OLD DOMINION UNIVERSITY

Office of Risk Management

Risk Management Handbook for

Insurance Coverage & Claims Procedures

QR Code to Office of Risk Management Portal

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Commonwealth State Risk Management Plan

General Information

As a state institution, Old Dominion University's (ODU) insurance is administered primarily through the Commonwealth of Virginia Risk Management Plan. The State administers the Plan through the Division of Risk Management (DRM) in Richmond. In special cases the University is authorized to purchase coverage not available through the Plan as a supplement to the University's risk management insurance program (e.g. Cyber). ODU's Office of Risk Management is currently located at 2501-A in Spong Hall and handles risk management inquiries and claims for the university.

The ODU Office of Risk Management aids the ODU community including:
- Answering general questions regarding potential liability and insurance coverage.
- Drafting and approving certificates of insurance/coverage.
- Establishing third party insurance requirements.
- Reviewing contracts, as indicated in the contract section, to determine risk transfer opportunities and adequate liability and insurance coverage.
- Investigating, coordinating, and administering claims for and against the university including automobile liability (state-owned or rental vehicles), property loss (state-owned) and general liability (professional and/or medical malpractice.)

Types of Coverage offered by the Commonwealth Risk Management Plan:
- **Automobile Liability Coverage** for ODU owned vehicles and rental cars used for official university business or travel
- **Automobile Physical Damage Coverag**e for ODU owned vehicles
- **Property Loss/Damage Coverag**e for ODU owned property
- **General Liability Coverage** for an individual seeking to file a claim against the university's liability coverage, for injury or property damage resulting from negligence on the part of the university.
- **Professional and Medical Malpractice Liability** for ODU and its employees, as well as, agents of the Commonwealth "for actionₗ arising out of the performance of required job duties." This also includes university employed medical staff.
- **Faithful Performance of Duty Bond Plan** for bonded university employees.
- **Workers Compensation Coverage** which is administered by the Department of Human Resources (DHRM).
- **Watercraft Coverage** for ODU owned watercraft.
- **Aviation for ODU owned UAS/Drones**

Other forms of Coverage provided by supplemental insurance policies purchased by the university and administered through the ODU Office of Risk Management (NOT provided by the Commonwealth Risk Management Plan) include:

- **Commercial Vehicle Insurance** – Coverage for commercial vehicles such as buses, dump trucks, etc.
- **Cadaver Bond** – Liability coverage for the university's use of human cadavers in relation to health sciences and pre-med courses.
- **Cyber Data / HIPAA Breach** - Coverage for data and privacy.
- **Medical Malpractice** for EVMS Medical Group clinical operations.

I. Automobile Coverage

General Information

All state/university owned vehicles and vehicles rented by the university for official university business/travel are covered under the State's Automobile Liability Coverage. ODU also carries the elective coverage, CarCare, for physical damage to state/university owned automobiles. Where VASCUP agreements exist with rental car companies liability protection and physical damage coverage my be contracted as discussed below.

In the event a faculty or staff member is involved in an automobile accident while driving their own personal vehicle, even if they were using the vehicle on official university business, the liability coverage on the car itself is always primary. If a faculty or staff member frequently requires the use of a vehicle to do their job duties, the use of a university vehicle (available from the Motor Pool fleet) is recommended.

NOTE: **INSURANCE COVERAGE – TRAVEL OUTSIDE THE COUNTRY - Individuals traveling outside the territorial U.S. (including Canada and Puerto Rico) are required to purchase, and will be reimbursed for, LDW and CDW insurance only. Other types of insurance offered, such as trip cancellation, personal, health or life insurance are *not reimbursable*.**

Automobile Liability Coverage

The Commonwealth of Virginia Risk Management Plan applies to any accident involving:

- A ODU driver in a ODU owned vehicle involved in an accident where a non-ODU owned vehicle or non-ODU owned property is damaged and/or there is physical injury involved.
- A ODU driver, while conducting official university business/travel, is involved in ANY accident involving a rental vehicle (even if no other vehicle is involved).
  - This coverage would also include any damage, theft or breakdown of a vehicle rented by the university, which occurs while the vehicle is under our care.

Automobile Physical Damage Coverage

CarCare is the state's elective Automobile Physical Damage coverage. CarCare covers any physical damage to a covered state/university vehicle, caused by collision, theft, vandalism, flood, fire or other peril. Unlike the Automobile Liability coverage, this coverage is completely optional, and each state agency decides whether or not to enroll in this coverage for its vehicles. Currently ODU has elected to use the CarCare physical damage coverage. Please note that each claim is

subject to a $1,000.00 deductible which is the responsibility of the department using the vehicle that was damaged.

Virginia Auto Count and Car Care System (Vehicle Inventory)

All automobiles purchased or owned by the university (as well as state assigned fleet vehicles) must be recorded in the [Virginia Auto Count and CarCare System website](#) (ODU ORM Origami Users are to use the Incognito or Private mode to ensure the State's Origami and ODU Origami do not have a user login issue). As soon as any vehicle(s) is added or deleted from the fleet, it must be reported to the Office of Risk Management by the Motor Pool. Both the total vehicle inventory (liability coverage) and CarCare (physical damage coverage) sections must be updated.

Therefore, if a change needs to be made to the vehicle inventory information on the Auto Count and CarCare System website, contact the administrative assistant at x34009 in the ODU Office of Risk Management, as they are the contact person responsible for ensuring the Auto Count and CarCare system are updated and maintained.

When updating Auto Count and CarCare, the total number of vehicles, both ODU owned vehicles and State fleet assigned, should reflect not only vehicles that have been added to the fleet, but also any vehicles that have been sold, surplused or otherwise removed from the ODU fleet. The total indicates to the Division of Risk Management the number of vehicles to be covered under the automobile liability coverage. Thus, it is imperative that the inventory be kept accurate as our premium is impacted by the inventory totals.

