

EXECUTIVE REPORT

May 2022



Protecting Schools. Promoting Safety. Customizing Insurance.

ABOUT **CHARTERSAFE**

As an insurance pooling JPA, CharterSAFE's mission is to serve as a steward-guardian of school safety by providing our charter school members with a strong understanding of school hazards and approach to risk management. As a result, members will have a safe and secure environment that promotes a focus on teaching, learning, and student outcomes. We serve leaders of the charter community who need a comprehensive insurance program and hands-on proactive risk and claim management services to help keep their schools safe.

We are a nonprofit Joint Powers Authority (JPA) solely dedicated to protecting independent charter schools in California by providing expertise in group insurance, safety, risk management, and human resource consulting. Owned by our members, CharterSAFE is led by an experienced staff and overseen by a board of directors made up of school leaders.

Board of Directors

Walter Wallace, Wallace Consulting and CBO Emeritus, Granada Hills Charter High School

Yvette King-Berg, Executive Director, Youth Policy Institutes Charter Schools

Kristin Dietz, Senior Vice President, EdTec

Spencer Styles, President & CEO, Charter Impact

Parker Hudnut, CEO, Inner City Education Foundation (ICEF)

Ted Morris, Founder, Endeavor College Preparatory Charter School

David Riddick, CEO, Fenton Public Schools

Will Covington III, CBO, Birmingham Community Charter High School

Dr. Karla Rhay, The Karla Rhay Group and CEO Emeritus, California Schools JPA

CharterSAFE Staff

Joined by a team experienced in risk management, claims, and insurance, CharterSAFE is a partner to more than 275 members and works to safeguard over 800 schools. Under the leadership of Thuy Wong, the CharterSAFE team brings decades of experience in charter school risk and safety. Many of our dedicated team members have worked for CharterSAFE and our members for over 10 years, some since our founding in 2004. Our organization is structured to support members before, during, and after terrible things happen. Karen Bianchini leads our team of HR and risk management consultants that can help your school mitigate and prevent losses. The claims team lead by Dennis Monahan advocates on behalf of our members to assure claims are managed fairly and promptly. Member services led by Bettina Hooper assist our members in their insurance needs, certificates, and other support.



^{*}Italicized functions are outsourced to vendor partners.

INSURANCE.

At the heart of what we do, CharterSAFE is a Joint Power Authority (JPA) that brings together charter schools to pool their similar risks and exposures to self-insure as a group. We are financial stewards of the JPA's joint funds used to pay for lower-cost claims, which our members own. Excess and reinsurance are procured to assure coverage in the event of high exposure claims. JPAs are not an insurance carrier and without question the most effective way to obtain traditional insurance for charter schools. Customers pay a premium to an insurance company, from which the insurance company takes a profit and uses the rest to pay for claims from customers. An insurance company will have many different types of customers, some much riskier than others. That means that in traditional insurance, despite the façade of a separate standalone policy, all customers share in the risk of one another in addition to paying for the profits of the insurance company. Conversely, a IPA only allows membership for similar risks (e.g., a IPA for charter schools only).



By limiting the risk to similarly operated entities, members are protected because losses are more predictable. CharterSAFE can help our members focus on effective feasible risk management and safety techniques specific to charter schools to reduce the chance and cost of loss. Additionally, in the event you have a loss, traditional insurance companies will focus on their profitability with their own interests as a priority. Insurance companies and their adjusters will not have any relationship with your school; at CharterSAFE, you have the same claims personnel working on all claims. That means they know our members and follow CharterSAFE's values in protecting the membership in claims management. As a member of CharterSAFE, the JPA's members are the number one priority; we focus on what is best for the member and the membership.

Today's Insurance Market

Today's difficult insurance market continues to harden rapidly; that means premiums are increasing and the capacity to find insurance coverages decrease. In California, numerous insurance carriers have left or are planning to exit the state. A JPA offers buying power through scale that would not be feasible independently. CharterSAFE's goal is to procure the proper coverages with limits that will protect and keep your schools safe.

A gap in coverage or too low a limit may expose a school to financial instability at best, or worst – closure. A gap of coverage occurs when you have a primary limit in coverage, then an uncovered layer before any excess insurance kicks in. These gaps can reach millions of dollars of exposure and put a school at risk. Other gaps may occur in a policy with "exclusions" limiting coverage. We have seen many insurance quotes and policies with both of these types of gaps in coverage.

