

Liability Coverage for Master Gardener Volunteers

The subject has arisen of liability coverage for Master Gardener volunteers while participating in approved service activities. The University of Missouri provides defense and protection against loss, damage or expense for its employees, students and volunteers. The terms and conditions of coverage are outlined in the University's Collected Rules and Regulations 490.010 which can be read below.

The University's policy on defense and protection, however, does not apply to participants at Extension-sponsored events, unless they are located on University property.

490.010 Defense and Protection of Employees

1. **Defense and Protection** -- Defense and protection against loss, damage or expense will be provided to:
 1. **Employees** -- An officer, faculty member, or other employee of the University of Missouri in connection with any claim or suit allegedly arising out of the performance of duties for, or employment with, or by the Curators of the University of Missouri, a public corporation; and
 2. **Students** -- A duly enrolled student at the University of Missouri in connection with any claim or suit allegedly arising out of the performance of duties as a member of a University of Missouri committee to which the student has been appointed by a duly authorized University of Missouri administrative officer, subject to the following conditions.
 3. **Volunteer**-- A duly authorized volunteer of the University of Missouri in connection with any claim or suit allegedly arising out of the performance of duties of volunteer service for the University of Missouri or the performance of duties as a member of a University of Missouri committee to which the volunteer has been appointed by or requested to provide the services by a duly authorized University of Missouri administrative officer, subject to the following conditions.
 4. Such an officer, faculty member, employee, authorized volunteer, or student who, individually or with others, is named a defendant in legal actions or proceedings submits a request for such defense and protection to the President.
 1. Such a request shall include:
 - (1) A brief description of the circumstances surrounding the incident giving rise to the legal action;
 - (2) Documentation to verify that the named individual was acting within the scope of his or her official duties at the time of the incident; and
 - (3) A copy of the summons or petition served on the named individual.
 2. The President determines that the named individual was acting in good faith and within the scope of his/her employment or authority.
 3. Such defense or protection is legally permissible.
 4. No protection will be provided if a court determines that the action arose out of malfeasance in office or willful or wanton action or neglect of duty.
2. While such defense and protection normally will be provided by insurance maintained by the University, this policy applies without regard to the availability of insurance coverage. If the initial determination is made by the President that the named individual is entitled to defense, it shall be provided either by insurance or by the General Counsel or by an outside counsel appointed by the General Counsel on behalf of the individual.