Filing Automobile Claims

The following instructions must be adhered to if a ODU driver in a state/university vehicle, or a vehicle rented by the university, is involved in ANY automobile accident (even single-car), or if the vehicle becomes disabled (breaks down), has been stolen, or has become damaged in some other way:

1. First, the driver must notify the Virginia State police if the accident, theft, breakdown or damage has occurred off-campus. If the accident, theft, breakdown or damage occurs on campus, the University Police can be contacted to handle the incident instead. From a mobile phone, the driver can dial #**77 or 1-800-582-8350**. Try not to move the vehicles until the police arrive, however, this is contingent upon the area not constituting a hazard. Otherwise, the vehicles should be moved to the nearest safe place.

   NOTE: According to State regulations, ODU Police must notify the Virginia State Police of any auto accident they have handled involving a State vehicle, and must forward the Virginia State Police a copy of the proper accident report forms and documents.

2. The driver should take photos at the scene, if possible. Examples of photos to be taken, if possible, are: vehicles involved in the accident, specifically of the damage, the scene, skid marks in the roadway from any vehicle, people involved in the accident.

3. The driver must avoid making any statement regarding who is or is not at fault in the accident.

4. The driver must secure a copy of the accident report from the Officer at the scene.

5. The driver must contact their supervisor and the rental or leasing agency, if it is a rental or leased vehicle. The driver must complete an "Automobile Loss Incident Report Form." This form should be in a packet of accident materials in every ODU vehicle. If an accident packet is not in the vehicle, or the driver was in a rental vehicle, copies of the packet contents are available at the Office of Risk Management or at http://www.odu.edu/about/compliance/risk-management/auto-claims.

6. The driver must also report the accident to the ODU Office of Risk Management. In addition, the driver must submit the Automobile Loss Incident Report Form to the Office of Risk Management within 24 hours of the accident as well as a copy of the Police Report, if available. This Automobile Loss Incident Report Form is to be attached to the Online Incident Reporting form found at https://ww1.odu.edu/riskmanagement/forms under online forms.

7. If the vehicle involved in the accident was ODU owned, then the ORM will notify the ODU Motor Pool, but it always best for the driver to also report the accident to the ODU Motor Pool by calling 757-683-6580.

8. The ODU Office of Risk Management will report the accident to DRM; however, it is the responsibility of the driver of the ODU vehicle (or rental vehicle) involved in the accident to make sure the ODU Office of Risk Management and DRM gets the required information as soon as possible. The driver should keep copies of all forms submitted for their personal records**.**

9. The driver involved in the accident/damage and the university itself will both be required to assist fully in any further investigation or inquiry involved in the claim.

II. **Property Loss Coverage**

General Information

Only property owned by ODU or required to be covered by contract is covered by our Property Loss/Damage coverage. Our property coverage **DOES NOT** cover the personal property of students, faculty or staff.

Loss can include:

- Fire

- Flood

- Lightning

- Theft

- Vandalism

- Or other forms of physical damage

NOTE: Losses typically exclude glass breakage and tree removal unless the tree has fallen on a building.

If a student, private citizen, faculty or staff member expresses of their own volition that ODU is at fault for damage that occurred to their personal property and would like to file a claim against our liability coverage, they must be directed to the ODU Office of Risk Management. The ODU Office of Risk Management will inform them of their rights and instructions on how to file a claim directly with the State.

NOTE: Exceptions include property that has been loaned to, leased to, or otherwise is in the control, custody and care of the university and resides on university property (i.e. Fine Arts collections on loan to the university and on display; or equipment leased by the University from a third party vendor). Individuals and departments in such instances should contact the ODU Office of Risk Management.

Property Loss Coverage

The Property Loss Coverage portion of the Risk Management Plan works on a reimbursement basis. When a loss is experienced and before the claim can be submitted to the Division of Risk Management, the item(s) must be either repaired or replaced at the expense of the department which experienced the loss.

Once all required information and paperwork has been received, ODU Office of Risk Management will submit the claim to the DRM. DRM will process the claim and determine the total amount to be covered by the Risk Management Plan.

Each property loss claim is subject to a $25,000 deductible. The $25,000 deductible will be subtracted from the total amount of the final claim payment. If a claim is projected to be $25,000 or less, there would be no reimbursement for the loss or damage. The $25,000 deductible is the amount DRM applies to the University as a state agency.

- Assuming the property loss is greater than $25,000 and caused by a covered peril, the DRM will be responsible for 100% of the allowable loss over the $25,000 detectible. The ODU ORM will be responsible for $25,000 of the allowable loss minus $1,000. The division, department, office, or unit responsible for $1,000 of each loss as a cost sharing with the Office of Risk Management.

- Assuming the property loss is less than $25,000 and caused by a covered peril, the ORM will be responsible for 100% of the amount of the allowable loss minus $1,000. The division, department, office, or unit responsible for $1,000 of each loss as a cost sharing with the Office of Risk Management.

Filing Property Loss Claims

The below guidelines must be followed when a department experiences a loss.

1. The department that experienced the loss is responsible for and will arrange and pay for the replacement or repair of the property. The department must contact the ODU Office of Risk Management to notify them of the loss as soon as practical.

