

**UNIVERSITY OF WISCONSIN-MADISON
FACILITIES USE GUIDELINES**

SUBJECT: Liability Insurance

FROM: Risk Management

DATE: September 2002

The University, as an entity of the State of Wisconsin is self-funded for liability under Wisconsin Statute 895.46 (1) and this liability protection extends to all officers, employees and agents acting in the course and scope of their duties. When the acts or omissions of University officers, employees and agents while acting in the scope of their duties result in damages to persons or property, the State's Self-funded Liability Program provides liability coverage for employees.

While the State program does extend to officers and employees while in the scope of their duties, the coverage that extends to agents of the University is less clear. In order to be an agent of the University, an individual must be working for the benefit of the University and under the direct control of a University officer or employee. The State's coverage does not automatically extend to students, unless they are working as an employee of the University, or as our agent. In most cases, this relationship must be affirmatively defined before an event occurs.

As it applies to facility use, employees of University departments acting within the scope of their duties are covered for liability protection and there should be no need for them to provide evidence of coverage between departments within the University. Student organization activities may be deemed to be University business if the activity benefits the University and the event is under the direction and control of a university department. This is most often the case for student activities that enhance the academic mission of the department. Activities of student organizations that are not closely aligned with academic departments/programs would, in all likelihood, not be covered under the State's self-funded program. However, the Office of Risk Management offers a relatively low-cost liability insurance alternative as compared with seeking liability insurance for a specific campus event. The University System makes a liability program available System-wide for users of campus facilities.

For more information regarding the University's self-funded liability program, or regarding the special events liability insurance available to facility users, please refer to the risk management office web site at: http://www.bussvc.wisc.edu/risk_mgt/risk_mgt.html