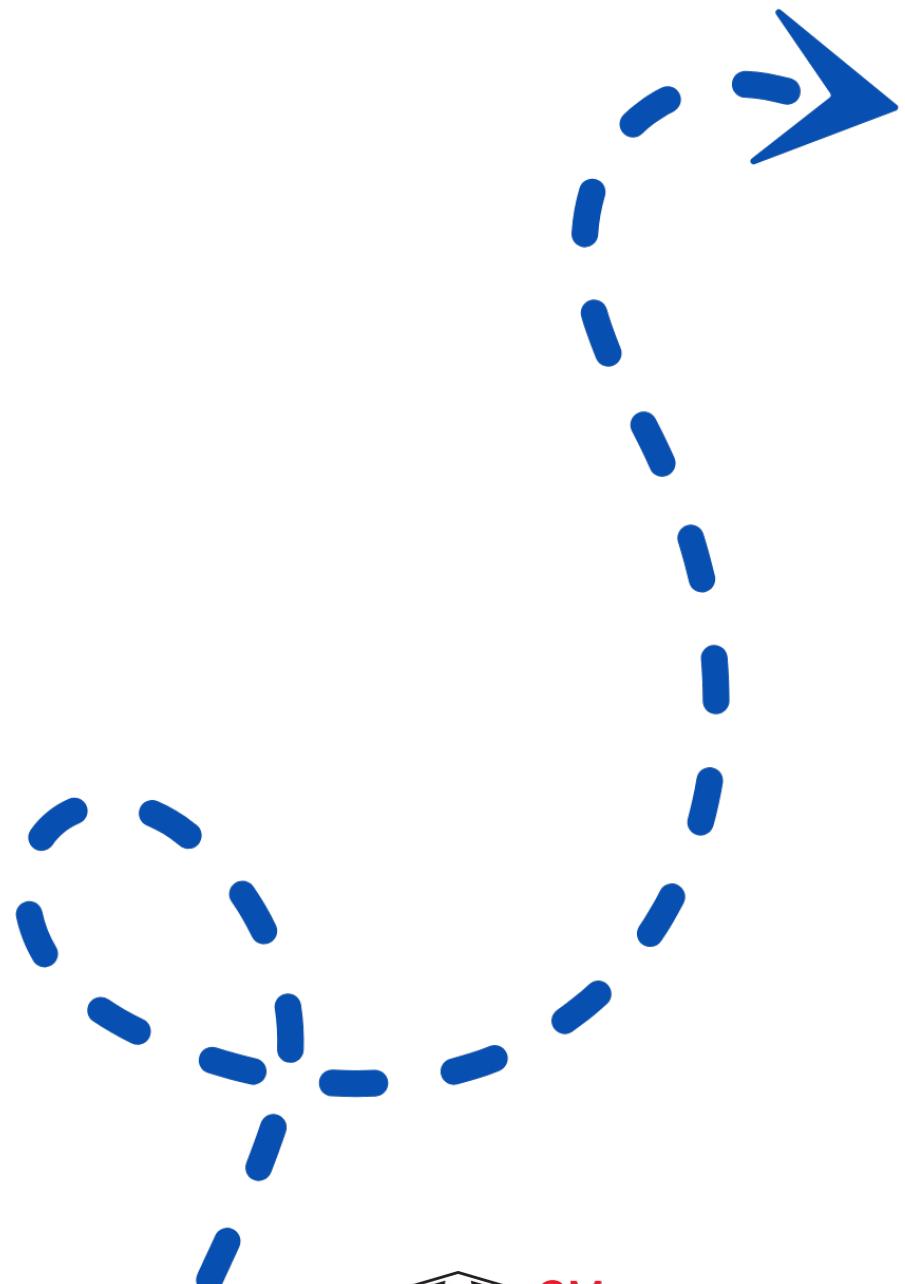


# SMART COVERAGE

**TAILORED FOR PENNSYLVANIA'S  
PUBLIC SCHOOL LEADERS,**

this collaborative resource is produced by  
PSBA Insurance and CM Regent Insurance Company.





# A MESSAGE

from PSBA Insurance and  
CM Regent Insurance Company®

No matter how many precautions your district takes to protect school property and personnel, unexpected incidents can still occur — resulting in damage, disruption or loss. In these moments, a well-designed insurance program is essential to help reduce or eliminate the financial impact of such events.

At PSBA Insurance and CM Regent Insurance Company, we believe that informed school leaders are empowered school leaders. That's why we've partnered to bring you "Smart Coverage" — a resource created to help Pennsylvania public school districts better understand the fundamentals of insurance in clear, accessible language.

This publication offers an overview of key coverage types, common insurance terms and guidance on evaluating your district's insurance needs. Whether you're new to insurance planning or a seasoned professional, we hope you'll find valuable insights to support your decision-making.

While this guide is a helpful starting point, it is not intended to replace the expertise of a qualified insurance agent, broker or consultant. Instead, use it as a companion resource to strengthen your understanding and support productive conversations with your insurance partners.

Together, PSBA Insurance and CM Regent® are committed to helping you protect what matters most — your students, staff, board and entire education community.



WHETHER YOU'RE  
NEW TO INSURANCE  
PLANNING OR  
A SEASONED  
PROFESSIONAL, WE  
HOPE YOU'LL FIND  
VALUABLE INSIGHTS  
TO SUPPORT YOUR  
DECISION-MAKING.



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# INTRODUCTION

Public school districts face a wide range of responsibilities — from educating students and managing facilities to ensuring the safety and well-being of staff and their communities. Among these responsibilities, securing the right insurance coverage is a critical yet often complex task. Insurance not only protects a district's physical and financial assets, but also supports long-term stability and resilience in the face of unexpected events.

This publication is designed to help Pennsylvania public school leaders navigate the insurance purchasing process with greater confidence and clarity. Whether you are a superintendent, business manager or school board director this guide offers practical insights into the types of insurance coverage districts typically need, how to assess risk and how to make informed decisions that align with your district's goals and budget.

Developed in collaboration between PSBA Insurance and CM Regent Insurance Company, this resource reflects our shared commitment to supporting public education through thoughtful, strategic risk management. With decades of experience serving Pennsylvania's schools, we understand the unique challenges districts face and the importance of strong insurance coverage.

**AS YOU EXPLORE THE FOLLOWING SECTIONS, WE HOPE YOU FIND VALUABLE GUIDANCE AND TOOLS TO SUPPORT YOUR DISTRICT'S INSURANCE PLANNING EFFORTS — TODAY AND INTO THE FUTURE.**

# TYPES OF INSURANCE COVERAGE



Understanding the various types of insurance coverage available is essential for protecting your district's people, property and operations. The insurance options your district selects should all be tailored to your specific needs and risks, considering factors like school size, location and types of activities offered. This section provides an overview of the most common and important insurance coverage for public school districts.

***Please note that the scenario examples provided in this chapter are intended to illustrate potential situations that may be covered under various types of school insurance policies, including but not limited to those outlined in this chapter. However, coverage is not guaranteed under any policy and depends on the specific facts of each incident; the merits of the claim; the terms, exclusions and endorsements of the applicable policy; and the insurer's interpretation.***

## PROPERTY INSURANCE

Property insurance is a foundational component of a school district's risk management strategy. It provides financial protection against damage or loss to physical assets owned or used by the district. Given the scale and complexity of school operations, this coverage is essential for ensuring continuity of education and minimizing disruption in the event of a loss.

