



## RISK MANAGERS MEETING

RADISSON WEST | Madison, WI

October 18, 2019

**Present:** Renea Ranguette (BTC), Rod Bagley (CVTC), Tam Burgau (CVTC); Cindy Buelow (FVTC); Sue Debe (GTC); Brenda Riesterer (LTC); Joshua Cotillier (Madison); Karen Kleine (Madison); Doug Gerbitz (Madison); Joe Steffen (Madison); John Flannery (Madison); Robb Fish (MSTC); Virginia Hartt (MATC – Milwaukee); Carrie Kasubaski (MPTC); John Van de Loo (NATC); Matthew Schur (NATC); Roxanne Lutgen (NTC); Andy Jennings (NWTC); Lisa Maas (NWTC); Dan Imhoff (SWTC); Dave Brown (WCTC); Bruce Neumann (WCTC); Amy Schmidt (WTC); Steve Decker (WITC); Joe DesPlaines (DMI); Tim McNulty (DMI); Steven Stoeger-Moore (DMI); Willie Henning (DMI)

**Guests:** Linda Joski (Gallagher); Kay Hannah (Gallagher); Dyann Callipari (CCMSI); Rob Fitzgerald (CCMSI); Jennifer Anaya (CCMSI); Sharon Bryson (National Transportation Safety Board); Anne Romaine (United Heartland); Jeff Lynde (United Heartland)

**Recording Secretary:** Suzette Harrell (DMI Administrative Assistant)

1. Introductions and Welcome – The meeting started at 9:13 am with introductions given by all present.
2. 2019-20 RMPA Check Distribution – S. Stoeger-Moore advised the DMI BOD approved \$350,000 for this year's RMPA project funding. DMI received applications from 14 technical colleges. The projects were described as R. Lutgen distributed checks to College representatives.
3. "NTSB Most Wanted" – Sharon Bryson - J. DesPlaines introduced S. Bryson (Managing Director of the National Transportation Safety Board (NTSB)). Ms. Bryson informed the group on her background and advancement to the position of Managing Director of the NTSB. She talked about the responsibilities of the NTSB and its correlation to risk management (risk assessment and risk mitigation). NTSB's goal is to determine the probable cause of transportation accidents, to make recommendations to prevent them from occurring again, facilitate special studies in investigations and assist victims. Her presentation regarding various nationally known accidents allowed her to present the group with insight on why the accidents occurred, why they shouldn't have happened, and what could have been done to prevent them.
4. Consultants Reports – Joe talked about his efforts to update and streamline the Business Continuity Plan and Emergency Response Plan templates – The BCP is more compact and user friendly, the revised format includes tactical strategies (ERP), tabletop exercises were developed to reflect prioritization of risk within the college, and pushes the Business Continuity Plan focus downward in the organization/college.

Both J. DesPlaines and T. McNulty spoke of a Memorandum of Understanding (MOU) Agreement that could be used for exchanging college security staff; particularly during crisis/catastrophic events (such as NTC's cyber security breach incident and BTC's security incident). The idea came from a recent URMIA Natural Disasters Lessons Learned presentation which J. DesPlaines attended. The EHS/CS attendees were polled on their interest in an agreement with overwhelmingly favorable responses. The risk managers were advised, DMI would contact General Counsel to draft a MOU agreement which would require approval of respective College presidents. Risk Managers were also in favor of the agreement and for sharing resources. More information will be forthcoming.

T. McNulty updated risk managers on the previous days' EHS/CS meeting. He mentioned, he challenged college security members to access Empathia's DIMS system to ensure everything is working as it should. The DMI website will be updated with revised Empathia DIM's information. He talked about activities of facilitating lunch and learn training and discussed DMI's position on active shooter drills and training. He stated MSTC's training is outstanding and well planned. S. Stoeger-Moore encouraged proactive risk mitigation – in drills, practice, training, and getting local law enforcement involved in training. Based on proposed Title 9 regulations which are a year behind being adopted. Additional training will be necessary when the new regulations are formally adopted. DMI is monitoring

the situation and looking at future training opportunities to help the colleges maintain compliance. T. McNulty completed a Security Assessment at MSTC, will be assessing SWTC in two weeks, and NTC in 5 weeks. He will also be attending the WCTC Legal Counsel meeting and recommends others to attend.

