Amendment to Collected Rules and Regulations
Section 80.030 Insurance
UM

The University of Missouri’s Collected Rules and Regulations Purchasing 80.030 Insurance governs the types of insurance coverages for The Curators of the University of Missouri.

The Vice President for Finance is recommending for Board approval modifications to Collected Rules and Regulations 80.030 Purchasing Insurance. These changes would affirm that the Board of Curators does not intend to waive immunities and to clarify the rules and methods of access to insurance markets.

These revisions were developed with the Office of General Counsel.

Objectives of Proposed Policy Changes
- Clarifies that the Board of Curators does not intend to waive and does not waive sovereign immunity, governmental immunity or any other immunity enjoyed by The Curators of the University of Missouri, its Board of Curators, its officers, administrators or employees
- Allow greater flexibility in accessing insurance markets as the industry evolves and the University continues to expand
- Insurance coverages that once fit into the coverage categories cited in 80.030 have evolved and there are now specialty insurance products that may not fall clearly under the traditional categories

 Benefits of Proposed Policy Changes
- Provide flexibility in accessing needed insurance markets. This is especially true with insurance coverages such as crop insurance, Athletic Accident Insurance or nuclear property coverage. These are specialty niches often best accessed using specialty brokers.
- The revised language is more advantageous for the University as it enhances our ability to create a higher level of competition for our business and to reach specialty markets.
- Using multiple brokers in related insurance coverages can inhibit the University’s ability to leverage underwriter/carrier relationships.

The proposed revisions to the Collected Rules and Regulations are attached.
It was recommended by Vice President Burnett, endorsed by President Wolfe, recommended by the Finance Committee, moved by Curator ________________ and seconded by Curator ________________, that the following action be approved:

that Collected Rules and Regulations 80.030 Insurance be amended to affirm that the Board of Curators does not intend to waive immunities and to clarify the rules and methods of access to insurance markets, as reflected in the attached.

Roll call vote Finance Committee

- YES
- NO

Curator Covington
Curator Nelson
Curator Phillips
Curator Snowden
Curator Steelman

The motion ________________.

Roll call vote Full Board:

- YES
- NO

Curator Covington
Curator Cupps
Curator Graham
Curator Henrickson
Curator Nelson
Curator Phillips
Curator Snowden
Curator Steelman
Curator Steward

The motion ________________.
A. **Types of Insurance Coverages** -- The University may purchase the following insurance coverages under the following conditions:

1. **Property (excluding Fidelity)**
   a. On specific or groups of University properties when the potential loss could be so large that the ability of the University to repair or replace the loss on a timely basis through state appropriations or other sources would be questionable.
   b. On University property where required by bond indenture, condition of trust or agreement, Federal or State Law; or
   c. On University property where the premium to insure will be paid from sponsored gifts, grants or contracts (non-general operating funds); or
   d. On University property used by an Auxiliary Enterprise or Sales and Service facility functioning like an Auxiliary Enterprise; or
   e. On property of others where required by the donor, exhibitor or owner as a condition of use.

2. **Casualty**
   a. Where required by bond indenture, condition of trust or agreement, or required by or voluntary acceptance of, Federal or State law; or
   b. Where the President determines that it is in the best interest of the University to provide insurance as an incident of employment for University employees who may become liable for their actions resulting from and directly related to, their position as an employee of the University; or
   c. Where the President determines, because of particular circumstances, that it is in the best interest of the University to provide insurance against its liability from its operation, maintenance or use of specific buildings, premises or other property owned or controlled by it.

3. **Fidelity, Bonds and Other Bonds**
   a. Where required by condition of trust or agreement, Federal or State law; or
   b. Where the President determines the cash and securities, employees or assets of the University are or may be at risk.
DRAFT Collected Rules and Regulations Section 80.030
(Recommendations Redlined)

4. Staff Benefits coverages upon recommendation of the President.
5. Student insurance programs approved by the President and either funded by the students or for which University funds have been approved in the Budget.

B. Methods of Purchase

1. Until otherwise directed by the Board of Curators (Board), the method of purchase of all property, casualty, fidelity and student insurance shall be:
   a. Through competitive proposals solicited from three or more brokers, which shall be selected through a University pre-qualification process, and with Board approval; or
   b. By a program of self-insurance, with the program having been approved by the Board.

2. The method of purchase of all Staff Benefit insurance shall be:
   a. By proposal from Brokers based on a University Request for Proposals; with the proposal having been selected with Board approval; and/or
   b. By a program of self-insurance, with the program having been approved by the Board.

C. Delegation of Authority to Purchase -- The President is authorized to purchase any of the insurance coverages authorized in Section 80.030 A meeting the conditions thereof, by the methods outlined in Section 80.030 B and for which funds are available for payment of premium, without reporting to or requesting authority of the Board; provided, however, the authority of the Board will be required for the purchase of insurance for:

1. Any Staff Benefit program that was not covered by insurance as of the date this Policy or amendments thereto are approved by the Board; and
2. Any change in coverage or conditions of Staff Benefit programs subsequent to the date this Policy or amendments thereto are approved by the Board unless funds therefor have been provided in the approved Budget.

