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.

TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Definitions</th>
<th>PAGE NUMBER</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contacts</td>
<td>PAGE NUMBER</td>
</tr>
<tr>
<td>Stakeholder(s) (For Administrative Policy)</td>
<td>PAGE NUMBER</td>
</tr>
<tr>
<td>Liability Claim Defense Policy Contents</td>
<td>PAGE NUMBER</td>
</tr>
<tr>
<td>Publication</td>
<td>PAGE NUMBER</td>
</tr>
<tr>
<td>Review Schedule</td>
<td>PAGE NUMBER</td>
</tr>
<tr>
<td>Related Documents</td>
<td>PAGE NUMBER</td>
</tr>
<tr>
<td>Forms</td>
<td>PAGE NUMBER</td>
</tr>
</tbody>
</table>

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](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.