2. In addition, the following information will be required for all (repair or replacement):

3. A **State Property Loss Form** must be completed and submitted by the department that experienced the loss. This State Property Loss Form is to be attached to the Online Incident Reporting form found at https://ww1.odu.edu/riskmanagement/forms under online forms.

    a. Copies of any police or incident reports for the theft or damage. These can be obtained by contacting the Office of Public Safety.

    b. Copies of ALL purchase orders, invoices, and (if applicable) DPO's or requisitions for the original lost, stolen, or damaged property. These documents are required to demonstrate ODU ownership.

    c. Copies of ALL purchase orders, invoices, and (if applicable) DPO's or requisitions for the repair or replacement of the lost, stolen, or damaged property after the item has either been received or repaired and all invoices paid. **All DPO's must show a** "received" signature, to demonstrate that the items/services have been received and a payment has been submitted to Accounts Payable.

NOTE: If the property was damaged but the item is repairable, the department must seek to repair the item rather than replacing it. If the department opts for replacement versus repairing of the item, the

department filing the claim must show that replacement was more cost effective than repair by obtaining a statement from the vendor demonstrating cost analysis of the replacement product in relation to the original product.

    i. **If replacement is involved:**

        1. The replacement item must be as similar as possible to the item that was damaged/stolen. This includes brand, model and other technical specifications of the item being replaced.

          a. If the same brand and model of the damaged/stolen item is no longer available, the department must seek to purchase a replacement that matches, as closely as possible, the technical specifications of the original item.

            i. For example, if a PC is damaged or stolen, the replacement would involve comparing processor speed, memory, monitor size, accessories, and other technical specifications.

          b. The department may decide, of its own accord, to upgrade the original item, without seeking to find a comparable item; however, the Risk Management Plan will not reimburse the department for any upgrades deemed unnecessary. The department will only be reimbursed for what it would have cost to replace the damaged/stolen item with the closest comparable item.

            i. ONLY if a product of the same brand/model OR a product with the same technical specifications is not available may the department be reimbursed for an upgrade in the replacement property.

            ii. In this case, the department must provide documentation from the vendor clearly indicating this item is the closest comparable item available to what was damaged or stolen.

    ii. **If repair is involved:**

        1. Paid invoices showing all costs involved in the repair work (including replacement of individual components of parts) must be submitted.

NOTE: Invoices for repair work must be as specific as possible in describing what repair work was done, what components/items were replaced (including specific parts and their costs) in order to justify the expenses to the state.

        2. If possible, photographs of the damaged area/property should be taken

and submitted with the claim paperwork.

3. For any _agency_ (ODU) labor charges, the following information must be submitted for each ODU employee involved in the repair or installation work:

   a. Name

   b. Position

   c. Base pay rate

   d. And days/hours worked

NOTE: Charges for agency labor can NOT include benefits, overhead or supervisory/managerial labor charges. Agency labor should also not exceed what the repair work would have cost if a third-party contractor were to have been used.

4. For repair work done by a third-party contractor, labor may be a negotiated flat rate/fee rather than a per hour rate. Unlike labor charges for agency (ODU) labor, labor charges for work done by a contractor are allowed to include overhead and do not need to be broken down into charges for each contractor employee involved. It should be noted that the State Division of Risk Management reserves the right to question any labor charges that seem excessive.

For all Property Loss claims, the ODU Office of Risk Management will notify the department of any questions or the need for clarification that DRM has regarding the claim. The ODU Office of Risk Management office receives confirmation of all processed and/or rejected claims. Notification of the state's decision will be forwarded to the department.

Statute of Limitations

State agencies have two (2) years from the date of a loss to submit all information for a Property Loss or Damage claim. This can be particularly useful if the department does not currently have the funds to repair or replace the property involved.

If the department wishes to take the full two years allotted for filing a claim, they may choose to wait to submit all or part of the information regarding the claim. If the Department wishes to settle the claim and receive reimbursement immediately, all inquiries and additional requested information must be returned in a timely fashion.

Claim Submissions

The deductible amount and claim submission is on a "per occurrence" basis. Examples include:

- o Five PC's are stolen from one department, on a single evening. As long as it is certain that all five PC's were stolen at the same time, only one claim must be submitted, and only one $25,000 deductible will apply for the claim. However, if the PC's were stolen from the same department at different times, they are considered separate occurrences, and separate claims would need to be filed for the separate thefts. In addition, a $25,000 deductible would apply to each of the separate claims/occurrences.

- o A single fire breaks out and results in the destruction of several different pieces of equipment and other ODU property. Regardless of how many items, buildings, equipment were destroyed in the fire, they would all be submitted as a single occurrence, and hence, a single claim.

ODU Property Loss caused by a Third Party

If university property is damaged by someone driving a vehicle NOT owned by the University (for instance a student, local resident, parent or ODU or faculty/staff member in a private vehicle backing into a light pole, landscaping, or other ODU property), a claim would NOT be filed with DRM for reimbursement. Instead, the person who caused the damage would need to notify his or her own auto insurance carrier. Their carrier should contact the university, specifically, the Office of Risk Management to arrange payment for the damage.

If the insurance carrier does not contact the university in a timely manner, the department that sustained the loss and/or Office of risk Management must contact the person involved in the accident to make sure they understand that they need to file a claim, and if necessary, to get the number of the insurance carrier as well as their policy number.

NOTE: Any calls from insurance carriers in regard to such accidents are to be handled by Office of Risk Management and/or the department that is handling the costs and work involved in the repair or replacement of the damaged property.

In instances where university property is damaged by a university-owned vehicle, a property claim would be filed with our office. If the university-owned vehicle were to sustain damage and need repair, a separate auto physical damage claim must be filed. For more information on filing auto claims, see the section of the manual that specifically deals with Automobile Physical Damage (CarCare).

III. Loss/Theft of Money and/or Securities

According to the Risk Management Plan, money and securities are defined as:

- Currency
- Coins
- Bank notes

- Checks if they cannot be cancelled

- Traveler's checks for sale to the public

- Money orders for sale to the public

- Negotiable and non-negotiable instruments representing money and including revenue such as stamps, tokens or tickets (concert/event tickets).