### What It Covers

Property insurance typically includes protection for:

- School Buildings: Main school facilities, administrative offices, gymnasiums, libraries and other permanent structures
- Contents: Furniture, classroom equipment, computers, lab materials, musical instruments and other movable property
- Outdoor Property: Playgrounds, athletic fields, bleachers, signage, fences and lighting
- Technology Infrastructure: Servers, networking equipment and educational technology
- Specialized Equipment: Items used in vocational programs, science labs or special education services
- Temporary Structures: Portable classrooms or trailers used during renovations or expansions

### Covered Perils

Policies generally protect against a wide range of risks, including:

- Fire and smoke damage
- Vandalism and theft
- Windstorms, hail and lightning
- Burst pipes and water damage (excluding flood which is typically a separate policy)

### Optional or Add-On Coverages

Districts may choose to enhance their property insurance with:

- Earth Movement Coverage: Broader than standard earthquake coverage, this includes protection against sinkholes and mine subsidence — critical risks in Pennsylvania. Earth Movement coverage addresses a wider range of ground-related hazards and is a popular option for districts in affected areas.
- Equipment Breakdown Insurance: Covers mechanical breakdowns of essential systems (e.g., HVAC systems, boilers).
- Business Interruption/Extra Expense: Helps cover costs associated with temporary relocation or lost income due to a covered event.
- Fine Arts or Valuable Papers Coverage: For districts with historical documents, artwork or specialized collections.

### WHY IT MATTERS

For public schools, even a minor property loss can disrupt learning, delay operations and strain budgets. Property insurance ensures that districts can recover quickly and continue serving students without bearing the full financial burden of repairs or replacements.

## GENERAL LIABILITY INSURANCE

General liability insurance is another core component of a school district's risk management strategy. It provides protection against claims of bodily injury, property damage and personal injury that may occur on school property or as a result of school operations. This coverage is essential for safeguarding the district from costly legal expenses and settlements.

### What It Covers

General liability insurance typically includes:

- Bodily Injury: Covers medical expenses and legal costs if a student, visitor or vendor is injured on school grounds or during a school-sponsored event.

***Please note Student medical expenses are generally not covered by the district's insurance unless the school is found legally responsible for***

***the injury. In such cases, coverage may be available under the liability portion of the policy. However, no-fault medical payments, which cover injuries regardless of fault, are not typically included unless the district has specifically added that coverage through an endorsement.***

- Property Damage: Covers damage to third-party property caused by school operations or personnel (e.g., a maintenance accident damaging a neighbor's property).
- Personal and Advertising Injury: Covers claims such as libel, slander or copyright infringement that may arise from school publications or communications.
- Legal Defense Costs: Covers attorney fees, court costs, and settlements or judgments incurred by the insured, even if the district is not found liable. Please note that the standard Insurance Services Office Commercial General Liability (ISO CGL) form does not cover attorney's fees that are awarded to the opposing party and taxed against the insured as part of a judgment. Additionally, judgments and settlements are covered separately under the policy's Liability section as damages, not as part of legal defense costs.

### Common Scenarios That May Be Covered

- A parent slips and falls on a wet floor in the school lobby
- A student is injured during a school-sponsored event and the family files a claim
- A school employee accidentally damages a vendor's equipment during a delivery
- A community member claims defamation from a school newsletter article

### WHY IT MATTERS

Public schools are high-traffic environments with daily interactions involving students, staff, parents and community members. Even with strong safety protocols, accidents and misunderstandings can happen. General liability insurance ensures that the district is financially protected and can respond appropriately to claims without diverting funds from educational priorities.

## EDUCATORS PROFESSIONAL LIABILITY (EPL)/SCHOOL LEADERS ERRORS & OMISSIONS

Educators Professional Liability (EPL) — also known as School Leaders Errors & Omissions (E&O) Insurance — is a specialized form of liability coverage designed to protect school

boards, administrators and employees from claims arising out of their professional decisions and actions. In today's complex educational environment, this coverage is essential for safeguarding both individuals and the district from legal and financial consequences.

## What It Covers

EPL/E&O insurance typically includes protection against:

- Wrongful Acts: Allegations of errors, omissions, or negligence in the performance of professional duties.
- Employment Practices: Claims related to hiring, firing, promotion, discrimination, or harassment.
- Civil Rights Violations: Allegations of violating students' or employees' rights under federal or state law.
- Failure to Educate: Claims that a student was denied appropriate educational services or accommodations.
- Mismanagement of Funds: Allegations of improper use or oversight of public funds or grants.
- Legal Defense Costs: Covers attorney fees and court costs incurred by the insured in defending a covered claim, even if the district is not found liable.

*Please note that this refers specifically to defense costs paid by the insurer on behalf of the insured. It does not include attorney's fees that may be taxed against the insured as part of a judgment. Some policies — such as the CM Regent Educators Liability form — may treat those taxed attorney's fees as part of "loss." Similarly, settlements are not considered legal defense costs; they are paid out under the liability portion of the policy as part of covered damages or "loss."*

## Common Scenarios That May Be Covered

- A parent sues the district, claiming their child was denied special education services
- A former employee files a wrongful termination lawsuit
- A board member is accused of breaching fiduciary duty in a financial decision
- A staff member alleges discrimination in a promotion decision

## Additional Considerations

- Who Is Covered: Typically includes board directors, superintendents, principals and other administrators. Some policies may extend to teachers and staff.

- Policy Limits: Districts should evaluate whether their coverage limits are sufficient given the size and scope of their operations.
- Overlap with Other Policies: EPL may overlap with general liability or employment practices liability, but it provides more targeted protection for professional decisions.

- Repetitive strain injuries from tasks like typing or lifting
- Exposure to hazardous substances, such as cleaning chemicals or mold
- Vehicle accidents involving school buses or transportation duties
- Stress-related conditions (in limited cases, if directly tied to work conditions and medically substantiated)

## WHY IT MATTERS

School leaders are tasked with making complex decisions that affect students, staff and the broader education community. Even well-intentioned actions can lead to legal challenges. EPL/E&O insurance provides peace of mind by ensuring that individuals and the district are protected from the financial burden of defending against such claims.

## WORKERS' COMPENSATION

Workers' compensation insurance is a legally mandated program that provides financial and medical benefits to school employees who suffer job-related injuries or illnesses. In Pennsylvania, this system is governed by the Pennsylvania Workers' Compensation Act, which ensures that public school districts, as employers, are responsible for covering the costs associated with workplace injuries, regardless of fault. This coverage is crucial for maintaining the well-being of educators, administrators, custodians, bus drivers and other school personnel.

## What It Covers

Workers' compensation insurance for public school employees typically includes:

- Medical expenses: Doctor visits, hospital stays, surgeries, medications and rehabilitation
- Wage replacement: Partial income replacement for time missed due to injury or illness
- Disability benefits: Payments for temporary or permanent disabilities
- Death benefits: Compensation to dependents in the event of a fatal workplace incident
- Vocational rehabilitation: Support for retraining if the employee cannot return to their previous role

## Common Scenarios That May Be Covered

Some typical incidents and conditions covered under this insurance include:

- Slip-and-fall accidents in hallways or on icy sidewalks
- Injuries from student altercations or behavioral incidents

## Additional Considerations

- Self-Insurance: Some large school districts may opt to self-insure, managing claims internally under state oversight.
- State Workers' Insurance Fund (SWIF): Public schools can obtain coverage through SWIF if they cannot secure private insurance.
- Claim Process: Employees must report injuries promptly and follow specific procedures to receive benefits.
- Legal Updates: The Pennsylvania Compensation Rating Bureau (PCRB) regularly updates classifications and rating values, which can affect premiums and coverage.