W. Henning announced he is an OSHA Trainer and can provide the Colleges with 10 hr. /30 hr. training at no cost to the colleges. He conducted a 10 hr. and 30 hr. training session at WCTC in September. Contact him if training is desired. W. Henning provided safety walk throughs for WITC and SWTC and is going to CVTC next week. Spring 2020, he will be visiting MATC – Milwaukee, GTC, LTC, MPTC and FVTC. He thanked everyone for welcoming him in his new position with DMI.

S. Stoeger-Moore told attendees of a newly adopted Board procedure. After each visit to a College by a DMI Consultant, an evaluation survey will be sent. DMI would like College feedback to ensure satisfaction with the services provided by DMI.

5. Terrorism (TRIA) Rejection Form – S. Stoeger-Moore outlined the history of TRIA, a federal government policy for terrorism liability coverage. DMI offered the colleges a policy to replace TRIA. The policy has a smaller deductible and much larger coverage limits than the TRIA policy. Because colleges have opted for DMI's Terrorism & Sabotage Policy, an official notice of rejection of the TRIA policy is required. The form was handed out to each of the Risk Managers. They were asked to read it, sign it, and return to S. Harrell.

6. Active Shooter Policy Service Plan – S. Stoeger-Moore summarized DMI's Active Assailant / Active Shooter Policy for attendees. The policy covers violent acts beyond shootings. It covers acts in which vehicles, or knives/swords, or other unconventional weapons caused injury or death. The policy has a 3<sup>rd</sup> party opportunity for recovery and covers property damage. If anyone has questions regarding what is being covered, they are to reach out to S. Stoeger-Moore.

7. J. Timothy Green Risk Impact Award 2020 – J. DesPlaines announced the kick-off of the award program. Nominations will be due March 2, 2020. This award is for individuals or groups who have gone beyond what is expected for managing or mitigating risk at their College. Winners will be announced April 23, 2020 at the quarterly meeting.

8. Slip, Trip, Fall Summary Presentation - W. Henning addressed the group on slips, trips, and fall awareness. He outlined numerous resources available to the Colleges through United Heartland (Lezage Training Courses, Walk Safe Program), Grainger training, DMI website, etc. He introduced Anne Romaine (United Heartland) and together they appraised Risk Managers of their Walk Safe campaign efforts. Winter ice cleats and saltshaker bottles were handed out the previous day to each of the College's EHS representatives. DMI and UH encouraged College members to use the items for safety. S. Stoeger-Moore provided a perspective on costs associated with slip, trip and fall claims. He encouraged members to look outside the box to find ways to mitigate loss, which in the end will save the colleges in premium costs. A. Romaine reported to members worker's comp. claim statistics. She compared loss figures from multiple years and identified frequency and severity of falls by month. She talked about the effects of indemnity and the need to report losses in a more expeditious time frame. S. Stoeger-Moore stressed the importance of having a formal Return to Work Policy and utilizing light duty opportunities to reduce indemnity loss which effects the Colleges mod experience and policy premiums for Worker's Compensation.

9. Claims Reports – CCMSI – R. Fitzgerald introduced Jennifer Anaya, as a new claim representative for DMI's college members. She will be handling property and auto claims. D. Calipari will continue to be involved in 1<sup>st</sup> party property claims and professional liabilities. Advising CCMSI is entering its 9<sup>th</sup> year with DMI, R. Fitzgerald reviewed reported total losses incurred (by claim type) from each of the Technical Colleges, reviewed coverage code designations, talked about open claims, total loss incurred based on severity and mentioned closed claims, length of time to close a claim, and 3<sup>rd</sup> party subrogation recovery efforts. He specifically addressed discrimination claim statistics, which lead the way in Educators Legal Liability (ELL) claims. S. Stoeger-Moore said ELL coverage is a *claims made and reported* policy. If not timely reported, the College runs the risk of the coverage being denied. If there is a question of whether an incident should be reported, the College should file a "report only"; which will meet *claims made and reported* requirements.

There is no cost for any matter filed under a “report only”. Employment Practice Liability or Educators Legal Liability are not rated on the number of claims the colleges incur, but FTE counts.

