



Did a school district employee's automobile get damaged during the scope of their employment?

Disclaimer: This document has been prepared for school officials only as information and guidance. Every claim is handled on it's own individual merit and circumstance.

NJ Title 59 - Claims Against Public Entities

In event that a "personal auto" is damaged on district property, the owner of the automobile must file a claim through their own insurance provider, even if the district may be at fault. This is derived from NJ Title 59 - Claims Against Public Entities. Title 59 is the NJ Tort Claims Act passed in 1972 which provides uniform principles and provisions for protection of schools and municipalities. Simply stated, a municipality / school district in the state of New Jersey is protected if a third party attempts to recover money for damages or file a tort claim.

There is a potential that the owner of the automobile can recover their deductible if the district's insurance carrier deems that the district is at fault or if the vehicle was being used at the direction of the board of education.

FILING A CLAIM:

In order for the district to file a claim, the following information needs to be collected from the district employee to be sent to the School Business Office. The district will need all of this documentation order to file a claim.

- Provide the following incident details:
 - Owner's name, contact number, email, date of incident, description of damage, cause of damage, etc.
- Provide any photographs
- Copy of owner's "Damaged Insurance" declaration page showing deductibles and limits
- Estimate to repair
- Police report



Upon receipt of this information, the district will present their findings to New Jersey Schools Insurance Group (NJSIG) for further coverage determination. At that time, an NJSIG adjuster will be assigned, and will contact the owner of the auto directly.

Examples of an automobile damage during the scope of their employment include, but are not limited to:

- An accident involving a district owned vehicle
- A tree/tree branch falling on vehicle
- An icicle falling from a building or object onto vehicle

If you have any questions about a claim that has been files, please contact NJSIG at 609-386-6060 or visit www.njsig.org for more information.