Gap example:

General Liability Primary Limit \$1M

Uninsured Coverage Gap (school is responsible)

Excess Coverage >\$5M

Another risk is having too low of limits to protect in the event of a high exposure loss.

Low limit example:

General Liability Primary Limit \$1M

Excess Coverage \$1M-\$4M

No Coverage (school is responsible)

Comparison of types of risk is critical to avoid gaps in coverage. Below is a chart of coverages which CharterSAFE provides that is often excluded or not covered through traditional insurance.

Coverage

- Directors' and Officers
- Employee Dishonesty

The Competition

- Limit Coverage by "prior knowledge" endorsement
- No coverage for individual Board members if separately named in a lawsuit
- Theft only—no embezzlement
- No coverage for IEP
- Excludes contact sports
- No coverage for COVID-19 related lawsuits
- Does not cover authorizer's as additional insureds as required by authorizing MOU

CharterSAFE

- Provides defense for Board members that are named
- Provides coverage for embezzlement
- Provides IEP defense coverage
- Does not exclude contact
- Provides COVID-19 defense coverage up to \$100,000

Coverages and Limits

CharterSAFE offers the following coverages to its members:

- Workers' Compensation and Employer's Liability
- Sexual Abuse Liability
- Auto and General Liability
- Directors and Officers
- Employment Practices Liability
- Property
- Terrorism Liability and Property
- Pollution/Environmental

- Cyber Liability
- Student Accident
- Covid-19 Defense Sublimit
- Educator's Legal Liability
- Crime
- Employee Benefits Liability
- Law Enforcement Liability

CharterSAFE's insurance structure includes a retention layer of self-insurance; this means the JPA pays for smaller cost claims within this first layer of coverage. This provides the IPA with the ability to advocate for its members and resolve claims faster and more cost-effectively. Our claims team has a strong influence over the majority of claims that fall within this layer of coverage. Should claims cost go higher than this first layer of selfinsurance, then excess and reinsurance are triggered. CharterSAFE negotiates the best rates possible for all members with a variety of excess carriers and reinsurance carriers. In today's litigious environment with jury verdicts and settlements at all-time highs and the risk of property losses such as we experienced with the CA wildfires, having insurance limits and proper coverage for these crises are critical.

Competition

We heard a lot this year from various competitors; many speaking against the benefits of a IPA. As we look at the competitive landscape in the hard insurance market, membership in a JPA is more secure than ever. JPAs bring buying power through scale with excess and reinsurance carriers. Insurers are not in a capacity to offer all the variety of coverages necessary to appropriately protect your school's assets, leaving you with the burden of shopping multiple products. At CharterSAFE, we provide a complete package of insurance coverages. Also, the limits and broad coverage provided are critical to protecting your school assets in the event of a severe claim. CharterSAFE believes our members deserve to make quality informed decisions on their insurance and risk management services. Here are some crucial questions to ask to guide our members through this hard market:

- 1. Type of Coverage: What coverage exists for my board of directors, staff, students, and financial assets? Some policies only cover the board; board members can be brought into suits as individuals, and coverage should be extended to them.
- 2. Coverage Limits and Deductibles: Are the limits at least authorizer compliant? Are they enough to cover common types of claims for schools? Each authorizer will have required minimum limits; many insurance companies may not meet these minimum requirements.
- 3. Terms, Conditions, and Exclusions: What isn't included, and how does that impact how your school is protected?
- 4. Stability and Track Record of Insurer: How long has the insurer been writing charter school-specific insurance? Do they insure other charter schools?
- 5. Included Services: What are the risk management, human resources, claim advocacy or claims management, and loss control services offered? What are the cost implications of any additional services offered?

More than just insurance

CharterSAFE is uniquely positioned as the only JPA dedicated exclusively to California charter schools. Your membership means access to an insurance and risk management program customized specifically to meet the everchanging needs of California charter schools; it is not just insurance. Our team specializes in proactively identifying charter school trends - developing, communicating, and supporting members in establishing and implementing safety precautions.

Our members enjoy the accessibility to a team that are experts in human resources, risk management, claims management, loss control, and more. The CharterSAFE team develops personal relationships with members and works in partnership to address some of the member challenges. These resources go far beyond traditional insurance support that simply offers a hotline with an impersonal representative that knows nothing about charter schools. Below is a sampling of the support services CharterSAFE members enjoy.



