

State of Oklahoma

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National Union, a member company of American International Group Inc.
(AIG)

Current Coverage

Directors, Officers & Trustees

Employment Practices Liability

Educators Legal Liability

2006-2007 Coverage

- Two policies currently in force
- Limit of Liability - \$5M per Claim/\$35M aggregate
- The limits of both policies are tied together
- Per Claim self insured retention is \$500,000

Who is Insured?

Policy #1 - Policy # 9652762
State of Oklahoma

The State Of Oklahoma government and all of its Subsidiaries except for those entities covered under Policy# 9652751 (Oklahoma State Colleges, Universities and Board of Regents)

Who is Insured?

Policy #2 - Policy #9652751

Oklahoma State University
University of Oklahoma
OU Health Sciences Center
Cameron University
University of Central Oklahoma
Connors State College
East Central University
Langston University

Who is Insured?

(CONT'D)

Rogers State University

Northeastern Oklahoma A&M

Northeastern State

Northwestern Oklahoma State

Oklahoma Panhandle State

Southeastern Oklahoma State

Southwestern Oklahoma State

Western Oklahoma State

Who is Insured?

(CONT'D)

Carl Albert State College

University of Sciences and Arts of
Oklahoma

Eastern Oklahoma State

Redlands Community College

Murray State College

Northern Oklahoma College

Rose State College

Oklahoma City Community College

Who is Insured?

(CONT'D)

Seminole State College

Tulsa Community College

Oklahoma State Regents for Higher
Education

Oklahoma School Of Science &
Mathematics

Ardmore Higher Education Program

Quartz Mountain Arts & Conference Center

Common Elements of Coverage for Both Policies

Who is an Insured?

- The Named Organization designated in the Declarations and its Subsidiaries
- All Individual Insureds including, but not limited to:
 - Past, present or future
 - Director, officer, trustee
 - Executive Director
 - Faculty member
 - Employee
 - Volunteer

What is a Wrongful Act?

For the entity:

- ❑ any breach of duty, neglect, error, misstatement, misleading statement, omission or act by or on behalf of the Organization

For Individual Insureds:

- ❑ any breach of duty, neglect, error, misstatement, misleading statement, omission or act by such Insureds in his/her respective capacity as such

Specific Grants of Coverage

- Employment Practices Violations including wrongful termination, sexual harassment, Discrimination, Retaliation
- Libel, Slander & Defamation
- Failure to grant tenure
- Non-Employment Discrimination
- Plagiarism

Standard Exclusions

- Nuclear Energy
- Captive Insurance Companies
- Unlawful Gain or Profit
- Criminal or Deliberate fraudulent acts
- Insured v. Insured (limited)
- Bodily Injury / Property Damage
- Pollution

Standard Exclusions

(CONT'D)

- Medical Malpractice
- Sexual Misconduct & Child Abuse
- Contractual Liability
- Civil or Criminal fines
- Taxes
- ERISA/FLSA/NLRA/COBRA/WARN/OSHA

What is Loss?

Loss means damages, including:

- Front pay
- Back pay
- Judgments
- Settlements
- Pre and post-judgment interest
- The multiple or liquidated damages under the Age Discrimination in Employment Act and the Equal Pay Act

What is not Loss?

- Defense Costs
- Employment related benefits, stock options, perquisites or deferred compensation
- Matters deemed uninsurable under the law
- Any costs to modify buildings or property to make it more accessible for disabled persons
- Punitive, exemplary, and multiple damages

Coverage Specifics

The State of Oklahoma D&O Policy

Supplemental Exclusions

- Absolute Wrongful Imprisonment Exclusion
- Absolute Affirmative Action Exclusion

Coverage Specifics

The State of Oklahoma Educators Legal Liability Policy

Expansion of Individual Insured

Including, but not limited to:

- Student teacher
- Student interns
- Teaching assistant
- President
- Regent
- Chancellor
- Provost
- Risk Manager

Expansion of Wrongful Act

Including, but not limited to:

- Educational Malpractice
- Denial/Removal of Tenure
- Failure to Educate
- Negligent Academic Guidance/Counseling
- Defect in the Tenure or Peer Review Process

Questions

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