6910 - **CLAIMS SETTLEMENT PROCEDURES AND AUTHORITY**

In order to clearly identify the settlement procedures and authority for claims and lawsuits brought against the School Board including, but not limited to Workers' Compensation, General Liability, Automobile Liability, Professional Liability/Errors & Omissions, Non-Tort actions, etc. the following shall apply:

Liability and Workers' Compensation claims not in excess of $15,000

For each claim settlement not in excess of $15,000, the Board's authorized third party claims administrator, under the direction of the Office of Risk and Benefits Management shall perform all functions in connection with such claims including the offering and acceptance of settlements, receiving of restitution payments, and signing Proofs of Loss and Settlement contracts on behalf of the Board.

Liability claims in excess of $15,000

For each liability claim settlement (general liability, automobile liability, professional liability/errors & omissions, etc.) in excess of $15,000, the General Counsel's Office shall perform all functions in connection with such claims including the offering and acceptance of settlements. Receiving of restitution payments, signing Proofs of Loss and Settlement contracts and other necessary functions as deemed necessary by the General Counsel's Office and the Board's excess insurance carriers will be performed by the Office of Risk and Benefits Management and the Board's third party claims administrator.

Authority for liability claims settlement resides with the General Counsel's Office with limits of either $300,000 per claim or up to the extent of any available insurance coverage, with the concurrence of the insurer or insurers for liability claims.

For any settlement of a claim in tort which requires the expenditure of public funds in excess of $5,000, a legal notice shall be provided in a newspaper of general circulation in the county in which the claim arose, within ninety (90) days of entering into such settlement; provided that no notice shall be required if the settlement has been approved by a court of competent jurisdiction.

Workers' Compensation claims in excess of $15,000

For each workers' compensation claim settlement in excess of $15,000, the Office of Risk and Benefits Management shall perform all functions in connection with such claims including the offering and acceptance of settlements, receiving of restitution payments and signing of Proofs of Loss and Settlement contracts in conjunction with the Board's third party claims administrator on behalf of the Board.

Settlement authority for workers' compensation claims resides with the Office of Risk and Benefits Management with limits equal up to the extent of any available insurance coverage, after consultation with the General Counsel's Office.

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Legal References:
F.S. 69.081(9), 768.28, 1001.41(2)(4)

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