## WHY IT MATTERS

Workers' compensation insurance plays a critical role in supporting the health and stability of public school systems. It ensures that employees receive prompt medical care and financial assistance when they are injured or become ill due to their job, helping them recover and return to work more quickly. By providing a structured system for handling workplace injuries, it also reduces the likelihood of costly and time-consuming litigation, since employees typically waive the right to sue in exchange for guaranteed benefits. Moreover, the presence of a robust workers' compensation program encourages schools to maintain safer working environments, which can lead to fewer incidents and a more positive workplace culture. Ultimately, this coverage reflects a school district's commitment to the well-being of its staff, which can enhance employee morale, foster trust and improve retention.

## AUTOMOBILE INSURANCE

Automobile insurance for public schools is a specialized form of coverage that protects school-owned or operated vehicles, such as buses, vans and administrative cars, as well as the employees who drive them. In Pennsylvania, public entities like school districts are required to maintain financial responsibility for their fleet, ensuring that any accidents involving school vehicles are

covered under state-mandated insurance laws. This insurance is essential for safeguarding both the district's assets and the safety of students, staff and the public.

## What It Covers

Public school automobile insurance typically includes:

- Liability Coverage: Covers bodily injury and property damage to others when the school vehicle is at fault
- Medical Benefits (PIP): Pays medical expenses for the driver and passengers, regardless of fault (minimum \$5,000 required in PA)
- Uninsured/Underinsured Motorist Coverage: Protects against bodily injury caused by drivers with insufficient or no insurance
- Collision Coverage: Pays for damage to the school vehicle from a collision, regardless of fault
- Comprehensive Coverage: Covers non-collision-related damage, such as theft, vandalism or weather events

## Common Scenarios That May Be Covered

Some examples of incidents typically covered include:

- Bus accidents involving other vehicles or stationary objects
- Damage from severe weather, such as hail or flooding
- Vandalism or theft of school vehicles.
- Motor vehicle accidents during field trips or extracurricular transportation
- Hit-and-run incidents involving school property

## Optional or Add-On Coverages

School districts may choose to enhance their policies with:

- Higher liability limits than the state minimum (Dependent on use of vehicle and seating capacity minimum required limits start at 15/30/5 in PA. These numbers represent the minimum liability coverage required by law: \$15,000 - bodily injury liability per person; \$30,000 - bodily injury liability per accident; \$5,000 - property damage liability per accident)
- Rental reimbursement for temporary vehicle replacement
- Roadside assistance for breakdowns or emergencies
- Fleet management tools that integrate with insurance for risk monitoring
- Gap coverage for leased or financed vehicles

## Additional Considerations

- Self-Insurance: Larger school districts may self-insure their fleets under state guidelines.
- Driver Training: Insurance premiums and risk exposure can be reduced through certified driver safety programs.
- Driver Background Checks: To assess driving history, it is considered best practice to obtain motor vehicle records (MVRs) for district employees who have driving-related responsibilities or are authorized to operate district-owned vehicles.
- Vehicle Inspections: Regular maintenance and inspections are often required to maintain coverage eligibility.
- Policy Reviews: Annual reviews help ensure coverage keeps pace with changes in fleet size, vehicle use and legal requirements.

## WHY IT MATTERS

Automobile insurance is a critical component of risk management for public schools. It ensures that the district is financially protected in the event of an accident, reducing the potential burden on taxpayers and preserving school resources. It also provides peace of mind to parents and staff, knowing that students are transported in insured vehicles. Moreover, having comprehensive coverage helps schools comply with state laws and maintain uninterrupted operations, even when incidents occur. In an era of rising repair costs and legal liabilities, robust auto insurance is not just a legal requirement — it's a strategic necessity.

## CYBER LIABILITY INSURANCE

Cyber liability insurance for public schools is a specialized policy designed to protect educational institutions from the financial and operational fallout of cyber incidents. As schools increasingly rely on digital platforms for instruction, administration, and student data management, they become prime targets for cyberattacks. In Pennsylvania, public school districts are encouraged — and some insurers require — to adopt cyber liability coverage as part of a broader risk management strategy to safeguard sensitive information and maintain operational continuity.

## What It Covers

Cyber liability insurance for public schools typically includes:

- Data Breach Response: Covers costs related to notifying affected individuals, credit monitoring and public relations

- Cyber Extortion: Protection against ransomware attacks, including ransom payments and negotiation services
- Network Security Liability: Covers legal costs and damages if a breach affects third parties
- Business Interruption: Compensation for lost income and extra expenses due to system downtime
- Digital Asset Restoration: Costs to recover or replace lost or corrupted data and software
- Regulatory Fines and Penalties: Coverage for legal expenses and fines from noncompliance with data protection laws

## Common Scenarios That May Be Covered

Typical incidents that trigger coverage include:

- Ransomware attacks that lock down school systems and demand payment
- Phishing scams that lead to unauthorized access to staff or student data
- Accidental data leaks due to human error or misconfigured systems
- Distributed denial-of-service (DDoS) attacks that disrupt online learning platforms
- Malware infections that corrupt files or compromise network integrity

## Optional or Add-On Coverages

Districts may enhance their policies with:

- Social Engineering Fraud Coverage: Protection against scams that trick staff into transferring funds or revealing credentials
- Reputation Management: Services to help restore public trust after a breach
- Third-Party Vendor Coverage: Extends protection to breaches involving outsourced IT or cloud service providers
- Cybercrime Coverage: Includes financial losses from wire fraud or electronic theft

## Additional Considerations

- Risk Assessments: Many insurers require schools to complete cybersecurity audits or implement minimum security measures.
- Training and Awareness: Premiums and eligibility may depend on staff participation in cybersecurity training.
- Incident Response Planning: Having a documented response plan can improve claim outcomes and reduce downtime.
- Policy Limits and Exclusions: It's important to review coverage limits and understand what types of cyber events may be excluded.

## WHY IT MATTERS

Cyber liability insurance is increasingly essential for public schools as they face growing threats from cybercriminals and heightened expectations for data privacy. A single breach can compromise thousands of student records, disrupt learning, and expose districts to lawsuits and regulatory scrutiny. Insurance not only provides financial protection but also grants access to expert response teams that can mitigate damage quickly. In a digital-first educational environment, cyber liability coverage is a cornerstone of operational resilience and public trust.

## STUDENT ACCIDENT INSURANCE

Student accident insurance is a voluntary or supplemental insurance policy offered by many public school districts to help cover medical expenses resulting from accidental injuries that occur during school-related activities. While not a substitute for major medical insurance, it provides an affordable safety net for families, especially those with high-deductible health plans or limited coverage. In Pennsylvania, districts often partner with providers to offer this coverage to parents as an optional benefit, ensuring students have access to care in the event of an injury at school or during extracurricular activities.

### What It Covers

Student accident insurance typically includes:

- Medical Expenses: Coverage for hospital visits, surgeries, X-rays and other treatments resulting from accidents.
- School-Time Coverage: Injuries occurring during school hours or school-sponsored and supervised activities.
- Travel Coverage: Accidents that happen while traveling to and from school or school events.
- 24-Hour Coverage (optional): Protection for accidents occurring outside of school hours, including weekends and vacations.
- Coverage limits can vary, with some plans offering up to \$1,000,000 in benefits.

### Common Scenarios That May Be Covered

Examples of incidents typically covered include:

- Playground injuries during recess or gym class.
- Sports-related injuries during interscholastic or intramural games (excluding certain high-risk sports like senior high football unless specifically included).

- Accidents on field trips or during school-sponsored travel.
- Falls or collisions in hallways, cafeterias, or classrooms.
- Injuries during after-school programs or extracurricular clubs.

