



ADMINISTRATIVE
POLICIES AND PROCEDURES MANUAL

DATE ISSUE
3/27/97

REVISION
4

PAGE
H3-150.0

SUBJECT
SECURITY AND SAFETY

SUB-TOPIC

REPORTING POSSIBLE CLAIMS UNDER THE TEXAS TORT CLAIMS ACT

Under the provisions of the Texas Tort Claims Act, Texas Civil Practice and Remedies Code 101.001 et seq., Vernon's Texas Codes Annotated, governmental units may be liable for certain claims resulting from the negligence of an officer, agent or employee of the governmental entity. The Act provides that injury must result from an act or omission of the employee acting within the scope of his/her employment.

The type of claim which might arise would include injuries occurring on state premises and involving state property.

NOTE: Claims resulting from incidents involving the use of state-owned vehicles for conducting state business may be covered by liability insurance.

The University requests that any person involved in or witnessing this type of incident immediately notify the University Police, ext. 2331. If the injury accident also involves a state vehicle, notify the Manager of Central Services, ext. 2251, who is the coordinator of vehicle insurance.

Upon notification of the incident, the University Police will investigate and obtain the following information:

1. Date and time of accident;
2. Name and address of possible claimant(s);
3. Names and addresses of all known witnesses;
4. A brief description of the events surrounding the incident.

One of the forms that will be completed by the University Police as a result of the incident is a "Preliminary Summary Report - Possible Claim Under the Texas Tort Claims Act" (see Exhibit H4). Upon completion of this report, the Police send it to the Office of the Vice President for Business Affairs for his review and forwarding to the Office of General Counsel at The University of Texas System.