

Specialized
Underwriting
& Risk
Evaluation



RISK MANAGEMENT ALERT

Sure Schools



SCHOOL RISK MANAGEMENT ADVISORY
Utica National Insurance Loss Control Department Bulletin

Issue: 04-03 • Date: 04-04

TOPIC: School Policyholder Liability Loss Reporting Requirements

BACKGROUND: There have been a number of recent incidents involving late notice to our agent or Utica National when there has been an incident at a school district that could lead to a loss under your policy. It is important to give us prompt notice of an incident that could give rise to a claim, particularly in instances where issues of legal liability need to be decided, or if legal defense needs to be provided.

Utica National Insurance needs to be advised, and the insured is required to immediately report any incident that may trigger coverage under the policy. This includes incidents or allegations involving but not limited to any of the following:

1. **Serious injuries (fractures, burns, disfigurement, loss/injury to any of the 5 senses, amputation/dismemberment, brain injury, spinal cord injury, indoor air quality issues,) and death;**
2. **Sexual misconduct, sexual molestation and/or sexual harassment;**
3. **Defamation: Libel and Slander;**
4. **Discrimination, civil rights violations, labor practice violations, including but not limited to matters before any state's Division of Human Rights or the US Equal Employment Opportunity Commission (In the event you are insured under our School District and Educators Legal Liability form);**
5. **Individualized Education Plan (IEP) request(s) accompanied by plan review by an impartial arbitrator. (In the event you are insured under our School District and Educators Legal Liability form.)**

Further, the insured must immediately forward any **summons and complaint, notice of claim, or other legal process** to our attention. Naturally, should the district have any questions or concerns on any matter involving a claim or potential claim, contact should be made with a Utica National claim representative.

In all matters involving claims against the district, districts are instructed not to discuss any claims with anyone other than a representative of Utica National, defense counsel appointed by this company to represent your interests or investigators retained by this company to assist in the investigation. This does not preclude the district from cooperating with appropriate governmental authorities when required by law.

Should you have any questions regarding any matter involving your insurance coverage, please contact your agent and the Utica National Insurance Group.



Utica National Insurance Group • Utica Mutual Insurance Company and its affiliated companies, New Hartford, NY 13413 • www.uticanational.com

The material contained in this publication has been developed from sources believed to be reliable. It is presented for informational purposes only and should not be construed or relied upon as legal or technical advice. Utica National accepts no responsibility for its correctness or application to any specific facts or circumstances.