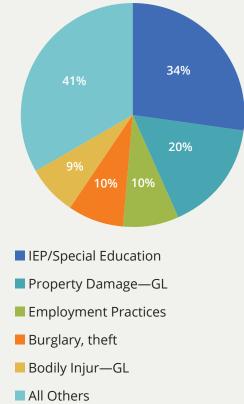
CHARTER SCHOOL RISK TRENDS TIGATION.

CharterSAFE's deep understanding of the risk trends for charter schools is unsurpassed. In analyzing trends, we look at both frequency and severity.

- Frequency is claims that happen often and are quite common. Claims of frequency are generally less in value and resolve more quickly. By identifying these claims, CharterSAFE can recommend proactive and realistic strategies to reduce the number of claims that happen at your school.
- Severity is those claims that happen less frequently but can be very costly. Generally speaking, 20% of claims will cost 80% of your cost dollars. For these claims, CharterSAFE develops mitigation techniques for schools to reduce the chance of it happening. But also, these mitigation techniques will help reduce the cost of these claims.

Below are illustrations that show CharterSAFE's frequency and severity over the past ten years for liability:

10-Year Frequency—Liability and Property



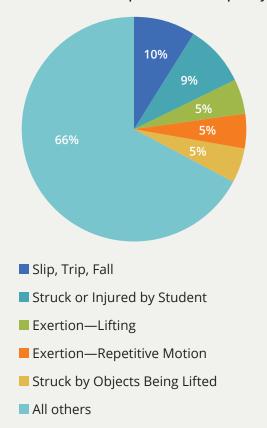
10-Year Severity—Liability and Property



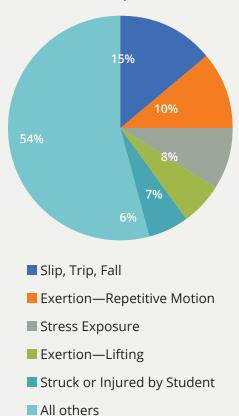
Notable observations of changes from last year are:

- The frequency of IEP claims increased from 17% to 31%; while the severity increased from 4% to 8%.
- EPL (employment practices liability) frequency increased from 10% to 14% and severity from 11% to 29%.
- · While the frequency for bodily injury liability claims stayed steady, the severity of those claims decreased from 23% to 11%.

5-Year Workers' Compensation—Frequency



5-Year Workers' Compensation—Severity



Year over year frequency and severity of claim types are consistent.

Risk Trends

Childhood Sexual Assault

CharterSAFE has reported sexual assault as a risk trend in the last 2 years. Rightly so! Reporting of sexual abuse claims are on the rise, and they account for 29% of our loss dollars. It is a fact that sexual assault is an epidemic deserving our full attention. Since 2010, CharterSAFE and its reinsurers have paid or reserved over \$26,000,000 for claims involving staff-student molestation. Not only are the cost of these claims skyrocketing, but so is the exposure. On January 1, 2020, AB 218 went into effect, extending the time for bringing forth a civil claim for sexual assault. This means more claims will be brought forward long after the alleged events took place. Claims which are presented long after the actual event are much more complicated to investigate. Finding witnesses or records to determine liability is a challenge as more time elapses. In addition to extending the time limits, AB218 also allows for more severe damages, which many insurance carriers refuse to cover.

In April of this year, a jury awarded two victims that were sexually abused by their middle school band teacher \$102 million dollars. The northern CA school district was ordered to pay one victim \$65M and the other \$37.5M. While not all verdicts are this large, we are seeing settlement values soar. Unlike school districts that can go into receivership, charter schools are especially vulnerable to closures in these situations as they do not have protections when verdicts exceed their insurance limits. It is more critical than ever that our members take every precaution possible to prevent sexual abuse; these actions also provide plausible defenses to allegations against a school.

CharterSAFE wants to help you prevent childhood sexual assault from happening at your school. We provide a mandatory Childhood Sexual Assault Prevention Training program for the staff of our members. This initiative-taking risk management technique encourages a zero-tolerance culture within our schools and gives language, awareness, and confidence to speak up in suspicious situations. CharterSAFE is committed to assist our members in mitigating this exposure and recommend the following actions:

- If you have not already done so, adopt a robust and detailed Staff/Student Interaction Policy (we have template available), train your staff, and vigorously enforce it.
- Comply with Ed Code 44050, which requires schools to provide parents with a copy of the boundaries policy (it can be included in the parent handbook) and on your website if you have one. Parents are often the first line of defense, especially when they check their child's social media or phone activity. The boundaries policy offers them tools to identify grooming behaviors and other "red flag" indicators.
- Add the mandatory Childhoods Sexual Assault prevention training (Boundaries) module to your annual staff training (CharterSAFE provide this no-cost training through Vector Solutions or the CharterSAFE Learning Center).
- Access the voluntary Boundaries training for parents and guardians. Reach out to CharterSAFE for your specific URL and password that your charter school can provide to parents and guardians.
- Take advantage of the STOPit Anonymous Reporting System (offered at no cost by CharterSAFE).

