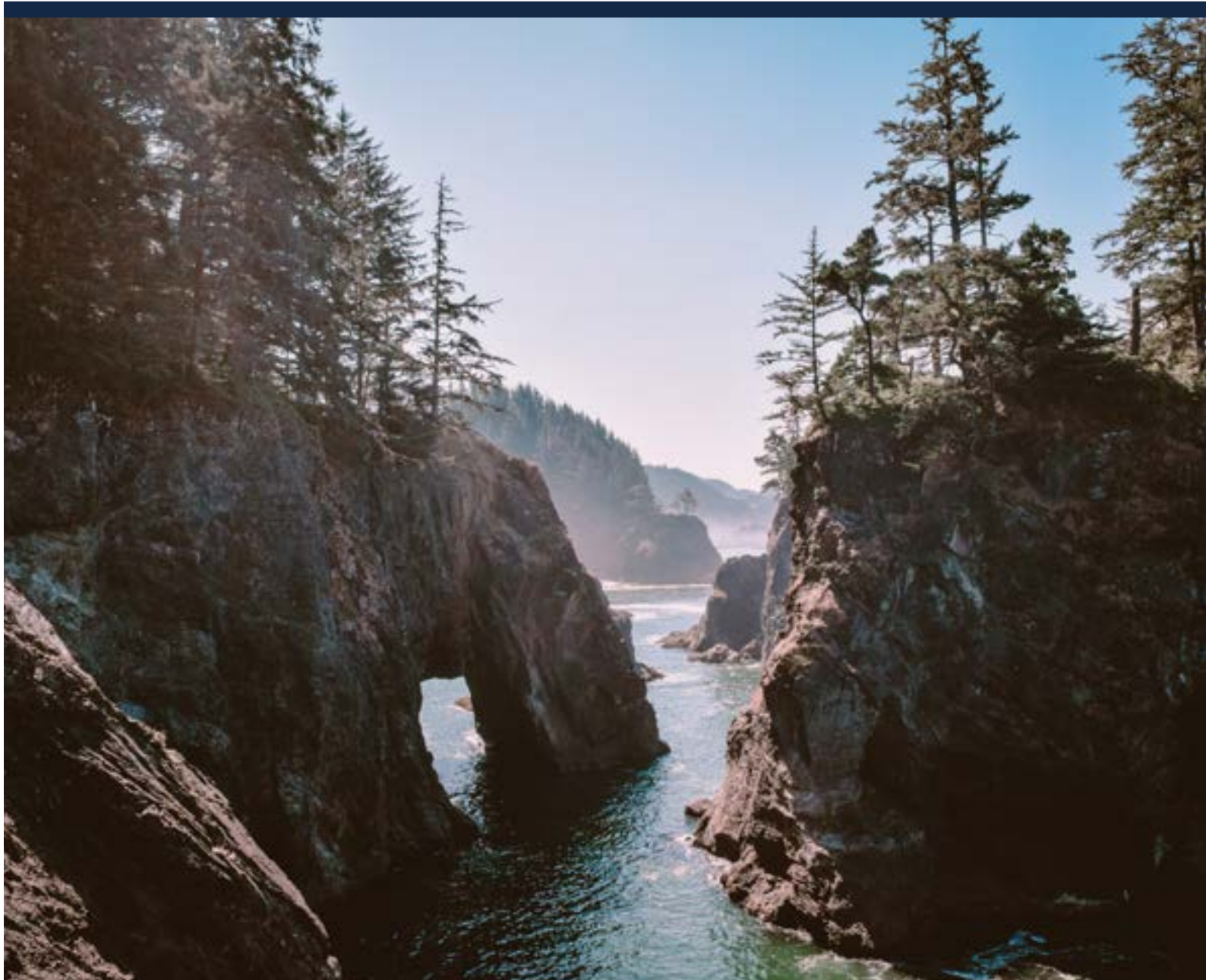


PACE MEMBER

MID-YEAR UPDATE • 2021-22



A MESSAGE FROM DAVE HARVEY, PACE ADMINISTRATOR:

The past six months of the pandemic have continued to bring new challenges, but PACE is here to support you, from short-term legal advice about masks to long-term goals about how to prevent cybersecurity breaches. PACE is constantly striving to support our members, including personalized trainings, resources and access to our risk and legal experts for advice.