### Optional or Add-On Coverages

Many providers offer flexible plans, such as:

- 24-Hour Accident Coverage: Extends protection beyond school hours
- Extended Dental Coverage: For injuries involving teeth or oral surgery
- Football-Specific Coverage: Often required separately due to the higher risk of injury
- Catastrophic Accident Coverage: For severe injuries resulting in long-term disability or high medical costs

### Additional Considerations

- Voluntary Enrollment: Parents must typically opt in and pay a modest premium (e.g., \$24 for school-time or \$85 for 24-hour coverage).
- Not a Replacement for Health Insurance: This coverage is supplemental and does not meet ACA minimum essential coverage requirements.
- Claims Process: Parents must submit claims directly to the insurer, not through the school.
- Annual Renewal: Coverage is usually offered on a school-year basis and must be renewed annually.

## WHY IT MATTERS

Student accident insurance is a valuable tool for families and school districts alike. It helps reduce the financial burden of unexpected medical expenses, especially for families without comprehensive health insurance. For schools, offering this coverage demonstrates a commitment to student safety and well-being, while also potentially reducing liability concerns. In an environment where active learning and physical activity are encouraged, having a safety net in place ensures that students can participate fully without undue financial risk to their families.

## EMPLOYMENT PRACTICES LIABILITY INSURANCE (EPLI)

Employment Practices Liability Insurance (EPLI) is a specialized policy designed to protect public school districts from claims made by employees — current, former or prospective — alleging violations of their legal rights in the workplace. As public employers, school districts face increasing scrutiny and

legal exposure related to hiring, management and termination practices. EPLI helps mitigate the financial and reputational risks associated with employment-related lawsuits, which can be costly and time-consuming even when claims are unfounded.

### What It Covers

EPLI policies for public schools typically include coverage for:

- Wrongful termination
- Discrimination (based on race, gender, age, disability, etc.)
- Sexual harassment
- Retaliation
- Failure to promote or hire
- Defamation, libel or slander
- Invasion of privacy
- Negligent evaluation or supervision
- Coverage often includes legal defense costs, settlements and judgments, even if the claims are groundless.

### Common Scenarios That May Be Covered

Examples of employment-related claims that may be covered include:

- A teacher sues for wrongful termination after alleging they were dismissed for whistleblowing.
- A staff member files a discrimination claim based on age or disability.
- A job applicant alleges unfair hiring practices or nepotism.
- An employee claims retaliation after reporting harassment or misconduct.

### Optional or Add-On Coverages

Public school districts may enhance their EPLI policies with:

- Third-Party Liability: Covers claims made by non-employees (e.g., parents, vendors) alleging harassment or discrimination
- Wage and Hour Defense: Legal defense for claims under the Fair Labor Standards Act (FLSA), though actual wage payments are often excluded
- Full Prior Acts Coverage: Protects against claims arising from incidents that occurred before the policy's start date
- Defense Outside the Limits: Ensures legal defense costs don't erode the policy's total coverage limit

### Additional Considerations

- Legal Support Services: Many policies include access to employment law hotlines or HR consultation services.
- Policy Exclusions: Coverage may exclude certain types of damages, such

- as punitive damages or intentional misconduct.
- Claims-Made Basis: EPLI is usually written on a claims-made basis, meaning coverage applies only if the claim is made during the policy period.
- Training and Compliance: Insurers may require or incentivize staff training on harassment prevention and employment law compliance.

### WHY IT MATTERS

EPLI is essential for public schools because employment-related claims are among the most common and costly legal challenges they face. Even when a district acts in good faith, the cost of defending against a claim can be substantial. EPLI provides financial protection and access to legal expertise, helping districts navigate complex employment laws and avoid reputational damage. It also supports a culture of accountability and fairness by encouraging proactive HR practices and risk management.

### CRIME AND FIDELITY INSURANCE

Crime and Fidelity Insurance is a specialized policy designed to protect public school districts from financial losses due to dishonest acts such as theft, fraud or embezzlement committed by employees or third parties. In an environment where schools manage significant budgets, handle student activity funds and rely on digital financial systems, this coverage is essential for safeguarding public resources. Pennsylvania school districts often include this insurance as part of a broader risk management strategy to ensure financial integrity and public trust.

### What It Covers

Crime and Fidelity Insurance typically includes protection against:

- Employee theft or embezzlement.
- Forgery or alteration of checks and financial documents.
- Computer fraud and cyber theft.
- Funds transfer fraud.
- Theft of money or securities on school premises or in transit.
- Dishonest acts by volunteers or school directors (if endorsed).
- Coverage may apply to both direct financial losses and legal expenses related to investigating and recovering stolen funds.

### Common Scenarios That May Be Covered

Examples of incidents that may be covered include:

- A school treasurer embezzles funds from a student activity account.
- A staff member forges checks or alters financial records.
- Cybercriminals gain access to the district's bank account and initiate unauthorized wire transfers.
- Cash collected from a fundraiser is stolen while being transported to the bank.
- A vendor colludes with an employee to submit fraudulent invoices.

### Optional or Add-On Coverages

Districts may enhance their policies with:

- Faithful Performance Bonds: Required by state and local governments for certain public officials to guarantee honest conduct.
- Social Engineering Fraud Coverage: Protection against scams that trick employees into transferring funds.
- Audit Expense Coverage: Reimbursement for forensic accounting or internal investigations.
- Extended Coverage for Volunteers or Contractors: Especially relevant for PTAs or booster clubs handling funds.

### Additional Considerations

- Policy Limits and Deductibles: Should be reviewed annually to ensure they reflect the district's financial exposure.
- Internal Controls: Insurers may require or reward strong financial oversight practices, such as dual-signature requirements and regular audits.
- Claims Process: Prompt reporting and thorough documentation are essential for successful claims.
- Coverage for Student Funds: Some policies may need to be endorsed to include student activity or booster club accounts.

### WHY IT MATTERS

Crime and Fidelity Insurance is crucial for maintaining the financial health and credibility of public school districts. Even with strong internal controls, no organization is immune to fraud or theft. This insurance provides a financial backstop that allows schools to recover from losses without diverting funds from educational programs. It also reinforces public confidence in the district's stewardship of taxpayer dollars and supports compliance with state and federal financial oversight requirements.

### EXCESS AND UMBRELLA LIABILITY INSURANCE

Umbrella liability insurance and excess liability insurance both provide additional coverage above the limits of a school district's primary liability policies — such as general liability, auto liability, and employment practices liability (EPLI). However, they are not the same.

**Excess liability** policies strictly provide additional limits for claims already covered by the underlying policy. They do not broaden coverage and will only respond if the underlying policy covers the claim.

**Umbrella liability** policies, on the other hand, may provide both additional limits and broader coverage, potentially covering certain claims not included in the underlying policies — depending on the policy language.

It's important to note that standard umbrella or excess policies generally do not extend coverage over EPLI policies. However, some insurers may offer proprietary forms or endorsements that provide this type of coverage.

For public schools in Pennsylvania, umbrella or excess liability insurance is often included as part of a comprehensive risk management strategy to protect against large or catastrophic claims that could exceed the limits of standard policies and to help ensure the district's financial stability and protection of public resources.

### What It Covers

Umbrella liability insurance typically provides:

- Excess coverage over general liability, auto liability and employer's liability policies.
- Broader protection for claims that may not be fully covered by underlying policies.
- Legal defense costs associated with covered claims, if not already included in the primary policy.

Catastrophic loss protection for high-value claims involving bodily injury, property damage or personal injury.

- Coverage limits can range from \$1 million to \$30 million or more, depending on the district's size and risk profile.