10. URMIA Annual Conference Remarks – S. Stoeger-Moore congratulated the recipients of DMI’s first URMIA Annual Conference stipend and recapped the September program held in Boston, MA. He introduced each recipient and asked about their experience.

a. This was B. Neumann’s 5<sup>th</sup> attended URMIA conference. He said URMIA is always addressing topical and current higher education issues. He attended URMIA’s sessions on drones, minors on campus, study abroad, contracts, worker’s comp., workplace safety, disaster recovery, title IX changes, regulatory updates, etc., and participated in life institutions sessions. His take-away from the event was the network opportunities. He said, URMIA does a great job in bringing in speakers who address emerging issues.

b. J. Cotillier thanked DMI and DMI board for the awarded stipend. This was his 3<sup>rd</sup> URMIA conference attended. He encouraged Risk Managers to go if they have the opportunity. He admitted there were more resources provided than one could fully understand and/or appreciate. Both he and Bruce spoke about URMIA’s Boston Bombing presentation, its aftermath events, the people, the cooperation between groups, and Boston’s recovery efforts. He commented on an outstanding MIT presentation regarding minors on campus; which he stated, opened his eyes to many areas not previously considered. He told of an impressive *State of URMIA* presentation. Along with learning URMIA was started by a conservative group of men, the organization has grown into a vast, multicultural, diverse, international organization. He found value in commentary about what URMIA sees as future issues in higher education, such as Artificial Intelligence (AI) which was fascinating. He appreciated URMIA’s focus on personal growth as well by having speakers who addressed stress, productivity etc. One of those sessions was with David Allen, from whom he purchased his book titled “Getting Things Done. Managing and Remaining Productive”, which he highly recommends.

c. This was C. Kasubaski’s first URMIA conference. Her learning experience started immediately at the onset of the conference; particularly when she was asked if she was an Enterprise Risk Manager (ERM) or a traditional Risk Manager. She realized URMIA sessions followed two types tracts – foundational (basics) sessions and hot topic sessions. From the foundational sessions, she learned even more about waivers, hold harmless language, contracts, and understanding the College’s insurance policies (language), etc. She was provided numerous templates for use in risk management activities. On the hot topic side, which coincided with happenings at MPTC, she learned how one college was weaving threat assessment into their Behavioral Intervention Team (BIT), which turned into BART – Behavioral Assessment Response Team. She was provided numerous threat assessment resources from a group called Team Designer, which she took back to MPTC. She stated innovation along with Risk Management at MPTC is a hot topic. She took part in a session which addressed philosophies for innovation along with presenting other creative ideas. She highly recommends Risk Managers attend the URMIA conferences.

d. A. Schmidt reminded everyone of the value of URMIA’s website and its resources. She presented attendees with her three key take-aways from the program. She mentioned even the big Colleges (Harvard, MIT, Yale, etc..) are struggling with the same issues smaller colleges are. She appreciated learning about Experiential Learning / Service Learning, which is learning beyond the classroom. Colleges are using risky student behaviors to put in place risk mitigation actions. She asked if anyone had a good service learning agreement in place. Several colleges do and will share directly with her. Her second take-away was on Record Retention and Disclosure, which from the program, recommended “Never keep anything longer than you need to”. She asked attendees if they had recommendations for record retention. S. Stoeger-Moore advise the DMI website contained a record retention template – 7 years is recommended for most things. Retention of Human Resource records is longer. Third take-away was on insurance policy language and summaries.

e. J. DesPlaines talked about his experiences being part of URMIA’s conference planning committee. He was impressed by the positive recognition of DMI and the WI Technical College partner model from larger higher ed. organizations. Stated recognition has included DMI’s Active Shooter Policy and Terrorism Policy – which is almost nonexistent elsewhere. He noted, like DMI/WTCS, the Universities are also concerned about not having armed officers on campus. General consensus when you don’t have armed officers, is the need to practice situational awareness. Threat assessments and crisis response planning to address threat assessments are also a big issue in higher education. He discussed pushing risk management down to lower staff levels and treating risk management as a process, not an event. He spoke to Anita Ingram (University of Cincinnati), who advised she had more acceptance of Enterprise Risk Management when she changed the name to Institutional Risk Management and Business Continuity when the name

was changed to Mission Continuity. Sometimes rebranding encourages individuals to see things differently. Next thing is Adaptive Continuity Planning – looking at best available plans and borrowing from them to develop new plans. He expounded on a conversation with John DeSilva, Director, Emergency Management, at Suffolk University and The International Association of Emergency Managers.

