

LEGAL LIABILITY PROTECTION FOR SCHOOL EMPLOYEES

CIVIL LIABILITY PROTECTION

Your Coverage Rights

As a school district employees if:

- A civil claim or
- A civil lawsuit

for damages is brought against you for acts or omissions occurring:

- During the performance of your duties;
- Within the scope of your employment; or
- Under color of authority

then, generally, under the Utah Governmental Immunity Act you have the right:

- To have any claim settlement paid on your behalf;
- To have any lawsuit defended by an attorney at no cost to you; and,
- To have any judgement entered against you paid for you.

SECURING COVERAGE

To secure these rights you must:

- Immediately notify the district of any claim or lawsuit;
- Immediately forward to the district all legal documents served on you;
- Make a written request to the district for defense within ten days of the service of a lawsuit: and,
- Cooperate in the subsequent investigation and defense.

WHAT IS NOT COVERED

Your rights to defense and payment of claims or judgements do not cover acts or omissions involving:

- Fraud;
- Malice; or
- Impairment due to your use of alcohol or drugs; or
- False testimony under oath.

Although punitive damages are uninsurable under Utah law and no insurer may pay them even if a policy says they're covered, your coverage includes up to \$10,000 for punitive damages as authorized by UCA 63-30-27.

COVERAGE PROVIDER

- Your district and its employees are covered for liability by:
- The Utah State Risk Management Fund.

LEGAL COUNSEL

- The Utah Attorney General's Office Litigation Division.

CRIMINAL LIABILITY PROTECTION

Your Coverage Rights

As a school district employee if:

- Criminal charges are filed against you for acts or omissions occurring:
- During the performance of your duties;
- Within the scope of your employment; or
- Under color of authority,

then you have the right to recover from your employing school district reasonable attorneys fees and court costs, if the indictment or information is quashed, dismissed or results in an acquittal, unless it is quashed or dismissed on motion of the prosecuting attorney.