Embezzlement and Theft

Embezzlement is a troubling trend felt throughout many industries. These exposures may hurt a charter school financially and reputationally. Often, the fraud takes place over a period of years and involves long-time respected employees or advisors. Proper checks and balances, audit procedures, and security of equipment may help avoid these exposures. Therefore, we highly recommend that internal controls to ensure continuous accountability and reliability of all financial transactions, such as multiple signatures on checks, be established and regularly reviewed to ensure effectiveness. In addition, securing valuable equipment such as locking laptop carts and keeping them away from view will help prevent theft.

Employment-Related Claims Including Wage & Hour Violations

Most liability for a school arises out of the mishandling of an employment-related situation. Qualified human resource expertise is an absolute necessity for guidance. CharterSAFE offers no-cost advisory services through our dedicated HR consulting team to help assist your organization with personnel management. Allegations of employment discrimination, wrongful termination, retaliation, and wage and hour violations continue to vex charter schools. As you can see from the charts above, claims arising from negligent employment practices account for over 11% of all payments that CharterSAFE made over the last 5 years, and the trend is rising.

Like several other lines of insurance, this is another area of coverage in which the insurance marketplace has dwindled and become more restrictive. These claims are exceptionally costly when they involve back wages, unpaid meal and rest breaks, or payroll processing violations. While the coverage is designed to offer defense coverage, it does not pay for fines, penalties, and back wages. Employment practice violations that go undetected for an extended period can cost your school millions. The related fines, penalties, and back wages are uninsurable, and deductibles can be substantial, which can adversely affect your budget.

Cyber

Breaches to computer networks and the ramifications of unauthorized access to sensitive data are the key elements of cyber risk. Ransomware is malicious software that invades a computer system, then holds the data hostage until a considerable sum of money is paid; this is quite common for schools and many other sectors. Unfortunately, without proper protection, victims often have no choice but to pay the ransom and try to figure out what data has been compromised. The very real and growing concern has caused insurance carriers to require certain precautions be put in place before they will even consider applying coverage. There is an increase in scrutiny from carriers and now require signed applications that affirm what data protection is in place. To be considered for basic coverage that includes limited ransomware, the following must be implemented:

- Multi-factor Authentication
- Secure off-site backup of data
- Data Breach Recovery Plan
- Staff training (e.g., phishing campaigns)

FINANCIAL POSITION.

CharterSAFE continues to be in a strong financial position. Member contributions in the 2021-2022 fiscal year are on track to total of \$39.6 million. We maintain operational and financial transparency and do our part to ensure as much of your funds go towards the classroom. Our operating costs average 16%; this year, it is 13% of member contributions, while the cost of insurance coverage and paying claims account for 84-88%. Some years, like the two pandemic years, we experienced less than expected claims paid, wherein the funds go into reserve to pay for future claims that aren't expected to be reported until years later, like sexual assault. In these two years, our board has approved a COVID-19 rebate in recognition and respect of members' funds. Below is a chart showing CharterSAFE's five-year financial summary.

