases, the secondary liability coverage does not provide coverage for all of the claims filed against you, then the you may submit the outstanding

claim or claims to the Tennessee Board of Claims for consideration and possible reimbursement from the Fund.

- You must give written notice of the claim to the Division of Claims Administration.
- You shall complete the “Teacher’s Excess Liability Claim” form.
- To obtain a Teacher’s Excess Liability Claim form, visit the Treasury website at www.treasury.tn.gov, click on public programs, Division of Claims Administration and, under the Teacher’s Liability Coverage sidebar, click the Filing Instructions link and/or Teacher’s Excess Liability Claim form link. www.treasury.state.tn.us/ClaimsAdmin/index.html
- You and your employer must provide all of the relevant documentation relative to the claim or claims and attached it to the “Teachers Excess Liability Claim” form to determine coverage under the Act.

- Please submit all claims to the following:

State of Tennessee Treasury Department
Division of Risk Management and Claims Administration
502 Deaderick Street
Nashville, Tennessee 37243-0202

- Or Fax: 615-532-4979 to the attention of Division of Risk Management and Claims Administration.
- You may also contact us at (615) 741-2734 and request a form be mailed, emailed, or faxed to you. Your written notice of claim to the Division of Claims Administration should include any facts and details that are relevant to the claim. You must also provide documentation to support your demand for liability coverage.