

CENTRAL TEXAS COLLEGE DISTRICT

FLOW DOWN DOCUMENT

RISK MANAGEMENT

SECTION I

DELEGATION OF AUTHORITY AND RESPONSIBILITY

The Board of Trustees of the Central Texas College District (CTCD) in Board Document #119, "Organization, Administration and Management," delegates to specific executive officers and other designated personnel the authority for directing, managing and operating certain activities, particularly those referred to as operational or support. The Board of Trustees state, as a matter of policy in Board Document #314 that, "an adequate and effective system of Risk Management will be developed and maintained." Board Document #314 further states that the Chancellor delegates to the Deputy Chancellor for Resource Management the authority and responsibility to "direct the resource management activities of Risk Management." This document describes the delegation of authority and responsibility from the Deputy Chancellor for Resource Management to the Director of Risk Management and those administrators within the Risk Management division.

SECTION II

REQUIREMENTS OF THE RISK MANAGEMENT DIVISION

The Chancellor, through the Deputy Chancellor for Resource Management, authorizes the establishment and operation of the Risk Management Division. The Risk Management Division will comply with the terms and conditions of employment and working conditions as stipulated in the applicable laws of the State of Texas and the United States of America and will establish appropriate communications and working relationships with state and federal agencies responsible for overseeing all insurance, workers compensation, safety and legal activities. The function requirements of the Risk Management Division are described below. The Risk Management Division, as part of Resource Management, operates and manages all activities associated with CTCD insurance policies and some legal liability issues.

The Risk Management Division will:

- Establish, maintain and monitor a system of insurance services to provide coverage for all applicable employees, property and activities of the

College District, in compliance with state and federal regulations and institutional policies.

- Establish, maintain and monitor an employee workers compensation program for employees at all locations and review with program regularly to ensure compliance with state and federal regulation.
- Develop, update and comply with the Safety Policy and Procedures Manual describing the College District's safety policies which are applicable to all employees or potential employees, responsibilities of the College District as an employer and of its' employees and procedures for implementing all such policies and responsibilities.
- Establish, implement and insure compliance with all safety and environmental health requirements.
- Establish and manage a building coordinator team and provide for training to act as contacts for communication, safety and emergency response events.
- Establish, maintain and monitor a system of distribution of first aid supplies for all central campus departments.
- Establish, implement and insure compliance with proactive measures including training, review and modification measures to reduce legal liability for employment practices violations.
- Represent, negotiate, mediate and litigate matters for the College District as needed and provide legal support for various departmental and College District affected issues.

SECTION III

DESCRIPTION OF AUTHORITY AND RESPONSIBILITY

The Director of Risk Management plans, directs and monitors all activities of the division and is responsible for the overall management, effectiveness and direction of this division. This Director reports directly to the Deputy Chancellor for Resource Management. The Director directs the development and publications of procedures relating to safety policies and procedures, workers compensation and emergency response management procedures as published in the *Safety Policy and Procedures Manual*. The Director of Risk Management also recommends changes in policies and procedures for the entire College District and implements resulting changes.

The Director of Risk Management ensures compliance with all state and federal regulations and the policies of the Board of Trustees relative to insurance, workers compensation, employment practices and other such programs as may be necessary to accommodate state and federal

requirements, without adverse effect on the legal needs of the College District.

The Director of Risk Management has the authority to negotiate, recommend for contract and maintain insurance coverage and is responsible for all insurance policies of the College District. The Director briefs the Deputy Chancellor for Resource Management on potential changes to the insurance policy premiums and coverage.

The Director of Risk Management has the authority to represent, negotiate, mediate and litigate matters on behalf of the College District. The Director of Risk Management will brief the Deputy Chancellor for Resource Management and the Chancellor and request the Chancellor's authority to settle claims and cases.

The Director of Risk Management also provides legal assistance for district-wide legal review of documents, legal matters and make recommendations on actual or potential legal issues and all other necessary legal matters. These services are provided to all CTCD locations in compliance with institutional policies and state and federal regulations.

The Director of Risk Management ensures enforcement of the safety policies and briefs the Deputy Chancellor for Resource Management on any indications of unsafe workplace conditions and potential hazards. The Director also ensures that all employee's grievances or complaints are acted upon promptly and resolved in accordance with approved procedures.

The Risk Management Division is managed by a division director and appropriate staff who reports directly to the Director of Risk Management and is responsible for the day-to-day operation of that activity, implementing institutional policy and complying with all applicable standards, laws and regulations. The specific authority and responsibility of the Director of Risk Management is described below.

SECTION IV

DESCRIPTION OF FUNCTIONS

The Director of Risk Management and the division personnel will perform those functions necessary to address the requirements described in Section II. These functions specifically include the following:

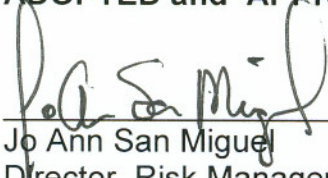
- Develop and publish the College District Safety Policy and Procedures Manual. These standards and procedures may be supplemented as required.
- Review the standards and procedures for ensuring that the personnel system of the College District adheres to all applicable laws of the State of Texas and the United States of America including but not limited to the following: Family, Education Rights and Privacy Act; Higher Education Act; Defense Base Act; Longshore & Harbors Workers Compensation Act; Texas Workers Compensation Act; The Equal Pay Act of 1963; Titles VI and VII, Civil Rights of 1964 (as amended); Age Discrimination in Employment Act of 1967 (as amended); Rehabilitation Act of 1973; Vietnam Era Veteran's Rehabilitation Act of 1974; Title IX of the Educator Amendments Act of 1972; Civil Rights Act of 1991; The Americans with Disabilities Act of 1990; The Family Medical Leave Act of 1993; State of Forces Agreement; United States Forces Korea (USFK); and United States Forces Europe (USEURA).
- Negotiate and manage the insurance policies and renewals of the College District.
- Ensure that procedures are established and maintained so that all records of College District employees are safeguarded and treated as confidential records, not to be divulged to any unauthorized person or without the written consent of the employee involved, except where authorized under the Texas Open Records Act and Freedom of Information Act.
- Provide legal support services to the administration, faculty and staff at all CTC campuses and support divisions as needed.
- Review employee grievances, terminations, disciplinary actions and layoffs, as presented through the Director of Human Resources.
- Establish, implement, review and modify as needed, departmental procedures for legal adherence to state and federal regulations.

This flow down document is intended to serve as a guide and provide direction for the Risk Management Division, not to be exhaustive nor all inclusive. Risk Management personnel are directed to establish operational policies and procedures needed to implement this flow down document.

SECTION V

APPROVAL

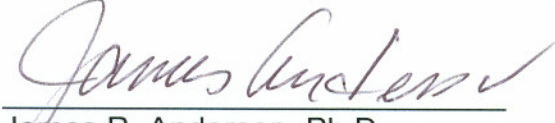
ADOPTED and APPROVED this 1st day of September, 2005.



Jo Ann San Miguel
Director, Risk Management



Robert C. Farrell
Deputy Chancellor for Resource Management



James R. Anderson, Ph.D.
Chancellor