

Policies of the University of North Texas	Chapter 15
05.012 Risk Management Program	Risk Management Services

Policy Statement. The University of North Texas (University) manages enterprise and operational-level risks to promote a healthy and safe environment for students, employees, and the surrounding community; and to preserve the physical and financial assets of the institution by eliminating, reducing, controlling, and transferring risks in a strategic and cost-effective manner.

Application of Policy. Faculty, staff, student organizations, and visitors; programs, activities and business operations.

Definitions.

1. **Activity.** “Activity” means any operation, program, or event sponsored by the university or permitted on university property.
2. **Environmental Oversight and Risk Review Committee.** “Environmental Oversight and Risk Review Committee” means the university-level committee created to identify and review risks associated with academic research and teaching laboratories.
3. **Risk Management.** “Risk Management” means the systematic process of identifying, evaluating, treating and monitoring strategic, financial, operational, regulatory, and reputational risks in order to reduce the potential for unanticipated loss and thereby effectively conserve the assets and financial resources of the University.
4. **Risk Management Services (RMS).** “Risk Management Services (RMS)” the university department responsible for assisting in the identification and analysis of behaviors and conditions that pose risk to the university’s operations, activities, events and programs; and the selection and development of best methods or combinations of methods for treating and monitoring the effectiveness of actions taken to treat risks.
5. **State Office of Risk Management.** “State Office of Risk Management” means the state agency responsible for adopting and administering risk management guidelines for all state agencies to reduce property and liability losses, including workers’ compensation losses.

Procedures.

1. **Avoiding Risk.** An activity, other than academic programs which are governed by UNT Policy 06.029 (Academic Program Review Policy), will be eliminated or avoided

only when the risk to health, safety or welfare is unreasonable and cannot be managed through cost effective treatment measures.

2. Managing Risks. When designing and before implementing any activity, the individual responsible for the activity should:
 - a. Consider the personal safety of all students, faculty, staff, visitors and the surrounding community;
 - b. Identify, read and comply with all Regents Rules, UNT System regulations and university policies related to the activity;
 - c. Identify conditions (hazards) related to the activity that could result in personal injury, property damage, financial responsibility (liability), loss of income, or other risks to university assets and resources, including the university 's reputation;
 - d. Evaluate conditions that could result in personal injury, property damage, or other risks to university assets and resources and determine the potential likelihood of the condition occurring and the potential adverse impact of any risks;
 - e. Consult with Risk Management Services regarding measures available to avoid, prevent or reduce the risk of injury or damage; or to transfer the risk of financial loss.
3. Transfer and Financing Risks:
 - a. Risk Retention and Self-Insurance. As a general practice the University retains responsibility for financial loss associated with personal injury, property damage and other losses. The department responsible for the activity is responsible for ensuring funds are available to cover financial liability resulting from personal injury, property damage or other loss.
 - b. Waivers/Releases. Departments may require an individual, organization or entity who wishes to participate in an activity to release the university from financial responsibility for a loss resulting from personal injury, property damage or other risks as a requirement to participate in the activity unless prohibited by law or university policy. Departments are strictly prohibited from waiving or releasing any claim the university may have, unless authorized by the President, in writing. Departments must consult Risk Management Services before using waivers/releases as part of any activity.
 - c. Indemnification/Hold Harmless Agreements. Departments may require an individual, organization or entity who wishes to participate in an activity to indemnify or defend the university, or to hold harmless the university from financial responsibility for a loss resulting from personal injury, property damage or other risks as a requirement to participate in the activity program unless prohibited by law or university policy. Departments are strictly prohibited from requiring the university to indemnify or hold harmless an individual, organization or entity. Departments must consult the UNT System Office of General Counsel

before entering into any agreement that requires another party to indemnify or hold harmless the University or its employees.

- d. Insurance. Departments may purchase insurance to cover potential financial loss from personal injury, property damage, or other risks related to an activity a potential financial loss is too large for the department that is responsible for the activity or the University to absorb, or when required by law, contract, or when property that is not owned by UNT is under the care, custody, or control of the University. Departments that wish to purchase insurance coverage must contact Risk Management Services before entering into an insurance agreement.

4. Monitoring and Mandatory After-Action Review.

- a. Departments are responsible for identifying and evaluating conditions that could expose participants in the activity to personal injury, property damage or other risks until the activity is completed.
- b. Departments are required to consult RMS after any activity during which personal injury or property damage occurs; or when an on-going operation or program experiences multiple claims or a single loss during a fiscal year. The UNT System Office of General Counsel will participate in the review of any activity that results in a claim of legal liability.

5. Review by the State Office of Risk Management. Risk Management Services shall cooperate with the State Office of Risk Management in the periodic review of the university's risk management program.

Responsibilities

1. Risk Management Services is responsible for developing and administering the university's comprehensive risk management program. The risk management program shall include, at a minimum, the following services;
 - a. Radiation and laser safety and training;
 - b. Laboratory safety and training;
 - c. Chemical hygiene;
 - d. Bio-safety;
 - e. Industrial hygiene to include asbestos, mold, lead, spill control (clean water), air quality, respiratory protection;
 - f. Hazardous waste collection, storage, and disposal;
 - g. Insurance procurement and claims settlements including workers' compensation and return to work;
 - h. Emergency planning, preparedness and response, including business continuity and responding to health crisis;

- i. Health and food safety;
 - j. Life safety to include hot work permitting, lock-out/tag-out, confined space entry/exit, and compliance with the National Fire Protection Association Life Safety Code; and,
 - k. Environmental protection.
2. Risk Management Services may enter into agreements with other components of the UNT System to provide advice, assistance and consultation on risk management and insurance procurement services in accordance with applicable Regents Rules and university policies.

Responsible Party: Director of Risk Management

3. Risk Management Services is responsible for coordinating and managing the procurement of all commercial insurance coverage and products for the university.

Responsible Party: Director of Risk Management

4. The Environmental Oversight and Risk Review Committee (EORRC), which is appointed by the President, shall meet twice annually.
- a. Composition of the EORRC. The Associate Vice President for Research and Economic Development shall serve as Chair of the committee. One representative from each of the following operations, programs or department may serve on the committee: Discovery Park Clean Room; Materials Sciences and Engineering, the Radiation Safety Officer and the Chair of the Radiation Safety Committee, Chairs of Chemistry and Biology, the attorney for Human and Animal Research committees, Chief Information and Security Officer, AVP from Academic Resources, one attorney from the Office of General Counsel (OGC), AVPs for Auxiliary Services and Facilities, Director of Health and Wellness, Director of Recreation Sports, President SGA, selected faculty, and selected staff from RMS and Institutional Compliance. The Risk Manager is ex-officio for administrative support.
 - b. The EORRC is responsible for:
 - i. identifying risks associated with academic research and operation of teaching laboratories;
 - ii. recommending measures to enhance research and laboratory health and safety, including training; and
 - iii. informing the President if measures necessary to facilitate laboratory health and safety require additional funding.

Responsible Party: President and Chair of the EORRC

References and Cross-references.

[Risk Management for Texas State Agencies](#)

[Texas Administrative Code, Title 28, Part 4, Chapter 252](#)
[Texas Labor Code, Chapter 412](#)

Forms and Tools.

Approved: 6/84

Effective: 7/23/15

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