



## LIABILITY CLAIM DEFENSE

**Policy Title:** Liability Claim Defense

**Policy Type:** Administrative

**Policy Number:** #42-09 (2014)

**Approved:** 08/26/2014

**Responsible Office:** Environmental Health, Safety and Risk Management

**Responsible Executive** Vice President for Finance and Administration

**Applies to:** Faculty, Staff and Students

### POLICY STATEMENT

This policy outlines basic steps for University defense against claims alleging liability.

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### DEFINITIONS

None

### CONTACT(S)

Environmental, Health, Safety and Risk Management (EHS&RM) staff officially interprets this policy. The Vice President of Finance and Administration is responsible for obtaining approval for any revisions as required by BOV Policy # 01 (2014) *Creating and Maintaining Policies* <https://www.nsu.edu/policy/bov-01.aspx> through the appropriate governance structures. Questions regarding this policy should be directed to The Office of the Controller/Financial Services.

## **LIABILITY CLAIM DEFENSE**

### **STAKEHOLDER(S)**

University students, faculty and staff

### **WRITE-OFF OF RECEIVABLES POLICY CONTENTS**

- This policy describes the steps for managing claims against the University for personal injury and/or property damage.
- The EHS&RM Office shall:
  - Determine the extent of injury and/or damage
  - Identify possible means of preventing a recurrence
  - Oversee immediate remediation
  - Advise legal counsel
  - Present applicable cost documentation as a claim to Department of Risk Management
  - Arrive on scene as soon as possible
    - Interview witnesses
    - Photograph damage
    - Confer with University Police
- Determine cause(s):
  - Confer with appropriate tradesmen
  - Identify physical evidence
- Oversee immediate remediation:
  - Water removal
  - Remove fire damaged items
  - Secure area
- Conduct inventory of damaged items:
  - Determine ownership
  - Secure damaged items
- Prepare list of labor and material costs
- Compose letter of complaint to the insurance company of a third party found to liable for damage
- Claims to DRM are subject to a deductible

## **PUBLICATION**

This policy shall be widely published and distributed to the University community. To ensure timely publication and distribution thereof; the Responsible Office will make every effort to:

- Communicate the policy in writing, electronic or otherwise, to the University community within 14 days of approval;
- Submit the policy for inclusion in the online Policy Library within 14 days of approval;
- Post the policy on the appropriate Website; and
- Educate and train all stakeholders and appropriate audiences on the policy's content as necessary. Failure to meet publication requirements does not invalidate this policy.

## **REVIEW SCHEDULE**

- Next Scheduled Review: 04/06/2021
- Approval by, date: President, 08/26/2014
- Revision History: 08/26/2014; 07/23/2015; 08/22/2017; 04/06/2018
- Supersedes: *None- New Policy*

## **RELATED DOCUMENTS**

*None*

## **FORMS**

*There are no forms associated with this policy and procedures.*