## Common Scenarios That May Be Covered

Examples of incidents where umbrella coverage may apply include:

- A multivehicle school bus accident resulting in severe injuries and lawsuits that exceed auto liability limits
- A major injury during a school event where general liability coverage is exhausted
- A catastrophic injury during a sports event or field trip
- Claims involving international travel or activities not fully covered by domestic policies

## Optional or Add-On Coverages

Districts may tailor their umbrella policies with:

- Global liability extensions for international travel or study abroad programs
- Coverage for foreign voluntary workers compensation and repatriation expenses
- Additional insured endorsements for contractors or partner organizations
- Crisis response or reputational harm coverage in the event of high-profile incidents

## Additional Considerations

- **Underlying Policy Requirements:** For excess liability policies, coverage only applies after the limits of the underlying (primary) policies are exhausted, and only for claims that are already covered by those underlying policies. For umbrella liability policies, coverage may also apply to certain claims not covered by the underlying policy, subject to the policy's retained limit. This retained limit may consist of either the limits available on the underlying policy or a self-insured retention (SIR) — which applies when the umbrella policy responds to a claim not covered by the underlying insurance. Please note that standard ISO umbrella forms typically include this retained limit provision. Coverage over Employment Practices Liability (EPLI) policies is generally not included unless specifically endorsed.
- **Self-Insured Retention (SIR):** Some policies may include a retention amount that the district must pay before umbrella coverage kicks in.

- **Annual Policy Reviews:** It's important to reassess coverage limits regularly to reflect changes in risk exposure or district growth.
- **Coordination with Brokers:** Working with experienced education-focused brokers ensures that umbrella policies align with the district's full risk profile.

## WHY IT MATTERS

Umbrella liability insurance is a critical safeguard for public schools, offering peace of mind and financial protection against the unpredictable nature of large claims. As litigation costs and jury awards continue to rise, even well-insured districts can face exposure beyond their primary policy limits. Umbrella coverage ensures that a single incident doesn't jeopardize the district's budget, operations or public trust. It also supports long-term planning and resilience by providing a financial buffer against worst-case scenarios.



# THE MULTI-PERIL POLICY: YOUR INSURANCE FOUNDATION



For most schools, the foundation of an insurance program is a multi-peril policy. It provides coverage for most of your property, general liability and professional liability exposures. There's wide variation from company to company, so compare carefully.

## PROPERTY

The amount of insurance you carry on your building and contents affects how much you receive for a total loss. It also can affect how much you receive for a partial loss.

To arrive at the proper amount of insurance, you must calculate the cost to replace your building and contents today. Original purchase price and market value can usually be ignored.

You may hire a professional appraiser or, as many do, accept the value your agent recommends. This makes it critical that you select a company and agent familiar with the architecture and construction costs of educational facilities.

Some policies stipulate that your insurance cannot be less than 80% of the value of the property at the time you suffer a partial loss. If you don't have enough insurance to meet the requirement, you might incur a coinsurance penalty. This means you will share in the loss with your insurance company — beyond your deductible.

Once you've determined how much insurance you need, you may select the causes of loss for which you need and can afford protection. Your building and contents can be insured on a "specified cause of loss" basis or on a "special" basis.

A "specified cause of loss" policy (sometimes referred to as a "named peril" policy) lists the causes of loss for which you are covered, such as fire, lightning, windstorm and hail. Generally, you do not choose on a cause-by-cause basis. Rather, your insurance company groups causes, providing you either a few basic causes or several causes (broad form).

Under a "specified cause of loss" policy, you must prove that your loss was caused by a listed cause of loss before you can file a claim.

A "special" policy (referred to as "all risk" or "comprehensive" in years past) covers all direct causes of loss except those which are listed as exclusions — such as wear and tear, war, flood and earthquake. To file a claim, you need only prove that loss occurred — and not its cause. To deny your claim, your insurance company must prove that the cause of loss is specifically excluded.

With its more comprehensive coverage and a shift in burden of proof to the insurance company, a "special" policy is preferable for most educational facilities. It does cost more than a "specified cause of loss" policy, but the greater security is well worth it.

Most multi-peril policies automatically include several important coverage "extensions" or "additions." In this area, you will normally find coverage for contents taken off premises, extra expenses of operation following a loss, personal property of staff and students, and many other coverages that can save you money at the time a loss occurs.

Some companies rely heavily on these coverages to differentiate their policy from their competitors. Compare carefully, identifying those that are meaningful to your school. Deductibles are applicable to most property claims and typically range from \$500 to \$1,000 or more per occurrence. The higher your deductible, the lower your premium. It is not uncommon today to have a separate deductible for flood, wind and hail.

## GENERAL LIABILITY

Every organization should obtain insurance that responds to lawsuits involving bodily injury, personal injury, advertising injury, property damage, and sexual misconduct or molestation. The insurance should apply whether the injury or damage occurs at or away from your premises and is caused by the negligence of staff, a school director or virtually anyone else acting on your school's behalf.

Most multi-peril policies protect against lawsuits alleging bodily injury and property damage, though there are some subtle but important variations from policy to policy.

## PROFESSIONAL LIABILITY COVERAGE

A good multi-peril policy will include school board directors and officers as insureds for lawsuits involving bodily injury, property damage and personal injury. Almost no multi-peril policy automatically covers them for errors and omissions — "bad judgment" types of lawsuits.

Such coverage is available from some companies, either as an option in your multi-peril policy or as a separate professional liability policy. This coverage is correctly referred to as "directors and officers" or "directors, officers and trustees" insurance.

Having this insurance may help you get more capable people involved in your operations. It lets them make decisions freely and in your best interest, without undue fear of reprisal from those who might take legal issue with their decisions.



**A "SPECIAL" POLICY SHIFTS THE BURDEN OF PROOF TO THE INSURER AND OFFERS BROADER PROTECTION—MAKING IT THE PREFERRED CHOICE FOR MOST EDUCATIONAL FACILITIES.**

# RISK ASSESSMENT AND NEEDS ANALYSIS



Effective insurance planning for public schools in Pennsylvania begins with a comprehensive risk assessment and needs analysis. This process identifies potential exposures, evaluates the likelihood and impact of various risks, and determines the appropriate types and levels of insurance coverage needed to protect students, staff, assets and operations. Given the diversity of school environments and the evolving regulatory landscape, this analysis must be tailored to each district's unique characteristics and aligned with state guidelines, such as those outlined by the Pennsylvania Commission on Crime and Delinquency.

## **IDENTIFY CORE RISK CATEGORIES.**

Public schools face a wide range of risks that can be grouped into key categories:

- Operational Risks: Injuries to students or staff, transportation incidents, facility hazards.
- Employment Risks: Discrimination, harassment, wrongful termination and other HR-related claims.
- Cybersecurity Risks: Data breaches, ransomware and unauthorized access to student or employee information.
- Financial Risks: Theft, fraud, embezzlement and mismanagement of funds.
- Reputational Risks: Public backlash from incidents or lawsuits.
- Natural and Environmental Risks: Weather-related damage, mold or hazardous materials.

## **CONDUCT A RISK INVENTORY AND EXPOSURE ANALYSIS.**

Each district should conduct a detailed inventory of:

- Physical assets (buildings, vehicles, equipment)
- Human resources (employees, volunteers, contractors)
- Student population (size, demographics, special needs)
- Technology infrastructure (networks, data systems, cloud services)
- Programs and activities (sports, field trips, after-school programs)

This inventory helps quantify exposure and prioritize risks based on frequency and severity.

## **EVALUATE EXISTING CONTROLS AND MITIGATION MEASURES.**

Assess the effectiveness of current risk management practices, including:

- Safety protocols and emergency preparedness
- Staff training and professional development
- Cybersecurity policies and IT safeguards
- Financial oversight and internal controls
- Legal compliance and HR procedures

Gaps in these areas may indicate a need for enhanced insurance coverage or higher policy limits.

## **DETERMINE INSURANCE NEEDS BY COVERAGE TYPE.**

Based on the risk profile, districts should evaluate the necessity and adequacy of the insurance types outlined in the previous chapter.

