



Risk Management

Purpose

This policy affirms that Stephen F. Austin State University (SFASU) recognizes the significance of providing a safe working and educational environment for employees, students, and visitors through its efforts to mitigate risk to physical and financial resources of the institution. This policy also provides safety and risk management procedures that support the goals and objectives of the university in accordance with applicable UT System policies, state, and federal laws.

Persons Affected

This policy applies to all SFASU faculty, staff, students, visitors, and vendors.

Policy

Fulfilling educational philosophies and protecting facility assets are important priorities of SFASU. Institutional planning, with an emphasis placed on practical approaches to problem solving and risk control, are standards commonly adhered to in a university environment. The benefit is the identification of risks and a reduction in the total cost of risks. Additionally, the university is a safer place for employees, students and the public to work, study, live and congregate.

Procedures

A. Risk Management Plan

1. The function of risk management is to minimize the adverse effects of events, be it physical or financial through the implementation of four basic tools:
 - a. **Risk Avoidance.** Risk is avoided by refusing to assume it. This is not always wise or possible as it may mean an end to an operation in a specific area.
 - b. **Risk Assumption or Retention.** Planned acceptance of losses by self-insurance or deductible.
 - c. **Risk Control.** When a risk cannot be avoided, it can often be reduced and the severity of losses lessened through the proper training of staff, maintenance of equipment, updating of policies and procedures, and the proper implementation of adequate emergency procedures.
 - d. **Risk Transfer.** If a risk cannot be avoided, it can be transferred to others. In negotiating contracts, the risk manager may recommend an insurance clause be included requiring evidence of the other party's insurance coverage. This type of document is a "certificate of insurance" and where appropriate, the institution may need to be named as an additional insured under the contractor's policy.



B. Safety and Risk Management

There are varying risks associated with activities and occupations at a university. Environmental Health, Safety, and Risk Management (EHSRM) serves the university community by identifying the areas of greatest risk and making recommendations regarding the hierarchy of controls— elimination, substitution, engineering controls, administrative controls and personal protective equipment—to reduce those risks. Recommendations are based on the numerous federal, state, and local regulations, codes, and standards that have been developed to assure public health and safety. Employees are strongly encouraged to take an active role in the university safety and risk management program by vigilantly identifying and promptly reporting any hazardous conditions. For comprehensive guidelines, refer to the university Health and Safety Manual located on the EHSRM website. Structured safety training such as new employee, specialized high interest areas, specific subject matter, and information concerning the Hazardous Communication Act will be offered to employees when appropriate or required by law. EHSRM will update or modify the Health and Safety Manual as needed. EHSRM will be charged with the responsibility of reviewing problem areas such as recurring injuries, accidents or safety violations.

C. Insurance

1. The University of Texas System Office of Risk Management (ORM) is responsible for the procurement and administration of most insurance policies. The purchase or renewal of any insurance policies and surety bonds must be approved by the UT System Office of Risk Management in accordance with the UT System Regents' Rule (Rule 80601). The ORM and the EHSRM risk manager will evaluate campus risks, loss exposures, and insurance needs. Insurance shall be purchased if:
 - a. Required by law,
 - b. The cost of insurance is judged to be preferable to leaving the risk uninsured, or
 - c. Required by contractual agreement.
2. Insurance will not be purchased if state or federal law prohibits the purchase of insurance. Insurance coverage is limited to what is allowed by state law.
3. Stephen F. Austin State University (SFASU) maintains coverage on the following lines of risk to ensure the protection of university assets and operations:
 - a. Property Insurance: Comprehensive coverage to protect the University property including buildings, contents, and equipment through Fire and All Other Perils Program and Named Windstorm and Flood Program.
 - b. Workers' Compensation Insurance: Coverage to support employees in case of work-related injuries or occupational illnesses.
 - c. Automobile Insurance: Coverage for university-owned vehicles, ensuring liability and physical damage protection.
 - d. Fine Arts Insurance: Coverage for fine arts collections and related exhibits.
 - e. Equipment: Coverage for direct physical loss or damage to scheduled equipment utilized across university operations.



