

APPROVED



## Ivy Hill Prep Charter School

### Minutes

#### Special Meeting

Insurance Bid Selection

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#### Date and Time

Monday June 29, 2020 at 6:00 PM

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Special Meeting to Select Year 2 Insurance Carrier

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#### Directors Present

A. Jimenez-Schulman (remote), A. Laniyan (remote), J. Small (remote), K. Wedderburn-Henderson (remote), M. Kane (remote), M. Michael (remote), N. Williams (remote)

#### Directors Absent

D. Lewis, T. James

#### Directors who arrived after the meeting opened

K. Wedderburn-Henderson

#### Guests Present

A. Johnson (remote), B. Parker (remote), Shawn Berger

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#### I. Opening Items

##### A. Call the Meeting to Order

M. Michael called a meeting of the board of directors of Ivy Hill Prep Charter School to order on Monday Jun 29, 2020 at 6:07 PM.

Discussion regarding calling special meeting and the necessity to do so with time being of the essence since school's insurance was set to lapse on June 30, 2020. The board was made aware of the lapse last week and the board chair sought to provide notice of the meeting to the public by emailing publications to get the meeting notice published. The meeting was also added to the board meeting notification on the school's website through the public portal platform utilized in board on track.

## **B. Record Attendance**

M. Michael made a motion to Approve the Agenda.

A. Jimenez-Schulman seconded the motion.

The board **VOTED** unanimously to approve the motion.

### **Roll Call**

N. Williams	Aye
D. Lewis	Absent
K. Wedderburn-Henderson	Absent
M. Kane	Aye
A. Jimenez-Schulman	Aye
A. Laniyan	Aye
M. Michael	Aye
J. Small	Aye
T. James	Absent

## **II. Insurance Coverage Presentation**

### **A. Bids Presentations**

Shawn Berger from Austin & Co. presented insurance package and noted important areas of coverage which was not offered by current insurance carrier, Gallagher. Mr. Burger explained Austin & Co works with 250 schools k-12 schools including over a 100 charter schools. They group the schools for a cheaper cost however, IHP will have its own individual policy. The company also includes 20 certified school risk managers who have to take continuing education courses to be able to provide guidance when school is expanding.

Mr. Berger explained that there are specific areas of risk IHP by virtue of being a school which were not covered or excluded under our current policy. The excluded or non-covered areas are as follows:

1. Corporal Punishment: current policy had an exclusion relating to restraint or removal, meaning if there was injury which arose out of a student being restrained or removed IHP's current policy would not cover that claim. Austin & Co does not have that exclusion.

2. Communicable diseases: current policy did not cover claims resulting from someone contracting COVID or any other communicable disease.
3. Sexual Misconduct: Covered broadly under our current policy but Austin&Co covers claims until actual criminal charges are lodged. However, in either scenario the board continues to be covered and this coverage only relates to how the accused person is covered.
4. Director & Officer policy in current insurance policy included many exclusions relating to claims which arise from an allegation that IHP failed to conduct a proper investigation practices, failed to adequately supervise or a failure to report. Austin&Co has exclusions as well but those exclusions relate to normal standard exclusions which involve claims arising out of war or pollution.

Mr. Berger also explained coverage under Gallagher was significantly less than the coverage provided by Austin & Co by showing a chart which showed the options from 3 insurance companies.

Other considerations presented:

1. Coverage provided for employment claims to include payment of defending claim which is outside of the claim amount so as to not reduce money available to settle any lawsuit. Mr. Berger explained employment lawsuits are most common and on the rise because laws are favorable to employees and as the economy takes a downturn employees are more likely to sue.
2. No coverage provided for security risk management as with current insurance because those claims are untested in the market place. This policy would cover replacing property as a result of some security breach.
3. No coverage provided for pollution because most schools do not have that kind of policy and there is nothing on site at IHP which would make this kind of policy at the price point offered by Gallagher useful.

K. Wedderburn-Henderson arrived.

## **B. IHP Management Recommendation**

Director of Operations, Brandon Parker, explained that management requested that the board approve the change from Gallagher our current insurance broker to Austin & Co for the following reasons:

1. Corporal Punishment exclusion in current policy.
2. Sexual Abuse for D&O exclusion in current policy.
3. Communicable Diseases exclusion in current policy
4. Cost of Gallagher is at 23% increase while Austin&Co is cheaper and provides more coverage.

- 5. Austin& CO provides a 14 month policy so that school has enough time to exercise due diligence with respect to any potential changes for next year. .

M. Michael made a motion to Use Austin&Co. as the broker for insurance coverage for Ivy Hill Prep.

A. Jimenez-Schulman seconded the motion.

The board **VOTED** unanimously to approve the motion.

**Roll Call**

M. Kane	Aye
D. Lewis	Absent
N. Williams	Aye
T. James	Absent
J. Small	Aye
K. Wedderburn-Henderson	Absent
M. Michael	Aye
A. Laniyan	Aye
A. Jimenez-Schulman	Aye

M. Michael made a motion to go into excutive session to discuss complaint filed by staff member Ms. Diana Wiliams.

A. Jimenez-Schulman seconded the motion.

Discussed next steps and debrief with HOS.

The board **VOTED** to approve the motion.

**Roll Call**

T. James	Absent
A. Laniyan	Aye
M. Michael	Aye
M. Kane	Aye
N. Williams	Aye
K. Wedderburn-Henderson	Absent
A. Jimenez-Schulman	Aye
J. Small	Aye
D. Lewis	Absent

**III. Closing Items**

**A. Adjourn Meeting**

There being no further business to be transacted, and upon motion duly made, seconded and approved, the meeting was adjourned at 8:30 PM.

Respectfully Submitted,  
M. Michael

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CERTIFICATE OF THE BOARD CHAIR

The undersigned does hereby certify that the undersigned is the Secretary of the Corporation an education Corporation duly organized and existing under the law of the State of New York; and that the Meeting Minutes of said Corporation were duly and regularly adopted as such by the Board of Trustees of said Corporation.

Board Chair: Marsha D. Michael

Date: July 27, 2020