- Workers' Compensation: Required by law; limits based on payroll and job classifications.
- Automobile Insurance: For school-owned vehicles; limits should reflect potential for multi-party accidents.
- Cyber Liability Insurance: Increasingly essential; limits based on data volume and system complexity.
- Student Accident Insurance: Optional but valuable; consider participation in sports and extracurriculars.
- Employment Practices Liability Insurance (EPLI): Crucial for HR-related claims; limits based on staff size and litigation history.
- Crime and Fidelity Insurance: Protects against internal theft; limits based on fund handling and financial controls.
- Umbrella Liability Insurance: Provides excess coverage; limits should reflect worst-case scenarios and litigation trends.

## **ALIGN COVERAGE WITH LEGAL AND REGULATORY REQUIREMENTS.**

Pennsylvania law and PA Public School Code provisions (e.g., Act 55 and Section 1303-B) can and may influence insurance needs, particularly in areas like school safety, mental health and cybersecurity. With regard to insurance coverage, districts should ensure compliance with:

- State-mandated insurance minimums
- Grant eligibility criteria (e.g., school safety and security grants)

- Federal data protection laws (e.g., FERPA, HIPAA)

## **CONSULT WITH INSURANCE AND RISK MANAGEMENT EXPERTS.**

Partnering with brokers or consultants who specialize in public sector and K-12 education can help districts:

- Benchmark coverage against peer institutions.
- Access specialized markets and group purchasing pools.
- Tailor policies to evolving risks and district priorities.

## **REVIEW AND UPDATE ANNUALLY**

Risk profiles change over time due to:

- Enrollment shifts
- Facility upgrades or expansions
- New programs or technologies
- Legal and regulatory updates

Annual reviews ensure that insurance coverage remains aligned with current needs and emerging threats.



**EFFECTIVE INSURANCE PLANNING STARTS WITH A TAILORED RISK ASSESSMENT — ALIGNING COVERAGE WITH EACH DISTRICT'S UNIQUE NEEDS AND LEGAL REQUIREMENTS.**

# THE PROCUREMENT PROCESS

The procurement of insurance for public schools in Pennsylvania is a structured and legally guided process that ensures districts obtain appropriate coverage while maintaining transparency, fiscal responsibility and compliance with state regulations. This process begins with a thorough assessment of the district's insurance needs, which is informed by a comprehensive risk analysis. By identifying potential exposures — ranging from property damage and cyber threats to employment practices and student safety — districts can determine the types and levels of insurance coverage required to protect their operations and stakeholders.

Pennsylvania's procurement laws establish specific thresholds that dictate the method of purchasing goods and services, including insurance. As of 2025, purchases under \$12,900 do not require formal bidding, while those between \$12,900 and \$23,800 require at least three written or telephonic quotations. For insurance procurements exceeding \$23,800 — which is common given the scope and scale of coverage needed — districts must initiate a formal competitive bidding process, typically through a Request for Proposals (RFP) or Request for Qualifications (RFQ). These solicitations must clearly outline the coverage requirements, evaluation criteria and submission procedures, and they must be publicly advertised in accordance with state law.

Once proposals are received, they are evaluated based on responsiveness, cost-effectiveness, coverage adequacy, provider experience, and the quality of claims handling and support services. Importantly, Pennsylvania law requires that districts select the "lowest responsible bidder," which emphasizes both value and capability rather than price alone. After a provider is selected, the contract must be reviewed — often with legal counsel — and formally approved by the school board during a public meeting. The executed contract should include clear terms regarding coverage, renewal options and cancellation provisions.

Ongoing oversight is essential to ensure that insurance coverage remains aligned with the district's evolving needs. Annual reviews of policies, claims history and market conditions help districts make informed decisions about renewals or rebidding. Additionally, districts may benefit from cooperative purchasing arrangements or insurance consortia, which can offer cost savings and broader coverage options through group purchasing power.

Transparency and accountability are critical throughout the procurement process. Districts must maintain detailed records of all procurement activities, including bid solicitations, evaluations and board approvals, to ensure compliance with audit requirements and public expectations. When working with

brokers or consultants, it is essential to ensure that their role is clearly defined and free from conflicts of interest.

By following a disciplined and transparent procurement process, Pennsylvania public schools can secure the insurance coverage they need to protect their students, staff and assets — while upholding their responsibility to taxpayers and the broader community.

# BUDGETING AND COST MANAGEMENT

Budgeting and cost management are essential components of the insurance procurement process for public school leaders in Pennsylvania. Insurance represents a significant and often fluctuating expense in a district's annual budget, covering areas such as property and casualty, liability, workers' compensation, cybersecurity, student accident, and school leaders' liability. To manage these costs effectively, school leaders must approach insurance procurement with a strategic mindset that balances fiscal responsibility with comprehensive risk protection.

The first step in managing insurance costs is understanding historical spending patterns. Reviewing past premiums, claims data and coverage changes helps forecast future expenses and identify areas where cost-saving adjustments may be possible. It's also important to stay informed about broader market trends. Insurance markets can shift between "hard" and "soft" cycles, with hard markets typically bringing higher premiums and stricter underwriting. Being aware of these trends allows districts to plan more conservatively during budget development.

Multiyear financial planning is another valuable strategy. While insurance contracts are often renewed annually, projecting costs over a three- to five-year horizon can help smooth out budgetary spikes and support long-term financial stability.

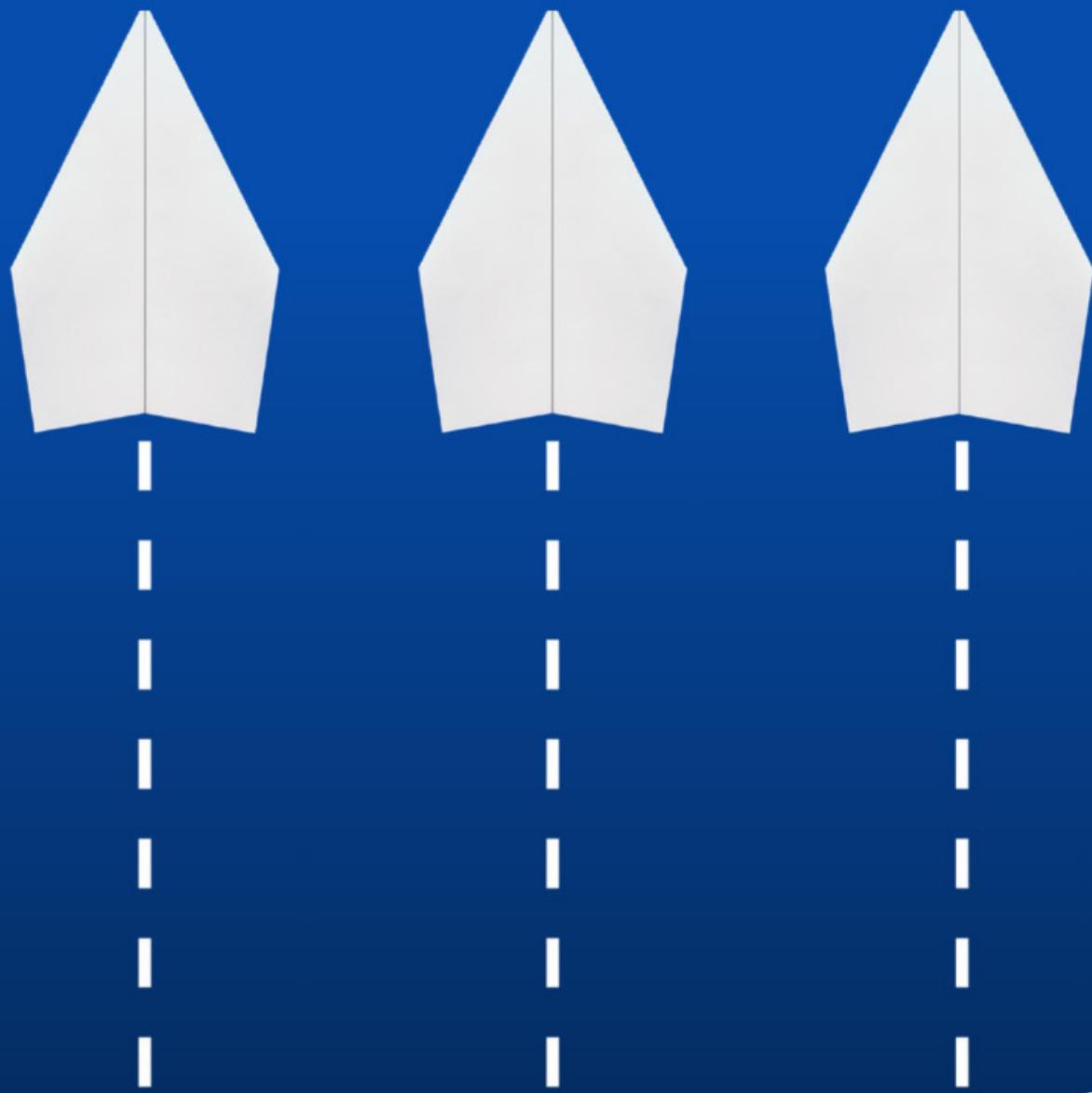
Managing deductibles is another key consideration. Opting for higher deductibles can reduce premium costs, but districts must ensure they have the financial capacity to cover higher out-of-pocket expenses in the event of a claim. Similarly, regularly reviewing coverage limits and policy details helps avoid over-insuring or paying for unnecessary endorsements. Aligning coverage with actual district needs ensures that funds are spent efficiently.