Fiscal Year	17/18	18/19	19/20	20/21	21/22 Projected
Member Contributions	\$ 23,970,783	\$ 26,492,300	\$ 26,840,795	\$ 35,419,395	\$ 39,650,000
Investment/Misc. Income	\$ 69,435	\$ 645,539	\$ 827,755	\$ 90, 785	\$ 72,145
Total Revenue	\$ 24,040,218	\$ 27,137,839	\$ 27,668,550	\$ 35,510,180	\$ 39,722,145
Paid Claims - Cash payments relating to claims	\$ 7,748,031	\$ 8,691,340	\$ 10,709,269	\$ 9,791,149	\$ 7,500,000
Change in Claims Reserve - Estimated amounts of future payments relating to existing claims	\$ 415,739	\$ 1,300,690	\$ 2,178,317	\$ (2,216,421)	\$ 900,000
Change in Claims IBNR - Estimated amounts of future payments relating to claims incurred but not yet reported	\$ 1,349,633	\$ 2,360,085	\$ (484,426)	\$ (2,450,368)	\$ 1,875,000
Change in Allocated Loss Adjustment Expenses - Estimated expenses attributed to the processing of existing claims	\$ 132,403	\$ 274,559	\$ 127,041	\$ (350,009)	\$ 225,000
Total Claims Expense	\$ 9,645,806	\$ 12,626,674	\$ 12,530,201	\$ 4,774,351	\$ 10,500,000
Excess Insurance Cost	\$ 9,050,206	\$ 9,807,496	\$ 11,249,144	\$ 14,311,043	\$ 16,300,000
Total Claims and Excess Insurance Cost	\$ 18,696,012	\$ 22,434,170	\$ 23,779,345	\$ 19,085,394	\$ 26,800,000
Total Claims and Excess Insurance as a % of Member Contributions	78%	85%	89%	54%	68%
Total Operating Expense	\$ 4,054,633	\$ 4,274,070	\$ 4,252,731	\$ 5,037,057	\$ 5,300,000
Total Operating Expense as a % of Member Contributions	 17%	16%	16%	14%	13%
Cash Balance	\$ 5,686,372	\$ 9,509,605	\$ 9,533,168	\$ 11,220,322	\$ 16,625,000
Investments	\$ 17,011,452	\$ 18,605,688	\$ 25,783,665	\$ 27,992,413	\$ 31,000,000
Total Liquid Assets	\$ 22,697,824	\$ 28,115,293	\$ 35,316,833	\$ 39,212,735	\$ 47,625,000
Actuarial Estimated Outstanding Losses - 90% Confidence Level	\$ 21,304,216	\$ 26,069,360	\$ 29,136,025	\$ 22,946,399	\$ 24,500,000
Surplus in Excess of 90% Confidence Level	\$ 6,798,038	\$ 7,245,498	\$ 5,562,245	\$ 18,581,388	\$ 24,425,000
Net Assets	\$ 7,109,833	\$ 7,539,431	\$ 7,175,905	\$ 18,563,634	\$ 26,185,779

Stronger and more stable than ever, CharterSAFE is prepared to help its members with proactive risk management services to support them daily—and when a crisis occurs.

Member Contribution

Member contributions are determined by various factors, including but not limited to each member's size, property, owned autos, staff, exposures, loss history, and the members' ability to implement safety precautions. These factors are all considered in arriving at the members' contribution for the self-insured layer of coverages. CharterSAFE procures excess insurance coverage that provides its members with appropriate limits for charter school risks. Thuy Wong, President and CEO, and John Chino, Gallagher, our insurance broker, negotiate these rates, for the best possible rates while maintaining protective coverage. In summary, member contributions are made up of the self-insured layer rate that is actuarially determined and factor in member information, the excess rates from insurance carriers negotiated for all members, and operating cost. There is no commission, consulting fees, or profit margin.

Assessments

An assessment is a security measure triggered when a JPA or the mutual insurance company does not have sufficient reserves to pay for claims. In our 16 year history, CharterSAFE has never had an assessment! Even so, there our opportunistic insurance agents who try and use an assessment as a fair tactic to try and gain our membership. Within our JPA structure, the possibility of an assessment impacting membership is extremely remote. To minimize any likelihood of an assessment, we proactively put two important protections in place:

- 1. **Security for "severity" risk** CharterSAFE has a protected excess and reinsurance structure to hedge risk through use of multiple highly-rated insurers. This layer of coverage provides the JPA with protection in the event of significant loss exposure.
- 2. Security for "frequency" risk The JPA's funding strategy includes a well-funded loss reserve to absorb claims for each annual period, as well as on an aggregated basis over a period of years for open claims. This strategy is designed to provide protection in the event of a large number of small or medium-sized claims impacting the pooled retention.

Reserves

The recommended funding level for CharterSAFE's loss reserve is reliably calculated by AON Actuarial Services each year using CharterSAFE's comprehensive 16-year historical record. It is compiled and analyzed to ensure adequate funding for the loss experience predicted for the upcoming policy period. This is the same methodology used by insurance companies in the traditional marketplace without the addition of profit, commission, or broker fees.

Serving as a steadfast financial steward on our members' behalf, CharterSAFE uses the recommended actuarial rate at a 75% confidence level (i.e., the rate that actuary is 75% sure will be able to fund all claims that year) for our pooled retention layer. This is known as funding for the present (short-term claims) and future (claims incurred but not reported). This stewardship of funds allows us to ensure CharterSAFE members are protected against the possibility of assessments.

