

BOARD OF TRUSTEES OF THE NEBRASKA STATE COLLEGES
ITEMS FOR DISCUSSION AND ACTION\ACADEMIC AND PERSONNEL

ACTION: **First and Final Round Approval of Revisions to Board Policy 5004; Subrogation Rights**

Policy 5004 has been revised to clarify that the Board may pursue subrogation against employees for legal expenses in cases of intentional employee misconduct.

The System Office recommends approval of the Revisions to Board Policy 5004; Subrogation Rights.

ATTACHMENTS:

- Revisions to Board Policy 5004 (PDF)

Board of Trustees of the Nebraska State Colleges

Personnel

POLICY NAME: Subrogation Rights

POLICY NUMBER: 5004

A. PURPOSE

To establish subrogation rights for the Board of Trustees ~~of the Nebraska State Colleges.~~

B. DEFINITIONS

None

C. POLICY

1. Subrogation Rights

1.1. The Board may proceed against the culpable employee or former employee for all expenses, settlements and judgments, incurred by the Board in reference therefor, so the ~~State College~~ System shall be saved harmless from any expenses or liability arising out of such intentional employee misconduct, under the following conditions:

- Any time the Board, as an employer, is required to undertake any expense in investigation and/or defense of an allegation of discrimination and the allegation is ultimately substantiated in whole or in part as an intentional violation of law or ~~State College~~ Board Policy relating to non-discrimination.
- Any time the Board, as an employer is required to pay any settlement or pay any judgment as a result of an intentional employee misconduct substantiated complaint of discrimination.

FORMS/APPENDICES:

None

SOURCE:

Policy Adopted: June 1993

Policy Revised: September 2022