



New Jersey School Boards Association Insurance Group

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Board of Trustees Meeting of November 28, 2012 Loss Control Report

▪ New Employee

The Loss Control Department welcomed James Gabrieli as a new Loss Control Representative. Jim will be responsible for our charter schools and non-sub-fund districts.

▪ Hurricane Sandy

The Loss Control Department provided member districts with information how to prepare for a hurricane and how to handle post hurricane clean-up. The staff suspended the regular duties after the storm to visit the districts hardest hit, assess the damage, and report back to the Claims Department.

▪ November SafetyNet

The safety theme for November is a *Holiday Safety Checklist*. The items listed included holiday lights, extension cords, candles, open flames, food and alcohol. We ran an article on *Building Boundaries between Teachers and Students* which gave warning signs to look for in employees who would violate teacher student boundaries.

The Claim Department provided an article titled *Grey Area Claims*. These are claims such as hernia or carpal tunnel syndrome which may or may not be compensable. The article *Play It Safe* provided rules each school district should follow to keep their playgrounds safe.

▪ Errors and Omissions Assessment

The Loss Control Department created an E&O coverage assessment form which was presented at each sub-fund meeting. It is mandatory for each district with NJSBAIG E&O coverage to complete the assessment prior to renewal. The assessment will allow the Group to better measure our ability to defend a district that faces an employment practices claim.

Districts earn higher scores on the assessment for using the NEPHA hotline, taking NJSBAIGtrain classes and using NJSBAIG loss control services. Once all the forms are completed we will also have a clearer picture of what type of training is needed and the best places to schedule the training.

Tony Jones

Tony Jones
Loss Control Manager
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New Jersey School Boards Association Insurance Group Errors and Omissions Assessment

This audit is set up to be completed as a self-analysis of your district's safety and loss control program. Read each description next to the element very carefully. Circle the paragraph that best describes your district's level of accomplishment within that element. If your district has all of a lower category covered but only part of the next, your rating for that element is the lower of the two categories.

Each element has the same weight score as any other element.

Poor = 1
Fair = 2
Good = 3
Excellent = 4

NJSBAIG Errors & Omissions Assessment

District Name	Date:				
Management/ Leadership	1	2	3	4	
Affirmative Action Officer (AAO)	The district has named an AAO, but the officer has received no training and the staff is unaware of their identity.	The staff is aware of the AAO officer, but the officer has received no training as to how to conduct an investigation.	The AAO is known by the staff and fully trained as to how to conduct an investigation.	One male and one female AAO officer has been named and each has received documented training on how to conduct an investigation. Each is aware of legal reporting standards. The identity of the AAO officers in known by all employees.	<input type="text"/>
Americans with Disability Act (ADA)	District employees are unaware of their rights under the ADA.	District employees receive information about ADA at their yearly staff meeting.	Certified staff receive documented training in hiring under the ADA law.	All certified and non certified staff have documented training on the rights of the disabled under ADA.	<input type="text"/>
Conscientious Employee Protection Act "Whistleblower Act" (CEPA)	The district has posted the act without comment.	The act is posted in a common area and notice also distributed in paycheck.	The act is posted in a common area in English and Spanish. It is distributed in paychecks and employees acknowledge receipt.	CEPA notice is distributed in English and Spanish. An annual meeting on the topic is held with all employees. Notice of the law is posted in common areas. A signed receipt is received from the employee.	<input type="text"/>
Discrimination Training	We have conducted no training on this topic within the last 24 months.	We trained only non-certified staff within the last 24 months.	We train both certified and non-certified staff every 24 months and maintain records.	We train both certified and non-certified staff every 12 months, maintain records, and print certificates.	<input type="text"/>
Employee Performance	All employees receive an annual performance review from their immediate supervisor.	The annual performance appraisal rates certified and non-certified staff job performance and clearly documents all deficiencies.	The annual performance appraisal objectively rates all job performance. Non-certified staff has the physical requirements of their job outlined in the review.	The annual performance appraisal is completed by more than one person. It clearly outlines job duties, objectively rates job performance, documents deficiencies and clearly outlines progressive discipline where needed.	<input type="text"/>
Employment Practice Policies and Procedures	The district policies related to employment practices have not been updated within the last 5 years.	District policies are reviewed infrequently. All managerial staff are not aware of the updates.	District policies are reviewed annually and all managerial staff are aware of the updates.	District policies are reviewed and updated annually. All district staff are aware of the policies and documented training is provided where needed.	<input type="text"/>
Total Score				<input type="text"/>	

