

LEGAL SETTLEMENTS

POLICY NUMBER: ADM-LEGALSETTLE

RESPONSIBLE OFFICIAL TITLE: VICE PRESIDENT FOR LEGAL AFFAIRS & GENERAL COUNSEL

EFFECTIVE DATE: XX/XX/XXX

NEXT REVIEW DATE: APPROVAL PLUS FOUR (4) YEARS – XX/XX/XXX

SUPERSEDES POLICY DATED: N/A – NEW POLICY

BOARD OF REGENTS REPORTING: PRESIDENTIAL REPORT

I. POLICY STATEMENT

Northern Kentucky University occasionally enters into settlements of disputed legal claims. This policy describes the manner in which such settlements are to be approved. Settlements may be approved only when the proposal is determined to be in the best interests of the University.

This policy applies to all settlements of disputed legal claims by or against the University, regardless of whether or not those claims have been filed with a court or administrative agency. Claims may include those involving University regents or employees in cases where the University is providing a legal defense and indemnification pursuant to Article IV of the [Bylaws of the Board of Regents](#). Disputed legal claims may include, for example, employment discrimination claims by current or former employees, claims for personal injury or property damage, breach of contract, and any other claim that has been or may be filed in a legal forum.

Settlements of disputed legal claims involving receipt or payment by the University of \$500,000 or more may be approved only by the Board of Regents. All other settlements may be approved only by the President.

Settlement approvals should occur in consultation with the General Counsel, the Chief Financial Officer, and other University officials who may be involved in the matter.

Agreements memorializing approved settlements may be signed only by the President. The General Counsel is responsible for preparing all settlement agreements and related documents, as well as obtaining external court or agency approvals that may be required by applicable law.

Notwithstanding the provisions above, settlement of disputes in which the President is a named litigation defendant may be approved only by the Chair of the Board of Regents, and related settlement agreements may be signed only by the Chair or its designee.

Reporting of Settlements and Other Resolutions to the Board of Regents

The President and the General Counsel should consult as appropriate with the Board of Regents Executive Committee regarding significant settlements that do not require Board approval.

The General Counsel must make timely reports to the Board of Regents regarding recent settlements of disputed legal claims and other agreements involving a release of legal claims where no litigation has been filed or threatened, including employee separation agreements. These reports may be made in connection with regular meetings of the Board of Regents or, where circumstances warrant, at the time the agreement is reached.

II. RELATED MATERIALS

Related Policies

[Bylaws of Northern Kentucky University Board of Regents](#)

[Board of Regents Finance and Transactions Approval Policy](#)

Revision History

REVISION TYPE	MONTH/YEAR APPROVED
New Policy	

LEGAL SETTLEMENTS

PRESIDENTIAL APPROVAL

President

Signature

Date

Cady Short-Thompson

BOARD OF REGENTS APPROVAL

BOARD OF REGENTS (IF FORWARDED BY PRESIDENT)

- This policy was forwarded to the Board of Regents on the **Presidential Report (information only)**.
Date of Board of Regents meeting at which this policy was reported: ____/____/____.
- This policy was forwarded to the Board of Regents as a **Presidential Recommendation (consent agenda/voting item)**.
 - The Board of Regents approved this policy on ____/____/____.
(Attach a copy of Board of Regents meeting minutes showing approval of policy.)
 - The Board of Regents rejected this policy on ____/____/____.
(Attach a copy of Board of Regents meeting minutes showing rejection of policy.)

SECRETARY TO THE BOARD OF REGENTS

Signature

Date

Tammy Knochelmann