## 11. Discussion Topics

- a.** E-sports – S. Stoeger-Moore advised on E-sports exposure on campus. If betting or gambling is not allowed, then the exposure is low. However, lots of consideration is needed if betting is allowed. First recommendation - separate the colleges IT systems from those which students access for e-sport activities. Isolate the exposure associated with the online use of your computer network. Second recommendation - Supervision in the area. L. Joski and R. Lutgen advised members to consider behavior healthy policies, minors on campus policies, academic policies (should have a B grade point average?), and physical fitness considerations should be reviewed. L. Joski stated current revenue estimates for online betting are \$222M with e-sport revenues anticipated to double by 2023.
- b.** Service dogs in College laboratories or other areas where PPE/decontamination is needed – W. Henning asked if any of the Colleges had service animal policies – R. Lutgen stated NTC did. But whether it covered service animals in labs was the question. A. Schmidt (WTC) suggested consulting the URMIA website for policies. MATC – Madison provides animals with booties, covers for laboratory settings. Some indicated service animals are able to stand by the doorway, but not come in. Another issue mentioned was explaining to the owner concerns for the animal’s safety.
- c.** Tracking vehicle fleets. W. Henning asked who had a solid vehicle tracking program. Colleges were advised to get titles from the purchasing department; not to forget about getting titles of non-working or donated vehicles found in auto labs; and to touch base with vehicle instructors to obtain information or titles for tracking.
- d.** Renewal 20-21 prep. The January 17, 2020 Risk Managers meeting will host a webinar addressing the applications, forms, questions, and documentation needed for the 2020-21 insurance renewal. Turnaround time for form completion was estimated to be 3 weeks.
- e.** Pre-employment Screening – to be discussed during a future Risk Managers meeting.
- f.** Addicted Related to Workplace Injury – to be discussed during future Risk Managers meeting.
- g.** Bonfires – to be discussed during future Risk Managers meeting.
- h.** Freedom of Speech, Expressions and Public Assembly Matter – Lisa Maas (NWTC) presented on the circumstances, the lawsuit, outcome and changes to NWTC’s public assembly and freedom of speech, expression policies, and lessons learned pertaining from litigation with student, Polly Olsen. L Maas provided a handout outlining NWTC’s 2010 Public Assembly Policy, the policy submitted as part of the lawsuit, and a revised policy (after the lawsuit) which separated Public Assembly from the Freedom of Speech and Freedom of Expression Policy, and the policy that is going into NWTC’s employee handbook. The Freedom of Expression Policy does not apply to students. She discussed NWTC’s debate of the student definition and how it applied to Ms. Olsen. She advised more on public assembly areas and considerations to be used by the colleges. Based on up-coming 2020 elections, T. McNulty recommended colleges review their public assembly areas and public assembly policies. L Maas cautioned attendees to call student services to deal with student issues; to call Human Resources to deal with employee issues; and to call campus security to deal with the public. Once campus security becomes involved (unless there is eminent danger), incident handling changes. T. McNulty talked about media reporting and the college’s consideration of reputational risk.
- i.** Building Evacuation Plans – to be discussed during future Risk Managers meeting.
- j.** Alcohol Mixology – to be discussed during future Risk Managers meeting.
- k.** NDAA – National Defense Authorization Act for Procurement was brought up by T. McNulty. Tom Cousino (GTC) researched and provided information advising if a College purchases China made audio / video equipment, the college could be in violation of the NDAA. T. McNulty told Risk Managers a complete packet on the Act was given to College security staff during the 10/17/19 EHS/CS meeting. DMI recommends providing the information to the College’s Information Technology (IT) staff. DMI sent the information to Vint Quamme of the state’s purchasing consortium.

Topics not discussed will be added to the next agenda. Members advised if they had discussion topics, to send them to S. Harrell. Topics will be reviewed, researched and brought up during a future risk managers meeting. W. Henning passed out a survey regarding future DMI meeting locations and asked attendees to complete and return. More information to follow.

Board report - R. Lutgen reported the Board discussed more deductible options for consideration in 2020-21 policies; looking at URMIA stipend continuation, and reviewed DMI's new employment model. S. Debe (GTC) thanked the Board for RMPA funding.

Respectfully Submitted by

Suzette Harrell  
DMI Administrative Assistant