



LIABILITY CLAIM DEFENSE

Policy Title: Liability Claim Defense

Policy Type: Administrative

Policy Number: #42-09 (2014)

Approved: 12/16/2021

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: 12/16/2024
- Approval by, date: President, 08/26/2014
- Revision History: 08/26/2014; 07/23/2015; 08/22/2017; 04/06/2018; 12/16/2021
- Supersedes: *None- New Policy*

RELATED DOCUMENTS

None

FORMS

There are no forms associated with this policy and procedures.