



northwest professional educators

Legal & Liability Protection Comparison NWPE vs. Teacher Union

NWPE members receive exceptional legal services at the onset of problems. Contact us before a situation escalates so that our Director of Legal Services can advise you. We want to help you with troubleshooting and problem solving so that you can focus your attention on your students!

Once our Director of Legal Services reviews your concern, you will be advised on a recommended course of action. If there is a job protection issue for which you are eligible under the terms of the policy, you will be referred to a local attorney, some of whose fees may be covered by your policy if the action falls within the scope of the policy and does not stem from an issue pre-dating your membership.

NWPE Members Access Independent Legal Advice

NWPE members are less vulnerable to conflicts of interest because they can access independent legal assistance without going through a school colleague or union committee to access legal assistance. NWPE works hard to provide members with unbiased legal services.

NWPE Provides Additional Benefits for Job Protection Issues

For members, under the terms of the policy, coverage is available from the onset of the claim. Some organizations provide legal assistance only if the facts indicate the case can be won or if the case advances the organization's goals and core values. NWPE members, on the other hand, should be confident that they have the support of the NWPE legal team from their initial contact.

NWPE's coverage provides up to \$500 for your initial consultation with an attorney and another \$750 of the cost of having an attorney represent you at a formal hearing of a school board or other authority if you are threatened with an eligible job action, e.g., negative evaluation, termination, suspension, reassignment, or demotion. In addition, the coverage provides up to \$4000 for legal fees, subject to \$100 deductible, if you decide to sue because of an eligible job action such as termination, reassignment, suspension, or demotion. However, that final judgment must be rendered in your favor. If not, the coverage provides \$750 for reimbursement of legal fees without regard to final judgment.

New Teachers and Probationary Teachers are also Eligible for Legal Support

NWPE's coverage provides members, even new teachers and those on probationary contracts, with legal fees to help pay for a local attorney for eligible job protection issues under the terms of the policy. No other organization will provide such assurance.

You are the Policy Beneficiary for Twice the Liability Protection of the Union

NWPE's policy names YOU as the owner of the policy and the beneficiary, not NWPE. The teachers union provides a policy covering the union. School district and teacher union liability policies protect the best interests of those organizations, not necessarily the individual teachers.

NWPE'S insurance policy provides the following coverages:

- If an educator is found financially liable for negligence or an act that brings a civil judgment against them in a court proceeding (or an administrative agency proceeding), the policy provides for up to \$2 million in damages (secondary to the district's primary coverage).
- The coverage provides for \$35,000 for attorney fees and related costs if the member has a complaint filed that seeks non-pecuniary damages, i.e., damages that are not a financial judgment against educator, such as suspension or revocation of the teaching credentials.
- If a job action is brought by the school district against the educator's employment, the coverage available to members also provides some fees for a local attorney's assistance (\$500 legal consults, \$750 for an attorney to prepare and attend a formal hearing/meeting with employer). There may be additional funds available for attorney fees depending on the circumstances and the section of the policy that would apply.

These coverages are available to members based on the claim not on whether the member is found liable or not. The only policy provision that is dependent on the outcome of the proceedings would be those brought because of criminal allegations. Should a member need more details about provisions of the coverage related to criminal charges, please contact the association.

The teachers union has many options in handling job protection issues, including:

- 1) providing legal representation of the union's choosing;
- 2) not providing legal assistance but advising the employee to get his/her own attorney; or,
- 3) encouraging the employee to resign rather than fight for his/her rights.

For a chart comparing NWPE's liability policy with that of the teacher's union, please see this link: http://nwpe.org/PDF/Insurance_Comparison_2007.pdf.

Answers to Frequently Asked Questions can be obtained at this link: http://nwpe.org/PDF/Liability_Brochure_2007.pdf.