



**MEMORANDUM****TO:** NC State Campus Community**FROM:** Allison Newhart, Vice Chancellor & General Counsel   
Drew Nicholson, Insurance & Risk Manager **DATE:** July 28, 2022**SUBJECT:** Employees Excess Liability Insurance

Effective February 1, 2022 the Excess Liability Insurance Policy, which provides liability insurance coverage for University employees (including volunteers and agents in certain situations) has been renewed with the same amount of aggregate coverage available. The policy limits are \$2,000,000 per occurrence, \$10,000,000 annual aggregate basis, with a \$1,000,000 retention per claim. The premium for this coverage is paid by the University with no individual cost to the employees of NC State.

The policy is an excess liability policy, written on a per occurrence basis. It provides coverage for civil errors, acts and omissions committed by state employees in the performance of their job duties, which result in bodily injury, property damage or other losses. The policy pays judgments in excess of the Defense of State Employees Act (\$1,000,000 tort claims limit) subject to the policy terms, conditions, exclusions, and policy limits. For more information, related to the policy, contact the Director of Insurance and Risk Management, phone extension 5-6122.

Article 31, Chapter 143 of the North Carolina General Statutes, known as the Defense of State Employees Act, is designated to provide coverage up to a maximum of \$1,000,000 per claimant for damages for lawsuits and settlements against State of North Carolina Employees. This law recognizes that State employees, while in the course and scope of employment duties, may be named as defendants in their individual capacities, as well as their official capacities, and allows the State to pay damages on their behalf, at the discretion of the Attorney General.

At NC State, the General Counsel is responsible for providing notice to the Attorney General regarding all potential claims falling under the Defense of State Employees Act and the Excess Liability Policy. Potential claims should be reported to the Office of General Counsel (phone extension 5-3071) as soon as individuals are aware of them. For more information on the legal aspects of this protection, please contact the Office of General Counsel.