Loss/theft of money and/or securities is covered up to a maximum of $300,000 per occurrence and is also subject to the $25,000 property coverage deductible.

Coverage does **not** apply to accounting or arithmetical error or omission, infidelity or dishonesty, or loss of manuscripts, tickets or records.

If a ODU employee is suspected in the theft, the incident must be handled by the "Fidelity" coverage provided through DRM. If this is the case, contact the ODU Office of Risk Management for instructions as this will require coordination with the Office Employee Relations.

IV. Mysterious Disappearance of University Property

Definition - A mysterious disappearance refers to the unexplained loss of University-owned property without evidence of theft, vandalism, forced entry, or accidental damage. Common examples include equipment, tools, or supplies that cannot be located following relocation, storage, or inventory but for which there is no verifiable evidence of theft or destruction. Losses of this type are not automatically covered under the University's Property Loss Coverage and require detailed documentation and review before any claim can be considered.

Reporting Requirements
When property is discovered missing under circumstances suggesting mysterious disappearance:

1. Immediate Notification

    a. The department must notify the ODU Office of Risk Management (ORM) and Public Safety as soon as the loss is discovered. Notification is considered presented to the ORM when an incident report is submitted through the Online Incident Reporting form found at https://ww1.odu.edu/riskmanagement/forms under online forms.

    b. For specialized or high-value property (e.g., medical, research, or clinical equipment), notice must be provided within 24 hours of discovery.

2. Internal Review

    a. The department should conduct an internal review to determine:
       • The last known location and custodian of the property
       • Recent relocations, repairs, or personnel changes

      • Whether internal controls or security systems indicate potential misplacement or misuse

    b. Findings from this review must be documented in writing and provided to ORM.

3. Incident Report Submission

    a. Departments must complete a State Property Loss Form and attach it to the Online Incident Reporting Form at https://ww1.odu.edu/riskmanagement/forms.

    b. The following documentation is required:
      • Police or Public Safety report number (if applicable)
      • Original purchase orders or invoices proving ODU ownership
      • Description of the missing item, including asset tag or serial number
      • Results of the department's internal review

4. Claim Evaluation

    a. The Office of Risk Management will evaluate the report to determine if the loss meets the definition of mysterious disappearance or if other coverage applies (e.g., theft or vandalism).

    b. If there is no physical evidence of theft or damage, the claim will generally not be covered by the Risk Management Plan.

    c. ORM may recommend corrective or preventive measures to strengthen departmental property control practices.

5. Preventive Expectations
Departments are responsible for maintaining reasonable control and oversight of all University property, including:

    a. Conducting annual inventories of all assigned assets

    b. Maintaining chain-of-custody or check-out procedures for movable equipment

    c. Securing high-value or sensitive property in locked or access-controlled areas

    d. Documenting all relocations, transfers, or disposals of University-owned items Supervisors must ensure staff are trained on these procedures and understand their obligation to safeguard University property.

Note: Losses due to mysterious disappearance are rarely reimbursable under the Property Loss Coverage due to the absence of a defined "covered peril." Departments are encouraged to take preventive action and report missing property promptly to assist with recovery and mitigate future risk.

V. Liability Coverage

The State Risk Management Plan provides Tort Liability Coverage to the university. The Plan covers any liability action or lawsuit that may be presented against the university for acts, omissions or negligence. In addition, individual employees of the university are provided with Professional and Medical Malpractice coverage in relation to their official duties as university/state employees.

Professional and Medical Liability Coverage

Under our professional liability coverage provided by the State Risk Management Plan, any employee (faculty or staff) of the university is covered for any incident that may arise out of acting in their official capacity, as a university employee. This coverage also applies to former university employees, if the lawsuit or claim pertains to an incident that occurred while the individual was employed by the university and the incident arose out of the performance of their required/official duties as an employee of the university.

There are some instances in which individuals other than actual ODU employees are considered "Agents of the Commonwealth" and would therefore be covered under our professional and medical liability coverage. Such instances include:

- Volunteers acting in an official capacity during an official university event; and
- Students performing authorized/required duties during internships, fieldwork, practicum, student teaching and other off-campus, professional placements, as long as the placement is required coursework for their degree, and the incident occurred while the student was performing authorized, required duties of the placement.

Other than the two exceptions noted above, any person working for the university is only covered under our liability coverage if they are employed by the university and have gone through the usual university hiring procedures. Individuals not covered by our liability coverage must provide/carry their own Professional Liability (and/or Medical Malpractice, if applicable) coverage, and provide the Office of Risk Management with proof of such coverage before beginning work.

Examples include:

- Employees of companies or firms contracted to do work on university grounds, such as construction, architectural, engineering, dining services, postal services or any other out-

sourced or sub-contracted services.

♦ Medical staff hired through a contractual process, rather than as a university employee hired through the university/HR hiring procedures.

Handling Liability Claims or Inquiries

The following guidelines are to be followed when handling liability issues involving the university:

- **Do NOT "Solicit Claims"** – When a potential liability situation arises (for instance someone has been hurt or their property damaged), ODU employees should refrain from making <u>ANY</u> comments regarding whether or not ODU is at fault. Soliciting claims suggests to the person that ODU is or may be at fault and that the injured party should file a claim against the state or the university. **The State Division of Risk Management strictly prohibits this practice.**

- In order to avoid soliciting claims, the person who experienced the loss or injury <u>must </u>either:

  - Request information on how to file a claim against the state/university; or

  - Make a statement that they wish to file a claim against the state/university.