Effective claims management also plays a critical role in cost control. Implementing proactive safety programs, staff training and risk mitigation strategies can reduce the frequency and severity of claims, which in turn can improve the district's risk profile and lead to lower premiums over time. Additionally, engaging a knowledgeable insurance broker or consultant can provide valuable insights into market conditions, policy options and negotiation strategies.

Throughout the procurement process, collaboration is essential. School business officials, risk managers and legal counsel should work together to align insurance decisions with district goals and ensure compliance with state and local procurement policies. Transparent communication with the school board is also important, particularly when presenting insurance recommendations or explaining budget impacts.

Finally, ongoing monitoring and evaluation are necessary to ensure continued value. Annual policy reviews, performance assessments of insurance providers, and benchmarking against peer districts help maintain accountability and identify opportunities for improvement. By taking a strategic, informed and collaborative approach, public school leaders in Pennsylvania can effectively manage insurance costs while safeguarding their districts against risk.

# SELECTING A PROVIDER



Budgeting for insurance in public schools is not just about managing costs — it's about ensuring the district is protected by a reliable partner who understands the unique risks and responsibilities of educational institutions. While cost is a major factor, the quality and reliability of the insurance provider and its representatives are equally critical.

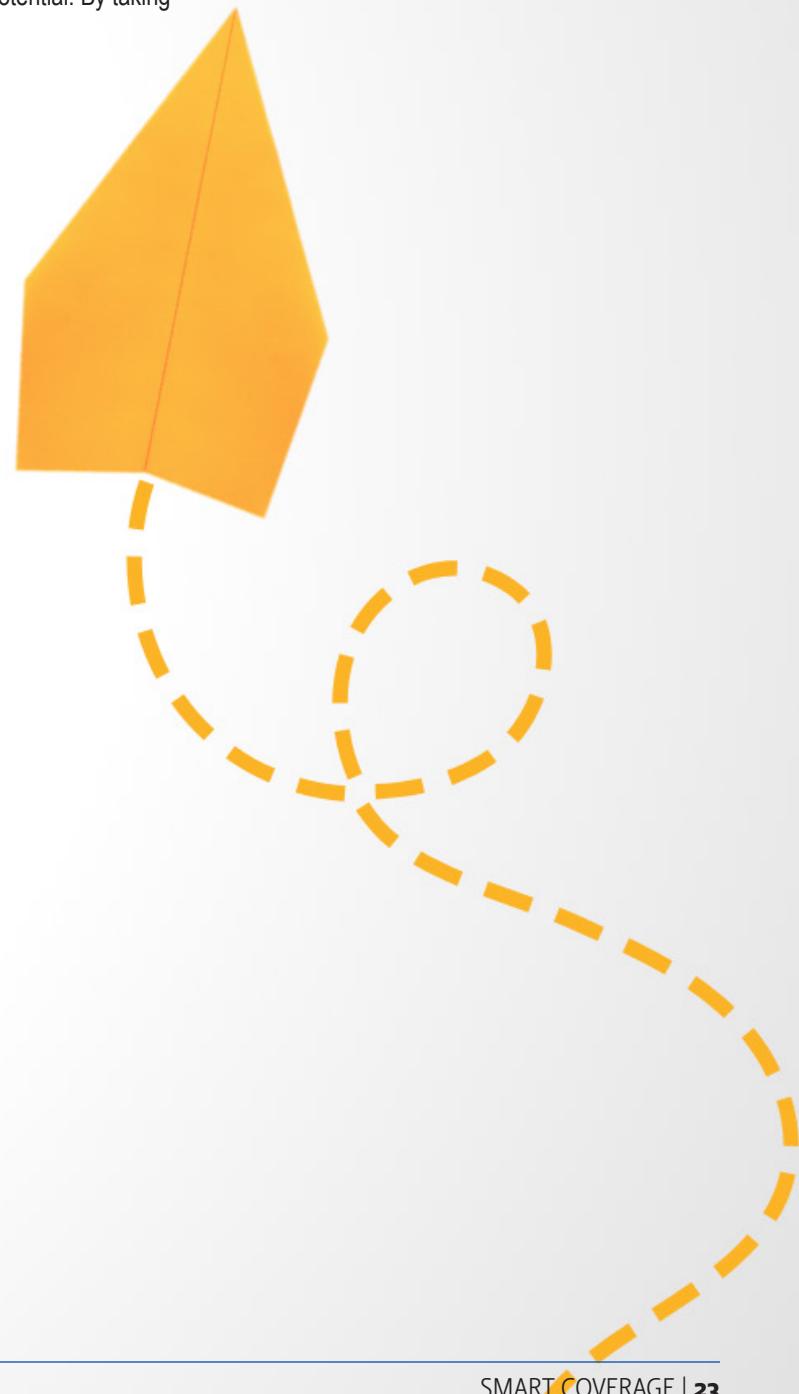
An insurance policy is only as strong as the company that underwrites it and the agent who helps construct and manage it. School leaders should prioritize selecting a provider that is financially stable, service-oriented and experienced in working with educational organizations. One of the most trusted indicators of an insurer's financial health is the rating assigned by A.M. Best Company, an independent analyst of insurance companies since 1899. A high A.M. Best rating reflects a company's ability to meet its financial obligations, particularly in paying claims. For added security, districts should seek non-assessable policies, which protect them from unexpected premium assessments during times of financial strain for the insurer.

However, financial strength alone doesn't guarantee a positive working relationship. The A.M. Best rating does not measure the responsiveness, professionalism or educational expertise of the company's agents. That's why it's essential to evaluate both the company and the agent through references and direct interactions. School leaders should contact at least three or four other districts insured by the same company and agent to ask key questions: Are they satisfied with the service? Did the agent clearly explain the coverage? Are questions and concerns addressed promptly? Are phone calls returned and important matters followed up in writing? Does the agent meet regularly with the district's insurance committee? And importantly, how were claims handled — were they resolved fairly, courteously and in a timely manner?