Finally, we calculate losses for all years beginning with the first policy period of the JPA (2004-2005) through present day, funding for past liabilities that will come due. This provides a second look whereby the open claims are revalued to a 90% confidence factor. This is just shy of 2 standard deviations, a very secure range.

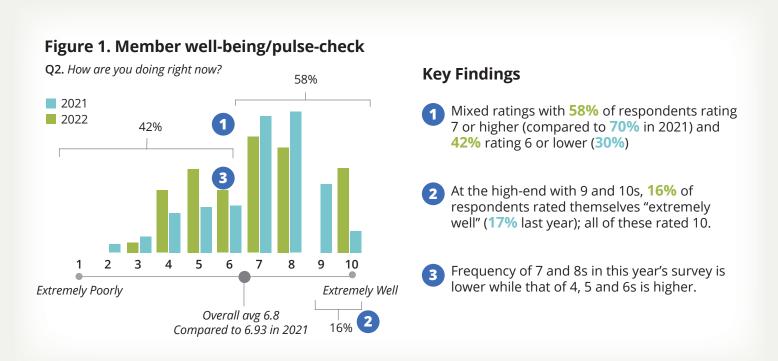
Through our 18 years of operation, CharterSAFE has accrued \$18.6M in member equity after paying current claims and reserving for past and future claims at the 90% confidence factor funding requirement as of 6/30/2021.

MEMBER SURVEY.

CharterSAFE listens to our members to learn how we can better serve our members through several channels, including our member surveys. The most recent survey was sent out in February 2022 with a 15% response rate. The survey focused on five core categories encompassing fifteen questions.

- 1. Three questions focused on members' wellness, rated on a scale of 1-10. Below are some findings:
 - 58% of respondents rated themselves at a 7 or higher, with 16% doing extremely well at 9 or 10.
 - 42% of respondents rated 6 or below, the lowest rated at a 3.

The chart below shows the comparison between this year and last year's surveys. Overall, members' wellness is mixed.



2. As a school leader, you focus on academics AND running an organization. We wanted to know your pressing non-academic concerns so we can find more ways provide relevant and effective support.

Top concerns reported were:

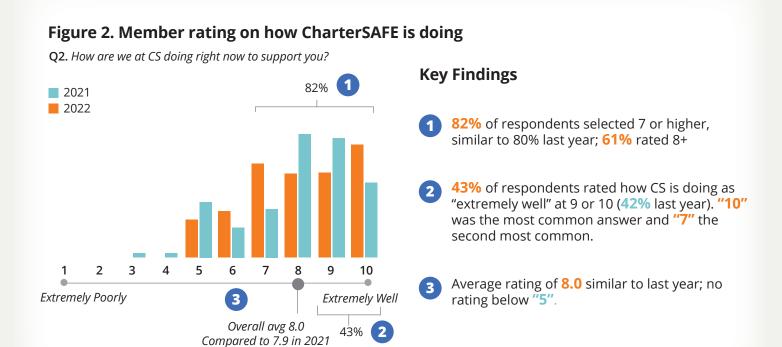
- Staffing and human resources (45% of respondents) including hiring, training, and morale of staff
- Social-emotional wellbeing of staff (40%) and students (26%)
- Covid safety protocols (40%) impacting staff and students
- Compliance, enrollment, and budget

3. Lastly, we want to know how we're doing in supporting you so we can continue our successful endeavors and improve where support is weak. Member rated on a scaled from 1-10, (10 being extremely well and 1 being extremely poor).

Eighty-two percent of respondents rated CharterSAFE at a 7 or higher.

There were no ratings under 5.

Below is a chart that illustrates ratings from last year to this year. CharterSAFE average score remains consistent at an 8. We thank you for your trust in us as your safety partner.



Your feedback is important and we take it into account.

WE ARE HERE TO HELP.

Your job is to focus on student learning—not to be an insurance and risk management specialist. That's our job.

With 18 years of experience in pooled insurance and proactive risk management services tailored explicitly for California's charter schools, CharterSAFE knows your unique needs. We're your hands-on partner, providing movement-wide insurance and risk management expertise that schools often don't have access to (or the in-house budget to obtain). It's not just an insurance policy—it's a membership with access to services that elevate your school. Contact our team today for one-to-one support as your school navigates its insurance coverage and risk management service needs for the upcoming academic year. You can find our contact information and more information about us at www.chartersafe.org. We are here to help you make an informed choice that best meets your organization's needs.

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