



Administrative Procedure

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Subject: BOARD OF CONTROL CLAIMS

1.0. PURPOSE:

To establish procedures for processing claims against the University for financial restitution due to acts of liability for which the University is alleged to be responsible.

2.0. ORGANIZATIONS AFFECTED:

All University departments.

3.0. REFERENCES:

California Administrative Code, Title 2, Division 2, Article 4.

4.0. POLICY:

All claims against the University must be handled through procedures established by the State Board of Control as outlined in Title 2, referenced above.

5.0. DEFINITIONS:

5.1. Board of Control Claim--A case shall be considered a Board of Control claim whenever a person, group, or entity claims to have suffered personal, property, or financial damage through the fault of the University or its employees while on duty.

5.2. Claimant--Any person, group, or entity making a claim as a result of the conditions noted in 5.1. above.

5.3. Campus Board of Control Claim Coordinator--The campus administrator designated by the President to provide oversight for this function shall be the Campus Risk Manager/Department of Human Resource Management.

5.4. Division Directors--Management personnel at the director level within the vice presidential division areas.

Approved:

Date:

6.0. RESPONSIBILITIES:

6.1. The Campus Board of Control Claim Coordinator will:

- 6.1.1. Receive and respond to all requests regarding a possible claim against the University.
- 6.1.2. Provide appropriate Board of Control documents and explanatory materials to claimant.
- 6.1.3. Investigate claims from the campus perspective.
- 6.1.4. Prepare and forward a statement on conclusions of such investigations to the Board of Control on request.
- 6.1.5. Maintain a file for each Board of Control claim.
- 6.1.6. Schedule quarterly meetings with the University Risk Management and Safety Committee to discuss safety issues and provide nature/types of claims information as deemed appropriate.
- 6.1.7. Provide a summary of new Board of Control claims established to the Vice President for Administration and Finance on a quarterly basis.

6.2. The Claimant will send three copies of the State Board of Control Government Claim Form (SBOC-GC-0002) to the State Board of Control address on the form and one copy to the Campus Board of Control Claim Coordinator's office.

6.3. The Division Director will prepare information, collect data and make a recommendation regarding the University's response to the Board of Control Claim Coordinator, whenever the claim refers to an activity or action in his/her division.

6.4. The Vice President for Administration and Finance will review the quarterly summary of Board of Control claims prepared by the Campus Board of Control Claim Coordinator and make a recommendation as necessary.

7.0. PROCEDURES:

7.1. The claimant shall be referred to the Campus Board of Control Claim Coordinator.

- 7.2. The Campus Board of Control Claim Coordinator shall provide the claimant a State Board of Control claim form (Government Claim Form, SBOC-GC-0002) with instructions to send three copies to the State Board of Control address on the form and one copy to the Coordinator's office. At this time, the Coordinator will make a file for the claim and prepare a summary of the claim, as initially presented, for the file. The Coordinator should also inform the claimant that the claims, if approved, are paid by the State and not through any University office.
 - 7.3. When the State Board of Control sends a request for information and a recommendation to the campus, the Campus Board of Control Claim Coordinator will investigate the matter in coordination with division directors and other personnel as deemed appropriate and prepare the reply.
 - 7.4. The Campus Board of Control Claim Coordinator will forward the reply to the State Board of Control.
 - 7.5. If an award is made to the claimant by the Board of Control, a copy of the award letter is sent to the Campus Board of Control Claim Coordinator who will retain it for the file. Should the claim be denied, a copy of the Board of Control decision also will be retained for the file.
 - 7.6. If the claimant chooses to sue the State, the Campus Board of Control Claim Coordinator is the University Representative assigned to prepare additional documentation on request and shall represent the University at hearings.
- 8.0. APPENDICES:
- 8.1. Government Claim Form, SBOC-GC-0002 (5/98).