  - **IF, and ONLY IF** the individual has, on their own, either requested information on how to file a claim or has made a statement that they wish to file a claim, please direct that individual to contact the ODU Office of Risk Management to find out what their rights are (according to Virginia State Law) in filing a claim against the state.

NOTE: The ODU Office of Risk Management does NOT file claims for liability issues. The inquiring party is informed of their right to file a claim directly against the State and contact information for the State Division of Risk Management. The State determines if the individual is to receive compensation. Do NOT indicate that the ODU Office of Risk Management may be contacted in order to receive compensation.

Multiple Claimants

If a large number of people are involved in an incident, the individuals must contact you or your office, for information in filing a claim <u>before</u> you can direct them to the ODU Office of Risk Management. In such instances, <u>do not</u> issue a blanket statement either orally, or in written form indicating that "anyone who wishes to file a claim" should contact the ODU Office of Risk Management. This can lead to the erroneous conclusion that ODU has accepted responsibility for the incident and the person is therefore contacting the ODU Office of Risk Management to receive compensation.

The ODU Office of Risk Management reviews any evidence the person may wish to present, and will occasionally visit the site of the incident to gather additional information on the incident. The ODU Office of Risk Management forwards this evidence to the Division of Risk Management. If it seems clear that ODU was not at fault, the ODU Office of Risk Management may state that it does not feel ODU is liable for the incident. However, ODU does not decide liability. The claimant has the right to file a claim, and should they express that desire, the ODU Risk Management office will instruct them on how to do so.

Handling Professional Liability, Medical Malpractice and other legal action against individuals or the University

If you, or your office, receive notice that either an employee (current or former) or the University itself is being named in a lawsuit, please follow these guidelines:

a. Make copies of all pertinent documents for your records; and

b. Forward all originals to the ODU Office of Risk Management so that we may make a copy of our records and notify the Division of Risk Management of the pending action.

The ODU Office of Risk Management will forward the originals to the University's Legal Counsel Office.

VI. <u>Certificates of Coverage</u>

From time-to-time various institutions, organizations, or companies will request Proof of Liability Coverage from the university. The ODU Office of Risk Management prepares and signs all Certificates of Coverage. The Certificate of Coverage states coverage limits under the State Risk Management Plan. We cannot alter the amounts, as they are determined by the *Code of Virginia*, and can therefore only be altered by an act of the General Assembly. If an institution, organization or company is requesting coverage above the amounts provided by the Plan, they must be informed that the university cannot change or alter our coverage or its limits.

Some examples of reasons why an entity outside of the university might require or request a Certificate of Coverage:

- Hospitals and other Institutions providing placement for student practicum, internships and other professional placements as required degree coursework, requesting proof of professional and/or medical liability coverage for our students.
- Car or other equipment rental agencies requesting proof of our liability coverage, should the car or equipment become damaged.
- Off-campus locations where the university is participating in or holding an event (i.e. Sporting Events such as NCAA tournaments, off-campus athletic or theatrical events, competitions and practices, informational booths and programs held at off-campus locations).

It should be noted that a Certificate of Coverage will **NOT** name the requesting entity as "additional insured." To do so would be to agree to offer liability coverage to the actual entity. As a state institution, the university cannot do this. Should you have a request for an entity to be named as "additional insured," contact ODU Office of Risk Management.

One exception to this rule is if the university is renting (and using) equipment owned by the entity, in which case, we would need to provide liability coverage should we damage the equipment or somehow cause damage of non-ODU owned property or injury to a person in the process of using the equipment. This requires a separate statement from the Certificate of Coverage and must be handled by the ODU Office of Risk Management. Again, should you have a request for an entity to be named as "additional insured," contact ODU Office of Risk Management.

Requesting a Certificate of Coverage

The following information is needed to complete the Certificate request:

- o Name and Mailing Address of the institution, organization or company requesting the Certificate.
- o Email address of Point of Contact at other institution.
- o Purpose of the certificate (name of event or activity for which the Certificate is requested).
- o Range of dates of the activity, internships, or other event (be as specific as possible) Once the required information is available go to https://www.odu.edu/riskmanagement/forms, click on Request a Certificate of Coverage from the Online Forms section in the center blue box or click this link:

ODU Office of Risk Management office will draft a certificate using the standard Certificate of Coverage form approved and provided by the State. The ODU Office of Risk Management will keep a copy and forward the original to the requesting department via email a copy to the requesting department. It is the responsibility of the requesting department to send the original to the requesting institution, organization, or company and to keep an additional copy for their records.

Note: Per Commonwealth Division of Risk Management guidance, Certificates of Coverage are prepared for no longer than one year. The one-year limit is due to yearly changes in certain liability coverage limits. To assure the accuracy of the certificate, they are drafted with a maximum of a one-year coverage period. If the certificate expires and a new one is needed, the system will generate a renewal certificate and email it to the requestor. If a renewal certificate is not received, repeat the above referenced request process.

VII.   **University Contracts**

No university department is authorized to approve, enter, or otherwise execute a contractual obligation or agreement on behalf of the university. Any contracts or potential contractual agreements between the university and an outside entity must be reviewed, approved, and executed by the proper university (and possible state) official. All contracts entered into by the university must go through at least one of several possible channels, depending upon the type of contract or agreement, before they can be signed and executed. If you are unsure of the level of delegate authority to execute contracts you should contact University Counsel .

- **Goods and Services** – If the contract is for goods or services provided to the university, the contract must initially be reviewed and approved by university's Procurement Services to ensure the agreement abides by all State Procurement guidelines.

    o If it is determined that a contract/agreement for goods or services does not, for whatever reason, require approval by the university's Procurement Services, it must then be reviewed by the Office of Risk Management and forwarded for final approval by the AVP for Finance/University Controller.

