

charterSAFE

www.chartersafe.org

Charter School Safety & Human Resources Considerations



CharterSAFE is a non-profit, risk-sharing pool providing a comprehensive insurance and risk management program to independent charter schools throughout California. Guided by charter school leaders and owned by its charter school members, CharterSAFE serves as the first and premier insurance and risk management expert for charter schools.

CharterSAFE's mission is to provide its charter school members with a strong understanding of charter school specific exposures and risk mitigation. We believe that a safe learning environment allows member schools to focus on and dedicate your resources towards empowering students through education.



Human Resources

Charter schools spend a large percentage of their budgets on labor. Unfortunately, many simple-to-implement best practices are not in place because human resources has not been made a top priority. Claims involving employment practices represent a high share of CharterSAFE annual claims.

The Top 10 Human Resources Issues Facing Charter Schools

- 1 Recruiting & hiring the right candidates
- 2 Compliance with mandated training requirements
- 3 Up-to-date policies (Employee Handbook)
- 4 Workers' Compensation issues
- 5 Preventing harassment/discrimination/retaliation claims
- 6 Understanding Wage & Hour requirements
- 7 Leaves of Absence administration
- 8 Disciplinary & Termination Procedures
- 9 Understanding at-will employment
- 10 Having the staff & finding the time to do it all!

Top Employment Practices Claim Categories

- Wage & Hour (exempt/non-exempt classifications, meal/rest break violations, etc.)
- Wrongful Termination
- Discrimination (gender, age, race, religion, sexual orientation and other protected classes)
- Retaliation and Whistle-blower
- Sexual Harassment

Documentation

It is very important to keep a record of all employment related interactions with school employees. It's the best defense if a claim or lawsuit is filed!

Why is documentation important?

- Creates a record which memorializes what happened
- Employees are held accountable for actions
- Helps to neutralize "he said-she said" allegations
- Assists with employee performance evaluations and goal settings, and supports supervisor lay-off and termination decisions

For support with Human Resources, please contact:



**Karla M. Ksan, MPA SPHR PHRca
SHRM-SCP**

Human Resources Specialist

Direct: 818.394.6548

Main: 818.394.6559

kksan@chartersafe.org

Risk Management – Liability & Property

School safety adherence to best practices is the top priority at all of our schools. At CharterSAFE, we understand the financial limitations faced by charter schools and provide members advice about cost-effective solutions. If you have not had a risk management site visit, please contact us to schedule one today.

Common Sources of Claims

Students

- Sexual abuse allegations
- Slip, trip, and fall (especially restrooms/wet areas)
- Sports, playgrounds, and physical education
- Bullying and student-on-student assault
- Traffic management
- Student-on-student assault
- Eye injuries – inform the parents ASAP and seek medical attention
- Science lab, shop class, and art classes (burns, cuts, etc.)
- Amusement devices, including bounce houses and other inflatables

Quick Tip: Sexual Abuse Prevention

- Maintain a robust Boundaries Policy that clearly identifies unacceptable behavior to promote a culture of awareness in the school community.
- Enforce the “Rule of Three” minimum – two students with one staff or one student with two staff members.
- Remove items that restrict visibility. No one-on-one behind closed doors unless a supervisor has visual access.

Property and Other Risks

- Contractor and vendor issues
- Parking lots (vehicle damage and gates)
- Break-ins and theft (especially computer equipment and metal pipe equipment)
- Failure to maintain trees
- Faulty wiring and lack of electrical maintenance
- Water damage

Supervision

One of the most important things you can do to improve school safety is to get serious about playground supervision. Your playground supervisors should have training and a supervisor safety checklist.

A few items to highlight:

- No football on concrete/asphalt. This may seem like common sense, but we continue to see accidents.
- “Creative misuse” of play equipment
- Portable tether ball can crush feet—remove or permanently install.
- Slides and swings (twisting, jumping)
- Playground surface material maintenance
- Playground supervisor safety checklist and relevant training (surface material, debris, bolts, “S” hooks, and hot surfaces)

For support with Risk Management, please contact:



Sue Bedard, ARM-P

Senior Risk and Claims Manager

Direct: 818.394.6544

Main: 818.394.6559

Fax: 916.720.0324

sbedard@chartersafe.org

Emergency Contact: 818.429.3474

Risk Management – Worker’s Compensation

Common Sources of Claims

Employee Injuries

This is also a frequent source of claims. For example, a teacher stands on a chair while decorating the classroom and falls. We are seeing teachers injured as a result of playing with kids at recess.

