

Insurance Coverage of Faculty, Staff, and Students

The purpose of this memorandum is to answer questions raised by various Appalachian State University personnel concerning the nature of the University's insurance coverage for faculty, staff, and students who travel on field trips and similar outings and activities. As more fully discussed below, the University does **not** provide insurance coverage for students, although it does provide, or make available, coverage for faculty and staff.

Liability Insurance

Liability insurance protects the insured against claims by persons alleging injury resulting from the conduct of the insured.

Concerning general liability, the State of North Carolina claims sovereign immunity and therefore cannot be sued without its permission. However, by statute (Chapter 143, Article 31, North Carolina General Statutes), the State has waived its sovereign immunity, up to a limit of \$1,000,000 per claim, against claims for negligence of its employees or agents resulting in bodily injury or property damage. The North Carolina Industrial Commission is constituted a court for the purpose of hearing and passing upon tort claims against State departments, institutions or agencies.

In addition, the State provides excess liability coverage for State employees against claims for losses resulting in bodily injury and property damage in the performance of their job. The limits of liability are \$10,000,000 per claim. The coverage is subject to policy terms, conditions and exclusions.

The above-described liability coverage protects the University's agents and employees acting within the scope of their employment. It does **not** protect students whose conduct causes death or injury to persons or property while the student is on an ASU field trip or outing or any other University activity. Students should obtain their own general liability insurance if they desire such coverage.

Automobile Liability Insurance

With regards to Automobile Liability, the limits of liability are \$500,000 per occurrence/\$5,000,000 in the aggregate. This coverage protects employees or agents of the University from claims arising out of injuries caused by their operation of State-owned and "hired" (rented) automobiles while they are acting within the scope of their employment. [With respect to rented automobiles, employees should not purchase the collision damage waiver.]

This coverage does **not** protect students, unless, consistent with their employment or agency relationship with the University, such students are authorized to drive a motor pool vehicle. Neither employees nor students who choose to drive their own vehicles on University outings, nor anyone who chooses to ride with student or employee drivers in privately-owned vehicles, are covered by the University's insurance. Rather, all drivers should confirm that they have adequate insurance coverage on their personal vehicles.

Health and Medical Insurance

Qualifying faculty and staff may obtain such coverage, partially paid for by the University, as an employment benefit. Faculty and staff acting within the scope of their employment are covered by workers compensation. The University does **not** itself provide health and medical coverage to students, but the University has allowed a third-party provider to offer such coverage to students at students' expense. Students who suffer injury or illness while on a University outing are financially responsible for any care provided to them, and students should therefore assure themselves that they or their parents have adequate health care coverage.

Providing a List of Students Who Will Participate in an Outing Does not Provide Coverage

Faculty and staff taking students on field trips or other excursions are asked to provide to the Dean of Students a list of the student participants. This list is solely for informational purposes, enabling the University to determine the identities of participants in cases of emergencies. Providing such a list does **not** result in the provision of insurance coverage of any kind.