

# The BoardSource Endorsed Directors & Officers (D&O) Liability Insurance Program

Provided Exclusively by Aon Association Services



## 10% premium discount for all BoardSource Members

Additional discounts available for Members who contracted and received facilitating governance-related consulting/training services from BoardSource within the past twelve (12) months, or who utilized the BoardSource Board Self-Assessment Tool.

**Duty-to-Defend Coverage:** The Insurer is required to assign experienced defense counsel, even if the allegations are groundless or false.

**Broad Definition of Insured:** The definition of INSURED includes the NonProfit, as well as any one who was or is a Director, Officer, Trustee, Committee Member, Employee or Volunteer. The definition of Employee has been expanded to include part-time, seasonal, temporary, leased and loaned employees.

**Employment Practices Liability Coverage:** Protects the NonProfit against employee related allegations of discrimination, wrongful termination and sexual harassment, as well as failure to hire or promote.

**Third Party Coverage:** Protects the NonProfit against third party allegations of discrimination and sexual harassment.

**Defense Outside the Limit of Liability:** This feature prevents defense costs from eroding the NonProfit's policy limits. Subject to underwriting.

**Personal Injury & Publishers Liability Coverage:** Protects a NonProfit against allegations of libel, slander and copyright or trademark infringement.

**Outside Directorship Liability Coverage:** Provides protection for a director, officer, trustee or equivalent executive serving on the boards of other 501c3 nonprofits, as part of their duties with the NonProfit.

**Breach of Contract Coverage (Defense Costs):** Provides defense for allegations of Non-employment related breach of contract.

**Spousal/Domestic Partner Coverage Extension:** Coverage shall apply to the lawful spouse or Domestic Partner of an INSURED PERSON under certain conditions.

## \$100,000 Fiduciary Liability (ERISA) Defense Costs

**Sublimit:** Provides defense provision for allegations of the mismanagement of employee benefit plans. Stand alone Fiduciary limit available upon request.

**Expanded Definition of LOSS:** Punitive Damages and Multiplied Damages are included in the definition of LOSS (where insurable). Most favorable venue wording applies.

**Excess Benefit Transaction Penalties Coverage:** Provides coverage for the 10% excise tax imposed in connection with allegations of an "excess benefits transaction".

**Worldwide Territory:** Coverage provided for allegations made anywhere in the world.

**Entity Identity (Fraud) Coverage:** Provides a \$25,000 sublimit for public relations and related costs should the NonProfit learn that a third party has improperly used the NonProfit's name to solicit funds.

## Sublimits for Penalties Assessed Under:

- IRS Code section 6652(C)(1)(a) for a failure to file tax returns. Aggregate sublimit of \$25,000 for self-reported violations.
- Public Law 108-187 (the CAN-Spam Act of 2003). Aggregate sublimit of \$25,000.
- The 1976 Lobby Law or the Lobbying Disclosure Act of 1995. Aggregate sublimit of \$25,000.

## Optional Coverage Parts:

- **Fiduciary Liability** – protects the NonProfit against allegations of the mismanagement of employee benefit plans.
- **Crime Coverage** – provides protection for Employee Theft, Depositors Forgery or Alteration, Theft/Disappearance/ Destruction of Money & Securities (Inside & Outside the Premises), Computer Fraud, and Money Orders & Counterfeit Currency.

Call us or have your agent call **1-800-432-7465**  
or visit us online at [www.boardsourceinsurance.com](http://www.boardsourceinsurance.com)

Sponsored by:



Administered by:



## Aon Affinity – We Know Nonprofits

Aon Association Services, 1120 20th Street NW, Suite 600, Washington, D.C. 20036-3419

Aon Association Services, a Division of Affinity Insurance Services, Inc., in CA, MN & OK a Division of AIS Affinity Insurance Agency, Inc., and in NY a Division of AIS Affinity Insurance Agency. CA License #0795465. Please note that the precise coverage afforded is subject to the terms, conditions and exclusions of the policy issued. Not all features are available in all states.