D. No Waiver of Immunity--

1. By authorizing the purchase of insurance pursuant to this policy, the Board of Curators does not intend to waive and does not waive sovereign immunity, governmental immunity or any other immunity enjoyed by The Curators of the University of Missouri, its Board of Curators, its officers, administrators or employees and no language contained in any insurance policy purchased pursuant to this policy shall be construed to constitute a
waiver of sovereign immunity, governmental immunity or any other immunity enjoyed by The Curators of the University of Missouri, its Board of Curators, its officers, administrators or employees.

2. By approving the establishment of a program of self-insurance, the Board of Curators does not intend to waive and does not waive sovereign immunity, governmental immunity or any other immunity enjoyed by The Curators of the University of Missouri, its Board of Curators, its officers, administrators or employees and no language contained in any program of self-insurance approved by the Board of Curators shall be construed to constitute a waiver of sovereign immunity, governmental immunity or any other immunity enjoyed by The Curators of the University of Missouri, its Board of Curators, its officers, administrators or employees.

NOTE: The President shall have the authority to determine the form of coverage, policy terms and conditions, the amount of coverage or limits of liability, the amount of any deductible, method of premium payment, and when or if proposals will be received based on University Request for Proposals.
A. Types of Insurance Coverages -- The University may purchase the following insurance coverages under the following conditions:

1. **Property (excluding Fidelity)**
   a. On specific or groups of University properties when the potential loss could be so large that the ability of the University to repair or replace the loss on a timely basis through state appropriations or other sources would be questionable.
   b. On University property where required by bond indenture, condition of trust or agreement, Federal or State Law; or
   c. On University property where the premium to insure will be paid from sponsored gifts, grants or contracts (non-general operating funds); or
   d. On University property used by an Auxiliary Enterprise or Sales and Service facility functioning like an Auxiliary Enterprise; or
   e. On property of others where required by the donor, exhibitor or owner as a condition of use.

2. **Casualty**
   a. Where required by bond indenture, condition of trust or agreement, or required by or voluntary acceptance of, Federal or State law; or
   b. Where the President determines that it is in the best interest of the University to provide insurance as an incident of employment for University employees who may become liable for their actions resulting from and directly related to, their position as an employee of the University; or
   c. Where the President determines, because of particular circumstances, that it is in the best interest of the University to provide insurance against its liability from its operation, maintenance or use of specific buildings, premises or other property owned or controlled by it.

3. **Fidelity, Bonds and Other**
   a. Where required by condition of trust or agreement, Federal or State law; or
   b. Where the President determines the cash and securities, employees or assets of the University are or may be at risk.
Collected Rules and Regulations Section 80.030
(Clean copy with recommended changes incorporated)

4. Staff Benefits coverages upon recommendation of the President.
5. Student insurance programs approved by the President and either funded by the students or for which University funds have been approved in the Budget.

B. Methods of Purchase

1. Until otherwise directed by the Board of Curators (Board), the method of purchase of all property, casualty, fidelity and student insurance shall be:
   a. Through competitive proposals solicited from two or more brokers, which shall be selected through a University pre-qualification process, and with Board approval; or
   b. By a program of self-insurance, with the program having been approved by the Board.
   c. Specialty markets may be accessed via a specialty broker.

2. The method of purchase of all Staff Benefit insurance shall be:
   a. By proposal from Brokers based on a University Request for Proposals; with the proposal having been selected with Board approval; and/or
   b. By a program of self-insurance, with the program having been approved by the Board.

C. Delegation of Authority to Purchase -- The President is authorized to purchase any of the insurance coverages authorized in Section 80.030 A meeting the conditions thereof, by the methods outlined in Section 80.030 B and for which funds are available for payment of premium, without reporting to or requesting authority of the Board; provided, however, the authority of the Board will be required for the purchase of insurance for:

   1. Any Staff Benefit program that was not covered by insurance as of the date this Policy or amendments thereto are approved by the Board; and
   2. Any change in coverage or conditions of Staff Benefit programs subsequent to the date this Policy or amendments thereto are approved by the Board unless funds therefor have been provided in the approved Budget.

D. No Waiver of Immunity--

1. By authorizing the purchase of insurance pursuant to this policy, the Board of Curators does not intend to waive and does not waive sovereign immunity, governmental immunity or any other immunity enjoyed by The Curators of the University of Missouri, its Board of Curators, its officers, administrators or employees and no language contained in any insurance policy purchased pursuant to this policy shall be construed to constitute a
Collected Rules and Regulations Section 80.030
(Clean copy with recommended changes incorporated)

waiver of sovereign immunity, governmental immunity or any other immunity enjoyed by The Curators of the University of Missouri, its Board of Curators, its officers, administrators or employees.

2. By approving the establishment of a program of self-insurance, the Board of Curators does not intend to waive and does not waive sovereign immunity, governmental immunity or any other immunity enjoyed by The Curators of the University of Missouri, its Board of Curators, its officers, administrators or employees and no language contained in any program of self-insurance approved by the Board of Curators shall be construed to constitute a waiver of sovereign immunity, governmental immunity or any other immunity enjoyed by The Curators of the University of Missouri, its Board of Curators, its officers, administrators or employees.

NOTE: The President shall have the authority to determine the form of coverage, policy terms and conditions, the amount of coverage or limits of liability, the amount of any deductible, method of premium payment, and when or if proposals will be received based on University Request for Proposals.