



# Northern California Regional Liability Excess Fund

2355 Crenshaw Blvd, Suite 200, Torrance, CA 90501  
(310) 212-3344, Fax (310) 212-0300

## Executive Summary Executive Committee Meeting August 11, 2017

**President:**  
Kimberly Dennis  
Alameda County  
Schools Insurance  
Group

**Vice President:**  
Brent Swanson  
Tulare County  
Schools Self  
Insurance Authority

**Secretary:**  
William Tucker  
Organization of Self-  
Insured Schools

**Treasurer:**  
Scott Lantsberger  
Washington Unified  
School District

### Claims Audit Report

Ron Martin advised that the Claims Audit has been completed by Ken Maiolini of Risk Management Services conducted the bi-annual claims audit. The purpose of the audit was to measure and evaluate the timeliness and accuracy of the claim-handling procedures and a requirement for the CAJPA Accreditation process. Ron indicated that the claims auditor was very complimentary of the quality of the claims handling and found no deficiencies during the exit interview. Ken will be presenting a detailed report to the Claims & Coverage Committee on September 6, 2017.

### Defense Counsel Selection Policy

The Authority maintains an Approved Defense Attorney Panel to ensure appropriate legal counsel for the membership while controlling litigation expenses. The Committee policy is to formally review the panel for necessary additions and deletions at the Fall meeting each year. It was suggested to revise the Policy to better clarify the selection criteria. The following revisions were approved: 1) clarify the policy to allow review of attorneys for addition or deletions of attorneys at regularly scheduled Claims & Coverage Committee meetings on an as needed basis 2) specify in the policy that all applications do not guarantee admission and 3) addition of review criteria to include specific expertise, overall experience, public agency experience, potential conflicts, references, litigation outcomes & performance, Compliance with NCR Defense Counsel Guidelines and Geographic location. This Policy is located on the NCR website under the Member Resources section.

### Preliminary Budget

The preliminary budget for 2017-18 assumes operating revenues of \$55M and operating expenses of \$53M generating an operating income/(loss) of \$2.1M. Non-operating revenues and expenditures are estimated at a negative \$818K which makes revenues in excess of expenditures \$1.3M. When added to the beginning net position, the JPA has an estimated net position for 2017/18 of \$18.9M.

### Memorandum of Coverage (MOC)

There were three items of discussion in regard to coverage for 18-19 MOC to include: 1) Booster Definition 2) Rental Vehicle Exclusion and 3) Criminal Act Exclusion. The booster definition will be revised as follows:

Booster Definition-**Booster Club** means an organization that is formed to support a district sponsored athletic, academic or extracurricular program **that is not under the direct control and supervision of the district.**

- 1) . “Associate club” was removed and extracurricular was added to eliminate any ambiguity with ASB and bolded language is to be added.

The Committee requested no new exclusions at this point but continue to vet the following:

- 2) Rental Vehicle Exclusion-There was a discussion concerning members renting out vehicles to third parties and whether the Committee wanted to entertain an exclusion. The matter was reviewed to an Ad Hoc Committee for further discussion and consideration for the 18-19 MOC.





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- 3) Criminal Act Exclusion-The committee was advised of a high exposure Southern California ReLiEF case wherein the employee's actions were not intentional but resulted in a criminal Act. The MOC, as currently written, provides coverage to individuals in incidents where there is no intent. The Committee recommended further discussion at the Ad Hoc Committee.

### **Contract Review**

The Management Agreement between NCR and Keenan is due to expire June 30, 2018. An Ad Hoc Committee was formed and comprised of President Kimberly Dennis, Vice President Brent Swanson and Treasurer Scott Lantsberger to work through the renewal process and bring back a new contract at the February meeting for review and recommendations.

### **CAJPA Accreditation**

NCR receives Accreditation with Excellence for another three years! CAJPA and Accreditation Program that is designed to ensure quality and professional standards for all risk management pools regardless of size, scope of operation, or membership structure. The process involves a detailed program study and evaluation, committee review and issuance of a report. NCR has been recognized with continuous Accreditation with Excellence since 1993.

### **SELPA Contracts**

This topic was brought up by Panel Defense Counsel that commented that there are still some risk transfer issues out there in existing SELPA contracts. The Committee highly suggests member's Review their SELPA and Non-Public School (NPS) Provider Contracts. The template that is currently in circulation and in use by many NCR districts needs to be reviewed and should be amended to include certain language to ensure the successful acceptance of tender of defense and indemnification. [Click here](#) for more information.

### **Annual Meeting**

NCR's 32<sup>nd</sup> Annual Meeting will be taking place in Monterey, CA October 18-20, 2017 at:

The InterContinental, Clement Hotel  
750 Cannery Row  
Monterey, CA 93940

In addition to taking care of regular items of business additional presenters are brought in to discuss claim trends, loss control matters and other relevant topics to assist school districts in preventing and mitigating losses. This is a great opportunity to meet your fellow Board members and gain a greater understanding of NCR's operations. For the full schedule of events and to get registered contact you Keenan NCR representative.

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