

*MIS*

For information please  
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Also available through

*McDaniel Insurance  
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**NON-PROFIT ORGANIZATIONS**

**General Liability, Property  
and other coverages**

Conservation & Environmental  
Groups, Arts, Cultural and  
Educational Organizations,  
Museums, Botanical Gardens,  
Performing Arts,  
Nonprofit Schools, Social  
Service Groups.

**NON-PROFIT OR FOR-PROFIT**

Museums, Botanical Gardens,  
Performing Arts

**PROFESSIONAL LIABILITY**

**Errors and Omissions**

Environmental Consultants,  
Computer Professionals, and  
miscellaneous classes of  
professional liability.

**Directors and Officers**

For-profit and non-profit  
organizations

*MIS*

**DIRECTORS and  
OFFICERS  
Liability Insurance**

available only to qualifying  
member clubs of the

**California Garden  
Clubs, Inc.**



provided by

*McDaniel  
Insurance  
Services LLC*

This brochure is for summary  
information purposes only.  
Please refer to the policy as  
the governing legal document.

**Feb 15, 2025**  
through  
**Feb 15, 2026**

## DIRECTORS AND OFFICERS LIABILITY

### ABOUT YOUR RISK AS A DIRECTOR, OFFICER OR VOLUNTEER

Suits against nonprofit directors and the organizations themselves are on the rise. Even if a suit is defended successfully, litigation can be expensive.

Directors and officers are subject to the duties of due diligence, obedience and loyalty. Failure to perform one's duties as the result of wrongful acts or negligence can be cause for suit. Mismanagement of funds can be a basis of claims.

Suits to limit public comment may result in substantial costs for organizations which take a stand on public-policy issues.

Directors' and Officers' personal assets may be at risk. The organization ('entity') may be sued, putting its assets at risk.

Directors and Officers Liability provides coverage for 'Wrongful Acts'. The policy defines this as "any actual or alleged breach of duty, neglect, error, omission, misstatement, misleading statement, or act by the Insured Persons in their respective capacities as such or by a director, trustee or officer of the Organization in a non-profit outside position . . . or any other matter claimed against the Insured Persons solely by reason of their status as Insured Persons or against a director, trustee or officer of the organization solely by reason of service in a non-profit outside position."

### Old Republic Insurance Company A California Admitted Company A M Best Rated A+

#### POLICY PROVISIONS

##### Limits

\$2,000,000 shared aggregate; unlimited defense cost outside this limit and they do not reduce the available limits.

##### Full Prior Acts Coverage

The policy will respond to claims resulting from activities before the policy inception.

##### Who Is Insured

The non-profit entity, any past, present or future directors, officers, trustees, employees, volunteers, and/or any member of the staff, faculty, or any duly constituted committee of the insured entity.

##### Duty to Defend

The carrier will have the right and duty to defend any covered claim, even if such claim is groundless, false or fraudulent.

##### Entity coverage

provides coverage for claims made during the policy period against the insured club itself, in addition to coverage for the Directors and Officers. As a corporation, your club is a legal entity which can 'sue and be sued' and coverage for this entity is included.

### DIRECTORS AND OFFICERS INSURANCE PROGRAM

- ◆ This is NOT General Liability or Crime. D&O protects against liability for wrongful acts or alleged wrongful acts.
  - ◆ No personal injury exclusion.
  - ◆ No professional services exclusion.
  - ◆ Defense costs for suits seeking non-monetary damages.
  - ◆ "Wrongful Act" is broadly defined.
  - ◆ Marital estate coverage.
  - ◆ Third party Discrimination and Harassment coverage included.
  - ◆ Punitive damages coverage included.
  - ◆ Severability of warrantee for self-dealing and criminal acts.
  - ◆ Coverage while serving as a director or trustee of any other not-for-profit entity at the insured's express written direction.
  - ◆ Exclusions: Unlawful activities, breach of contract, bodily injury (sickness, disease) property damage, pollution, mold, fungus, claims brought by insured entities, prior claims, prior acts of acquired subsidiaries.
- #### PROGRAM GUIDELINES
- ◆ Available to member clubs of the California Garden Clubs, Inc.
  - ◆ Clubs must be incorporated organizations with IRS 501 (c) status.
  - ◆ Policy runs from February 15 to February 15 annually.
  - ◆ There are no pro-rations or returned premiums for participation canceled mid-term.
  - ◆ Submit for quote if there are any employees, if annual revenue is more than \$100,000, or if there is prior or pending litigation.