- **Real Property/Real Estate** – If a university department wishes to lease real property such as office/lab/classroom space, warehouse space, storage units, or any other off-campus real estate, the department must contact the university's Real Estate Manager. The university Real Estate Manager will make arrangements for a new lease to be created by the State Bureau of Real Property Management policies and guidelines. University departments cannot, according to state law, either initiate or enter into a contract or lease for Real Property without going through the state lease procedures. All real property leases must be initiated by the university's Real Estate Manager and approved by both the State Bureau of Real Property Management and the Governor of Virginia. NOTE: The university's Real Property Administrator must handle and initiate all purchases of real estate/real property for the University as well as real property leases/contracts.

- **Internships/Affiliation Agreements** – If a university department wishes to enter into a contractual agreement involving a cooperative effort between the university and another institution, organization or company, the contract must be first reviewed by the Office of Risk Management and University Counsel.

- **Grants** – Grant related contracts are initiated and reviewed by the Sponsored Programs Office as outlined in https://www.odu.edu/odu-research-foundation/award-management.

VIII.   <u>**Aggregates**</u>

One issue that frequently arises in relation to coverage limits is the university's "aggregate" amount. Aggregate is the total dollar amount limit on claims per year. For instance, if we have a $2,000,000 per occurrence limit, for a particular type of coverage, that would mean that any single occurrence or claim would be covered up to that $2,000,000 per occurrence limit. If there was an aggregate that would mean you could only present a certain number of claims per year, or that there was a dollar limit on how many claims could be paid in a year. The state, and therefore the university, has no such aggregate on its liability coverage. In other words, while there is a dollar amount limit for each individual claim, there is no limit on how many claims can be presented during a single year.

<u>**Procedural Note**</u>

Contracts, especially those prepared and submitted to the University by outside entities, often contain legal language and stipulations (such as indemnification statements, coverage limit requirements, and legal jurisdiction statements) to which the State of Virginia cannot legally agree to. If a contract were to contain even one such stipulation, and were to be approved, without having been reviewed and such language edited out, the University would be responsible to uphold the contract in its entirety, without assistance (legal or otherwise) from the Commonwealth of Virginia. This could have significant consequences for the University. For this reason, it is <u>imperative</u> that all contractual agreements are reviewed by the appropriate offices (University Counsel, Risk Management, and Procurement) departments and/or individuals that are responsible for reviewing such contracts **BEFORE** they are signed and executed by the any University authority.

IX. Insurance Coverage Renewal Process

The insurance coverage renewal process for Old Dominion University begins in the third quarter of each fiscal year (January–March). The Executive Director of Risk Management, or their designee, is responsible for initiating and managing the annual renewal activities to ensure all insurance coverage values and data are accurate and current prior to submission to the Department of Risk Management (DRM) and the Office of Risk Management (ORM).

1. Property and Vehicle Valuation Updates

a. Vehicle Inventory and Valuation

The Executive Director of Risk Management, or their designee, shall request an updated Vehicle History and Count (VHC) report from the University Auto Pool. The report shall include all vehicles owned or operated by the University, including:

Automobiles, trucks, and work vans, Passenger vans and buses, All-terrain vehicles (ATVs) and golf carts.

For each vehicle listed, the Executive Director of Risk Management, or their designee, will verify and update replacement cost values using the NADA Online or Kelley Blue Book Online pricing guides of other sources for customized vehicles. Updated values shall then be entered into the [DRM CarCare system](#) to support premium calculation updates and subsequently entered into the ODU ORM Risk Information System (Origami).

b. Marine Vessels and Aircraft

For boats, other marine vessels, unmanned aerial systems (UAS)/drones, and other aircraft, the Executive Director of Risk Management, or their designee, will contact each department responsible for these assets to confirm registration details and obtain updated replacement cost values. Once verified, updates will be submitted to DRM for coverage purposes and entered into the ODU ORM Origami system.

c. Building Property Values

To maintain accurate property insurance statement of values, the Executive Director of Risk Management, or their designee, shall apply the Turner Building Cost Index (https://www.turnerconstruction.com/cost-index) to adjust building replacement costs.

During inflationary periods, property values shall be increased by the percentage of cost escalation.

During economic downturns, values may be adjusted downward accordingly.

A standardized spreadsheet with embedded formulas may be used to calculate percentage changes efficiently. Updated property values will be entered into the DRM VAPS system (ODU ORM Origami Users are to use the Incognito or Private mode to ensure the State's Origami and ODU Origami do not have a user login issue), ensuring that:

Newly constructed buildings are added,

Demolished or inactive structures are appropriately marked, and

Corresponding updates are reflected in the ODU ORM Origami system.

2. Medical Professional Liability

The Executive Director of Risk Management, or their designee, will receive an annual medical professional census report from DRM. This report shall be completed to identify all medical professionals covered under the University's Medical Malpractice Insurance policy. The completed report must be returned to DRM within the prescribed timeline to ensure accurate coverage continuation.

3. Cyber Liability Coverage

For Cyber Liability Insurance, the Executive Director of Risk Management, or their designee, will receive a renewal application from the current cyber insurance carrier (currently VaCorp). This application shall be completed in collaboration with the Chief Information Officer (CIO) and the Chief Information Security Officer (CISO) to ensure that all technical and procedural information related to cybersecurity controls, incidents, and

risk mitigation strategies are current and accurately represented.

4. Tort Liability, Fidelity, and Other Coverages

For Tort Liability, Fidelity, and other miscellaneous insurance coverages, DRM typically utilizes historical loss data and employee information provided by the Department of Human Resource Management (DHRM) to determine premium calculations. DRM may request additional supporting documentation from the University during this process, which shall be provided promptly by the ODU Office of Risk Management.