- f. Athletic Events and University-owned Camps: Coverage to protect against risks associated with athletic activities and camps.
- g. Directors' and Officers': Liability Coverage for the university's directors and officers to safeguard against claims of wrongful acts.
- h. Commercial Crime: Coverage to protect against losses resulting from criminal activities including theft and fraud.

D. Reporting Losses

1. Any incident that may be covered by insurance must be reported to EHSRM within 48 hours. Timely reporting is essential for proper evaluation and claims processing.
2. Incidents involving theft, vandalism, or automobile accidents must be reported immediately to SFASU's University of Texas Police Department (UTSFA-PD) to facilitate investigation and recovery efforts.
3. EHSRM is responsible for completing and submitting all claim forms for covered losses or policy events. Claims will be submitted to the appropriate insurance carrier in accordance with the procedures established by the University of Texas System.
4. The University of Texas System Office of Risk Management will be informed of all claims and will assist with the claims process to ensure compliance and proper handling.

E. Standard Statement of Liability

It is the stated policy of the State of Texas not to acquire commercial general liability insurance for torts committed by employees of the state who are acting within the scope of their employment. Rather, Chapter 101 of the Civil Practice and Remedies Code states 'that a governmental unit in the state is liable for property damage, personal injury and death proximately caused by the wrongful act or omission or negligence of an employee acting within his scope of employment...' Liability of the state government under this chapter is limited to money damages in a maximum amount of \$250,000 for each person and \$500,000 for each single occurrence for bodily injury or death and \$100,000 for each single occurrence for injury to or destruction of property.

F. Incident Report for Students, Visitors, and Vendors

Whenever there is an accident or injury on university premises, a loss or injury to a student, visitor or company, or any other unplanned event, the UTSFA – PD and EHSRM should be notified. When applicable, UTSFA – PD will submit incident or accident reports to EHSRM. Once all of the facts have been documented, the appropriate vice president and the general counsel will be notified. Employees are advised to discuss the case with no one until consulting with the general counsel. No statements are made admitting liability or authorizing medical treatment unless cleared through the general counsel. If any machine, product, or object is involved in the accident, it is preserved, as is, in a safe place until it can be examined.

G. Personnel

Faculty, staff or student assistant injuries that occur during the scope of employment may be covered by workers' compensation insurance coverage. The employee must inform



his/her supervisor and contact the university claims representative (safety officer) as soon as possible. Refer to SFA HOP 03-220 Worker's Compensation Insurance Coverage.

H. Safety Communication Network

EHSRM is charged with the general oversight of the university safety & risk management program. Communication channels that connect each area of the university with EHSRM are necessary for an effective safety & risk management program. Each division of the university should designate a safety representative who will act as the liaison(s) between the division and the EHSRM. The purpose of the safety communication network is not to relieve the division members of the general responsibility but to recognize hazards in their areas of activity and take positive action to reduce or eliminate those hazards, nor is it to relieve the faculty and staff members of their responsibility to educate their students and employees about proper job procedures and recognized hazards before making task assignments.

I. Travel and Vehicle Use

The university provides several choices for vehicle transportation necessary for operations that include travel for university business. For procedures, requirements, policies, workers' compensation and general insurance information, reference the Rental and Use of Vehicles in an Official Capacity procedure located on the EHSRM website and UTS 157 Automobile Insurance Coverage for Officers and Employees and General Requirements for the Use of Vehicles.

Related Statutes or Regulations, Rules, Policies, or Standards

Tex. Civ. Prac. & Rem. Code Ch. 104
Tex. Civ. Prac. & Rem. Code Ch. 101

Regents' *Rules and Regulations*, Rule 80601, Property and Casualty Insurance and Surety Bonds

SFA HOP 03-220 Worker's Compensation Insurance Coverage
SFA HOP 05-412 Transportation Services
SFA HOP 05-510 Health and Safety

Responsible Executive

Senior Vice President for Organizational Effectiveness

Forms

None

Revision History

September 1, 2023 (original)



February 21, 2025

Non-Educational Policy