In addition to gathering references, school leaders should assess the agent's professionalism and understanding during their initial presentations. Does the agent demonstrate genuine concern for the well-being of the school? Have they taken the time to understand the district's operations, risks, and needs? Can they clearly articulate how specific coverages address those needs? These interactions can reveal whether the agent is a transactional vendor or a long-term partner in risk management.

Many school districts find added value in working with insurance companies that specialize in educational institutions. These providers often offer tailored coverage options, specialized underwriting, and dedicated claims and legal support teams who understand the nuances of school operations. Their agents are typically more familiar with the day-to-day realities of school environments and are better equipped to identify and mitigate risks unique to public education.

Ultimately, selecting the right insurance provider is a strategic decision that goes beyond premium costs. It requires a thoughtful evaluation of financial strength, service quality, educational expertise and long-term partnership potential. By taking a comprehensive approach to budgeting and provider selection, Pennsylvania's public school leaders can ensure their districts are both well-protected and fiscally responsible.



# HOW TO READ AND UNDERSTAND INSURANCE COVERAGE DOCUMENTS





Insurance policies can be complex, filled with technical language and legal terms that can be difficult to interpret. However, understanding these documents is essential for ensuring your school district is adequately protected and that there are no surprises when a claim arises. Here's a step-by-step guide to help school leaders confidently navigate insurance coverage documents.



## START WITH THE DECLARATIONS PAGE.

The Declarations Page (or "Dec Page") is the summary of your policy. It includes:

- Named insured (e.g., your school district)
- Policy period (start and end dates)
- Coverage types and limits
- Deductibles
- Premium amounts

This page gives you a high-level overview of what's covered and for how much. Always verify that the information is accurate and reflects your district's current needs.



## UNDERSTAND THE COVERAGE SECTIONS.

Insurance policies are typically divided into sections based on the type of coverage. Each section will outline:

- What is covered (insuring agreement)
- What is not covered (exclusions)
- Conditions that must be met for coverage to apply



## PAY ATTENTION TO DEFINITIONS.

Insurance policies often include a definitions section. Terms like "occurrence," "insured," "bodily injury" or "property damage" may have specific meanings that differ from everyday usage. Understanding these definitions is crucial to interpreting the rest of the policy correctly.



## REVIEW EXCLUSIONS CAREFULLY.

Exclusions are one of the most important parts of the policy. They specify what is not covered. Common exclusions might include:

- Acts of war or terrorism
- Intentional misconduct
- Certain types of pollution or environmental damage

Make sure you understand these limitations and consider whether additional endorsements or separate policies are needed to fill any critical gaps.



## EXAMINE ENDORSEMENTS AND RIDERS.

Endorsements (also called riders) are amendments to the standard policy. They can add, remove or modify coverage. For example, an endorsement might extend coverage to include cyber liability or increase the limit for a specific type of property. Always review endorsements carefully — they can significantly change the scope of your coverage.



## UNDERSTAND THE CLAIMS PROCESS.

Look for the section that outlines how to report a claim, what documentation is required, and how claims will be evaluated. Knowing this in advance can save time and reduce stress during an actual incident.



## ASK QUESTIONS AND SEEK CLARIFICATION.

Don't hesitate to ask your insurance agent or broker to explain anything that's unclear. A good agent should be able to walk you through the policy, explain how it applies to your district, and help you identify any potential risks or gaps.



## KEEP A SUMMARY SHEET.

Create a one-page summary of your policy that includes:

- Key coverages and limits
- Deductibles
- Contact information for your agent
- Claims reporting procedures

This can be a helpful reference for administrators and school board directors.



## FINAL THOUGHTS:

Reading and understanding insurance documents may seem daunting, but with a structured approach and the right support, school leaders can make informed decisions that protect their districts. Remember, the goal is not just to have insurance — it's to have the right insurance, clearly understood and effectively managed.

# HELPFUL INSURANCE TIPS

## UNDERSTAND YOUR DISTRICT'S UNIQUE RISKS.

Every school district has different exposures — ranging from aging buildings and transportation fleets to cyber threats and extracurricular activities. Conduct a thorough risk assessment to identify what needs to be covered and at what levels.

## LOOK BEYOND COST IN MAKING YOUR DECISIONS.

When operational funds are limited, as they are for most schools, it is tempting to focus more on what you pay (premiums) than on what you get (services and coverages).

Insurance is not a generic product. Companies vary a great deal in financial stability, insurance expertise, service and claims philosophies, coverages and price. Base your decision on all of these factors.

## TAKE AN INVENTORY OF YOUR PROPERTY.

A thorough inventory, including the value of items and photographs, is important. Inventories help you and your insurance agent establish adequate insurance limits. After a loss, an inventory makes it much easier to settle your claim.

Record property values at the cost of replacement. For most items, you don't need a professional appraiser. Volunteers can record your property items and contact suppliers or check catalogs and stores for current cost information. Photographs or videos are highly

recommended, especially for property that is rare, highly valuable or can't be adequately described by words.

Store your inventory at a bank or other location away from your building.

## REPORT CLAIMS PROMPTLY.

Reporting your claims promptly can help reduce the cost of the claim and facilitate appropriate treatment for injured persons. This is especially true for claims involving water damage, which can lead to mold if not quickly and promptly cleaned up, and for workers' compensation claims. Statistics show that the cost of workers' compensation claims increases greatly with each passing week between the date of injury and date a claim is filed. Make it a best practice to report all claims within one day, if not immediately.

## PROVIDE CONTINUITY TO YOUR INSURANCE PROGRAM.

Turnover of insurance committees, school board directors or individuals responsible for handling your insurance matters is natural. But it can create problems if simple measures aren't taken to maintain continuity in your insurance program.

If a committee handles your insurance, stagger the terms for members so that complete turnover cannot occur in less than three years. If one individual is responsible, have them describe the duties and current programs to the successor before leaving the position.

## KEEP A FILE OF YOUR INSURANCE POLICIES AND CORRESPONDENCE IN A SAFE PLACE AWAY FROM YOUR BUILDING.

At least two people should know where the file is kept and have access to it. This will help prevent delays in reporting claims and determining what coverage applies.

If you lose your policies, or no longer understand what coverages you have, ask your insurance agent for new copies or explanations.

# CONCLUSION

Navigating the insurance landscape for public schools in Pennsylvania is a complex but essential responsibility. As this guide has illustrated, insurance is not just a financial product, it is a strategic tool that protects students, staff, property and the broader educational mission of your district. From understanding the types of coverage available to conducting thorough risk assessments, managing costs, selecting the right provider and interpreting policy documents, each step in the insurance process plays a critical role in building a resilient and responsive school system.

The decisions school leaders make about insurance have long-term implications. A well-structured insurance program can mean the difference between a swift recovery and prolonged disruption in the wake of an incident. It can also foster trust among stakeholders, demonstrate fiscal responsibility, and support a safe, stable learning environment.

As you move forward, remember that insurance planning is not a one-time task — it is an ongoing process that should evolve with your district's needs, risks and goals. Annual reviews, collaborative decision-making and proactive communication with your insurance partners will help ensure your coverage remains aligned with your district's priorities.

Above all, stay informed and engaged. Use this guide as a reference, but also lean on the expertise of trusted insurance professionals who understand the unique challenges of public education. With the right knowledge and support, you can make confident, informed decisions that protect what matters most — your people, your property and your purpose.

**WITH THE RIGHT KNOWLEDGE AND SUPPORT, YOU CAN MAKE CONFIDENT, INFORMED DECISIONS THAT PROTECT WHAT MATTERS MOST — YOUR PEOPLE, YOUR PROPERTY AND YOUR PURPOSE.**



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