5. Workers' Compensation Coverage

The Department of Human Resource Management (DHRM) develops Workers' Compensation premiums using data supplied by the University's Office of Culture and Talent Management, including employee classification codes and salary information.

The Executive Director of Risk Management, or their designee, coordinates with the Benefits Office to complete the OSHA 300 Log and the Department of Labor's Annual Survey of Occupational Injuries and Illnesses. This process requires the ORM to provide the Benefits Office with a list of lost-time, work-related injuries from the Origami System. The Benefits Office then completes the individual case details required by the Department of Labor. The Executive Director of Risk Management, or their designee will provide the OSHA 300A to the Director for Environmental Health and Safety for posting as required by OSHA. The Executive Director of Risk Management, or their designee will then submit the online data to the Department of Labor as prescribed by code.

X. Insurance Cost Recovery from Non-E&G Units

Purpose

This section outlines the procedures for allocating and recovering insurance premium costs from Non-Educational and General (Non-E&G) divisions and departments within Old Dominion University. Non-E&G units are those funded through non-state educational and general revenues, such as auxiliary enterprises, grants, and other self-supporting operations.

Overview

The University's insurance program includes coverage for multiple risk categories, including Tort Liability, Fidelity, Medical Professional Liability, Workers' Compensation, Cyber Liability, Automobile, and Property. The Office of Risk Management (ORM) is responsible for coordinating the equitable allocation of insurance premium costs to Non-E&G units based on their proportionate share of exposure in each category. This cost recovery process is initiated annually during the second quarter of the fiscal year and is overseen by the Executive Director of Risk Management or their designee.

Procedures

1. Data Collection and Preparation

At the start of the second quarter of each fiscal year, the Executive Director of Risk Management or designee will obtain the following data sources for use in premium allocation:

• FTE All Funds Report – Requested from the Office of Budget and Financial Planning. This report provides updated full-time equivalent (FTE) data used to allocate certain insurance costs (Tort Liability, Fidelity, Medical Professional Liability, Workers' Compensation, and Cyber Liability) on an FTE basis.

• Vehicle Report – Requested from the University's Auto Pool (VHC Vehicle Report) to allocate automobile insurance costs based on the number of vehicles assigned to each Non-E&G unit.

• Property Insured Values Report – Obtained from the Commonwealth of Virginia, Division of Risk Management (COVA DRM) website, showing the insured values of all University buildings. This report is used to allocate property insurance premium costs to Non-E&G units based on the value of property held.

2. Calculation of Allocations

A. FTE-Based Allocations (Tort, Fidelity, Medical Professional, Workers' Compensation, Cyber Liability)

• The total FTE count for each Non-E&G unit is divided by the total University FTE count to determine the percentage of total FTE attributable to each Non-E&G unit.

• That percentage is then multiplied by the total insurance premium for the applicable

coverage types to calculate the amount allocable to each Non-E&G unit.

B. Automobile Insurance Allocation

• The total number of University vehicles are determined.

• The number of vehicles assigned to each Non-E&G unit is divided by the total University vehicle count to obtain a percentage.

• That percentage is multiplied by the total automobile insurance premium to calculate the amount allocable to each Non-E&G unit.

C. Property Insurance Allocation

• The total insured property values for University buildings are obtained from the COVA DRM property report.

• The total insured value of property held by each Non-E&G unit is divided by the University's total insured property value to obtain a percentage.

• That percentage is multiplied by the University's total property insurance premium to calculate the property insurance cost allocable to each Non-E&G unit.

3. Review and Approval Process

Once all allocable premium costs are determined, the Executive Director of Risk Management or designee will prepare a preliminary IDT Insurance Recovery Spreadsheet for each Non-E&G unit. The spreadsheet will be sent to the Budget Unit Director (BUD) of each Non-E&G unit for review and approval.

The BUD must either:

• Approve the IDT Insurance Recovery Spreadsheet as submitted, or

• Provide a written request for modification with an explanation for the requested changes.

Upon receiving, the Executive Director of Risk Management or designee will review the request and, if appropriate, make the necessary adjustments, or provide a written explanation if the requested modification cannot be made. If an agreement cannot be reached regarding the allocation, the issue will be referred to the Office of Budget and Financial Planning for final resolution by the Associate Vice President for Budget & Financial Planning.

4. Finalization and Submission

Once all IDT Insurance Recovery Spreadsheets have been approved by the respective BUDs, the Executive Director of Risk Management or designee will prepare a master IDT (Inter-Departmental Transfer), including supporting documentation as required. The master IDT package will be submitted to the Office of Budget and Financial Planning for processing and posting to the University's financial system.

5. Recordkeeping

All supporting documentation, calculations, and correspondence related to the insurance cost recovery process shall be retained by the Office of Risk Management in accordance with University and Commonwealth of Virginia records retention policies.

X. OVERSEAS TRAVEL INSURANCE

1. Purpose and Scope

This section supports University Policy 1007 – Travel Risk Management and outlines the University's requirements, procedures, and responsibilities related to insurance coverage for faculty, staff, and students traveling **outside the United States** for **University-supported activities**. It applies to:

- Faculty and staff traveling internationally for research, conferences, training, recruitment, or other University-sponsored business.

- Students participating in study abroad, global academic programs, research, fieldwork, internships, or other University-supported travel (for credit or not for credit).

- Recognized University-supported groups, teams, or programs traveling internationally under the authority of an academic or administrative unit.

  This section does **not** apply to:

- Personal travel that is not sponsored, funded, led, or required by the University.

- Registered student organizations (RSOs) that are not traveling under University sponsorship; however, such groups are strongly encouraged to secure comparable insurance independently.

The University is committed to providing adequate coverage, risk oversight, and global emergency response capabilities to protect travelers and support institutional duty of care obligations.