NJSBAIG Errors & Omissions Assessment

Management/ Leadership	1	2	3	4	
Ethical Behavior	The district has never conducted training on promoting ethical behavior.	The district conducts training on promoting ethical behavior every 2 years.	Ethical Behavior is part of the annual review of all certified staff.	Ethical Behavior is part of the annual review of all certified and non certified staff. The district conducts training for all employees.	<input type="text"/>
Family Medical Leave Act (FMLA)	The district is aware of the differences in the federal and NJ FMLA but has received no documented training	The district is aware of Federal and New Jersey FMLA law, but no uniform policy on applying the law is in affect.	The district is aware of Federal and New Jersey FMLA law. A uniform policy on applying the law is in effect.	All staff assigned to the human resource function have been trained on how to apply both the NJ and Federal FMLA and the training is documented.	<input type="text"/>
Harassment, Intimidation, and Bullying (HIB)	The district is aware of their requirements under the Federal and New Jersey HIB laws.	The district is aware of the Federal and NJ HIB and instituted training on how to conduct an HIB investigation.	The district has completed both NJ and Federal HIB training. The district completes HIB investigations within established time limits.	The district uses HIB software to complete HIB investigations. All HIB investigations are instituted within 24 hours of notice and completed within 10 days. The superintendent reports all incidents to the board of education as required by law.	<input type="text"/>
Individual Education Plan (IEP)	All members of the child study team have not received documented IEP training	All members of the child study team have received IEP training and the training is documented.	All members of the child study team and district principals have received documented IEP training.	All members of the child study team, principals and teachers in contact with special needs students have received documented IEP training.	<input type="text"/>
Harassment / Sexual	The district has conducted no training within the last 24 months.	The district trained only non-certified staff within the last 24 months.	The district trains both certified and non-certified staff every 24 months and maintain records.	The district trains both certified and non-certified staff every 12 months, maintain records, and print certificates.	<input type="text"/>
Wrongful Discharge	The district conducted no training on this topic within the last 24 months.	The district completed training, but has incomplete records as to who attended the training.	The district has trained all certified staff and maintains complete records as to attendance.	The districts conducts training every year and uses the NEPHA hotline before making any adverse employment decision.	<input type="text"/>
				Total Score	<input type="text"/>

NJSBAIG Errors & Omissions Assessment

NJSBAIG Loss Control Services	1	2	3	4	
NJSBAIG Loss Control Services	The district is not aware of loss control services available from NJSBAIG.	The district has met the loss control rep but has not used any of the loss control services available.	The district uses loss control services to comply with state and federal safety requirements	The district recognizes the loss control rep as a safety professional and uses all training and inspection services on a regular basis.	<input type="text"/>
NEPHA Hotline (NJSBAIG Employment Practice Hotline Attorney)	The NEPHA employment hotline is not used.	The NEPHA hotline is used only when board attorney is unavailable.	The NEPHA hotline is used for all employment issues.	The NEPHA hotline is used for bullying and all employment practice issues.	<input type="text"/>
NJSBAIG Train	The district has not registered to use the NJSBAIGtrain website.	The district has registered, but has not scheduled any training.	The district has registered and assigned training to certified staff twice a year.	The district has registered and assigns training to all staff every 90 days.	<input type="text"/>
				Grand Total	<input type="text"/>