



Marjorie A. Blaufuss, KNEA General Counsel
House Committee on Education
February 7, 2020
House Bill 2572

Mr. Chairman and Members of the Committee,

On behalf of the Kansas National Education Association (KNEA) I offer this written testimony in opposition to HB 2572 creating the Educator Protection Act.

While KNEA appreciates the stated purpose of HB 2572 to provide excess professional liability insurance coverage for teachers across the State of Kansas, we do not believe that such an additional expense to the State is necessary.

Currently, each school district carries liability insurance for its teachers under K.S.A. 75-6108 of the Kansas Tort Claims Act. K.S.A. 72-9938 also requires the school district to give each teacher notice of the protections the teacher has through the school district's insurance under the Tort Claims Act. This coverage is in addition to any coverage the teacher has if a member of a professional organization.

At K.S.A. 75-6105, the Tort Claims Act caps the amount a litigant can recover from a school district at \$500,000 unless the district has excess coverage. Although this bill's stated intent is to provide additional protection for teachers, one cannot help but wonder if added insurance coverage by the State will encourage lawsuits against teachers due to the "deep pockets" the State of Kansas has now made available to litigants.

We believe teachers already have sufficient liability protection through the Tort Claims Act and their professional organizations, and HB 2572, in that it is duplicative, represents an unnecessary expenditure of State money.