2. University Travel Registry (Terra Dotta Travel System)

All University-supported global travelers **must register** their international travel in the **University Travel Registry (https://travelregistry.odu.edu/login)**, managed through the **Terra Dotta Travel System**.

The Travel Registry is a secure, restricted-access database and is considered the **authoritative source of traveler information** used to:

- Locate and assist travelers in emergencies

- Deliver elevated advisories, warnings, or evacuation notices

- Support incident response and communication strategy

- Facilitate enrollment in the University's international insurance coverage

2.1 Travel Registry Management and Data Stewardship

The University Travel Registry is jointly administered by:

- **Office of Risk Management** (Primary Data Steward and System Administrator for faculty/staff business travel)

- **Center for Global Engagement (CGE)/Study Abroad** (Data Steward for student and study-abroad program travel)

    Risk Management maintains traveler data to ensure timely insurance enrollment and emergency assistance capabilities. CGE manages student program-related entries but ensures consistency with University-wide travel policies.

2.2 AlertTraveler™ Application

AlertTraveler™ is an optional mobile alerting system available to most University-supported travelers unless otherwise required by a program.
Features include:

- Critical incident notifications

- Country-specific intelligence

- Check-in capabilities

- Geo-located safety alerts

Travelers are encouraged to enable notifications prior to departure.

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3. Comprehensive International Insurance Coverage (CISI)

The University requires all University-supported travelers to be covered under the **designated international medical, evacuation, and assistance policy**, administered through **Cultural Insurance Services International (CISI)**.

3.1 Mandatory Insurance Requirements

Students

All students participating in University-supported international travel—credit or non-credit—must purchase the University-approved CISI insurance.
This requirement applies to:

- Study abroad

- Internships/clinicals

- Research

- Exchange programs

- Group travel led by faculty or staff

- Recognized student organizations traveling under University sponsorship

RSOs operating **independently** are **not University-supported** and therefore **not eligible** for University-provided coverage. They are strongly encouraged to secure suitable insurance privately. Requests for guidance may be directed to the Office of Risk Management at least **45 days prior** to planned travel.

Faculty and Staff

All faculty and staff traveling internationally for University business will be enrolled in CISI coverage.

- Registration in the Travel Registry automatically triggers the insurance enrollment process.

o Travel to Level 3 or Level 4 countries as shown on the Terra Dotta travel registration also requires a Travel Waiver Form be submitted by the traveler. The [waiver form](#) can be completed by [clicking this link](#).

- Departments will receive an **Interdepartmental Transfer (IDT)** authorization within **30 days after travel** to fund the coverage costs.

  This insurance covers:

- Emergency medical treatment

- Emergency medical evacuation

- Security evacuation

- Repatriation of remains

- Additional travel assistance benefits

  It does **not** cover:

- Personal vacation extensions

- Trip cancellation/interruption

- Loss or theft of personal property
  Individuals are encouraged to purchase supplementary personal travel insurance for non-business portions of their trip.

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4. Insurance Enrollment Procedures

4.1 Enrollment for Students (CGE/Study Abroad-Managed)

CGE/Study Abroad enrolls students traveling on University-supported programs. Enrollment is bundled into program administration fee structures or paid individually, depending on program design.

4.2 Enrollment for Faculty & Staff (Risk Management–Managed)

Risk Management enrolls faculty and staff based on information in the University Travel Registry.

Department Responsibilities:

- Ensure travelers complete the Travel Registry entry **before departure**

- Ensure correct travel dates, destinations, and contact information
- Address any incomplete information when alerted by Risk Management

Traveler Responsibilities:

- Enter accurate trip details
- Submit any required approvals for international travel
- Carry the CISI insurance card and review coverage documents prior to travel

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5. Bi-Monthly Reporting Requirements for CISI Enrollment (Risk Management)

The **Executive Director of Risk Management**, or their designee, must conduct **bi-monthly reporting** to CISI to ensure all University-supported international travelers are accurately enrolled.

5.1 Reporting Schedule

Reports must be run and submitted:

- **On the 1st business day of each month**
- **On the 15th business day of each month**

5.2 Reporting Method

Step 1 – Access the Travel Registry (Terra Dotta Admin Panel)

- Log into the **Travel Registry Admin site**
- Navigate to **Travel Lists / Data Reports**

Step 2 – Generate 30-Day Forward Report

- Run a report of all registered travel with departure or travel activity occurring **within the next 30 days**
- Verify traveler names, destinations, and dates for accuracy
- Identify any missing or incomplete entries and initiate correction requests

Step 3 – Submit Report to CISI

- Email the exported report to:
  enrollments@culturalinsurance.com
- **include the Teams Travel email as a cc:**
  1db7537c.olddominion.onmicrosoft.com@amer.teams.ms

  Email Subject Line:

  ODU Bi-Monthly Travel Enrollment – [Month/Day/Year]

  Email Body:

- Confirm the attached list reflects all registered University-supported international travel during the next 30 days

- Indicate whether corrections or supplemental updates may follow

5.3 Recordkeeping

Risk Management must maintain:

- Copies of all bi-monthly reports

- Confirmation that reports were sent

  - Any correspondence from CISI regarding enrollment discrepancies

  - A master log of reporting dates for annual audit verification

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6. Questions and Assistance

For questions regarding international insurance coverage, Travel Registry access, or CISI enrollment processes, contact:

Office of Risk Management
Phone: 757-683-4009
Email: risk@odu.edu
Website: https://odu.edu/riskmanagement

Study Abroad – Michael Dean – Exec. Director
Phone: 757-683-5378

Email: mdean@odu.edu

Website: https://www.odu.edu/study-abroad/directory