The Top Sources of Employee Injuries

- Falling from chairs, tables, and desks
- Tripping over backpacks, desks, cords, and uneven surfaces
- Participating in sports or games with students
- Mental stress / hostile environment
- Cumulative trauma (ergonomics-related)
- Strains associated with lifting and pulling
- Assault by students, including bites
- Dunk tanks! They may be fun, but people often get hurt.
- Staff retreats / disaster drills

Quick Tip: Employee Complaints of Wrongful Termination or Discrimination

When a formal complaint is received from an employee, contact CharterSafe immediately before incurring legal bills. We will assist you in maximizing the benefit of your insurance coverage.

Important Workers’ Compensation Claims Tips

At CharterSAFE we receive many questions about Workers’ Compensation claims. Below are a couple of quick, but very important tips about reporting such claims.

- Workers’ Compensation claims must be reported to CharterSAFE by the injured worker’s supervisor or Human Resources Department, not by the injured employee.
- Unless the employee formally pre-designated a personal physician for Workers’ Compensation at the time of hire, the employer controls the location of treatment for the first 30 days. You should refer the employee to the industrial/occupational clinic that you have pre-selected (or in an emergency, to a hospital emergency room). Many CharterSAFE members utilize Kaiser-on-the-Job clinics when there is a location within a reasonable distance of the workplace. For assistance in finding a clinic near you, contact **Susan Diamanti** at sdiamanti@chartersafe.org.

For support with Workers’ Compensation, please contact:



Susan Diamanti, WCCP
Workers’ Compensation Director
Direct: 818.394.6549
Main: 818.394.6559
sdiamanti@chartersafe.org

Claims Management

The Basics

1. It is important to notify CharterSAFE and file a claim in a timely manner. Claims should be immediately reported through our web portal at www.chartersafe.org under “Claims.”
2. If you have questions about a claim, call **Sue Bedard** or **Carly Weston** at **(818) 394-6559**.

Always File Claims Through CharterSAFE

Claims should always be filed through CharterSAFE directly. While we work with different insurance carriers, we can assure smooth processing if we are handling and advocating the claim for you.

Important Claims Deadlines

Insurance policies typically contain timelines for reporting claims. Under the CharterSAFE program, there are some time limitations.

Please visit the Claims section of our website, www.chartersafe.org, for important information about deadlines for filing claims to avoid denials of coverage by insurers.

Why Filing a Claim Quickly is Important

There are a few important items to keep in mind when filing a claim:

Incidents and claims should be reported as quickly as possible. In most cases we should hear from you the same day an incident happens. It's better if we are involved within 24 hours of the incident/injury.

In all cases, there is a direct benefit to immediate incident reporting and investigation, including the following:

- Timely delivery of medical treatment to those in need
- Shorter periods of disability
- Improved public relations
- Reduced likelihood of attorney involvement and lawsuits
- Preservation of crucial evidence
- Cessation of further property damage
- Better opportunity to receive reimbursement from other at-fault parties
- Cost savings and diminished negative impact on future insurance premiums.



For support with Claims Management, please contact:



Carly Weston, MPA
Risk and Claims Manager

Direct: 818.394.6547

Main: 818.394.6559

Fax: 916.720.0324

cweston@chartersafe.org

charterSAFE

Insurance, Risk Management, and Employee Benefits

CharterSAFE
PO Box 969
Weimar, CA 95736

Return Service Requested

Complimentary Member Services

At CharterSAFE we have built a program to meet the specific needs of California charter schools. This is a list of no-cost services that are included with your CharterSAFE membership.

Risk Management

- 1. Hands-on risk management advice**, including comprehensive policies and procedures evaluations.
- 2. Assistance with activities, trips, permission/waiver forms**, transportation issues, fundraisers, internal procedures, and playground management.
- 3. Membership to WeTip**, an anonymous crime reporting hotline available to employees, students, and community members.
- 4. Human Resources Consultation** – Personalized advice from a highly experienced HR professional with thorough knowledge of the unique nature of charter schools.
- 5. Contract review** – Evaluation by an attorney of risk transfer/indemnity provisions in contractual agreements such as property leases, facility use agreements, and vendor agreements, etc.
- 6. Unlimited online training and risk management advisory information** via **SafeSchools**.
- 7. Online newsletter with risk management topics** specific to charter schools.

Safety and Loss Control

- 1. Comprehensive safety inspection** and detailed report, with online mitigation tracking and budgeting capabilities.
- 2. Certified Playground Inspection** and detailed report.
- 3. Safety advisory services**, e.g. workstation evaluations, utility cart training, and playground supervisor training.
- 4. Unlimited online employee training** via **SafeSchools**.
- 5. Self-inspection safety checklists** for members.

Claims and Litigation Management

- 1. Online 24-hour claims reporting** and emergency access to the claim manager.
- 2. In-person training on claim reporting** and claim management.
- 3. Workers' Compensation claim reviews.**
- 4. Workers' Compensation cost containment** such as utilization review, nurse case manager, and return to work information.
- 5. Information about litigation trends** in the charter school community.