This mid-year report is the first “PACE Report,” a new publication to keep you, the member, informed on how PACE supports you. Our goal is to share department services and updates, access to resources and information to understand how all our actions affect the pool.

In July, during a strategic goal planning session with PACE trustees, four PACE priorities were identified to guide our work:

1. Fiscal solvency and money management
2. Cyber coverage and education for members
3. Sexual abuse and molestation prevention — changing member behaviors through education
4. Maintain competent staff

Please review each department’s update at your convenience and don’t hesitate to reach out to me or any of our departments with questions. Look for us at conferences, join us during our virtual webinars, sign up for our email listserv or contact us by phone for updates and advice.

However we interact, we look forward to connecting and meeting your needs. PACE is here for you.

Sincerely,



Dave Harvey

DAVE HARVEY
PACE Administrator

dharvey@pace.osba.org | 503-509-9206

PACE RISK MANAGEMENT

THE RISK MANAGEMENT TEAM resumed traveling in July 2021, after more than a year-long hiatus due to COVID-19. During the last few months, the team has struggled to secure site visits with members, likely because members are busy complying with COVID-19 requirements and concerned about possible virus exposure to staff. We hope to streamline our future toolkits to better meet members' needs. Despite these difficult times, we managed just under 500 member contacts, which is consistent with previous years when we averaged over 1,000 member contacts per year.

PACE TOOLKIT:

The final two steps of this year's toolkit will be completed in the next several weeks. The survey was emailed Jan. 19 and the final SAM Prevention webinar will be held in February. Most members have already completed the first few items of this year's toolkit. Once the survey and webinar are also fulfilled, members will be eligible for the 5% discount.

COMMUNITY COLLEGE CONVERSATIONS:

Allen Bunch completed three virtual community college conversations in July, October and November. These conversations have grown in popularity, presumably because virtual meetings are more accessible. Once travel commitments are eliminated, the remote approach makes it easier for busy staff to attend.

COSA, OSBA, U OF O LAW CONFERENCE:

A couple of risk staff attended the Oregon School Law Conference in Eugene, a great opportunity to network with school staff and the legal community.

WEBINARS AND SAM TRAINING:

Risk management staff offers members monthly webinars, which are recorded and available in the PACE resource library. Recent webinar topics include playground supervision, SAM prevention and winter weather.

PACE RESOURCE LIBRARY: PACE and OSBA staff created an online resource library to help members access risk and legal information. Our goal is always to provide our members with easy access to helpful risk and legal information.

CONFERENCES:

Staff attended the OSSOA, OASBO and OSROA conferences and provided SAM Prevention trainings with the PACE Legal staff. During the past six months, McKenzie Nix provided 10 Sex Abuse and Molestation (SAM) Prevention trainings to PACE members at conferences and at their home districts.

CPI TRAININGS:

Since July, Brian Wolf has provided 19 virtual and in-person CPI trainings. During the height of the pandemic, he offered virtual trainings. Currently he is focused on providing hands-on trainings, complying with ODE's COVID-19 requirements.

PACE LEGAL SERVICES



THE LEGAL DEPARTMENT continues to experience a high volume of legal inquiries. In December, pre-loss attorneys handled 310 pre-loss inquiries from 96 separate PACE members. Be assured that our staff is working as quickly as possible to provide members with competent legal advice through thoughtful research and reflection. Our staff, as all of you, have been personally impacted in many ways by the ongoing pandemic, including illness, school closures and limited access to childcare. For urgent inquiries, please contact one of our paralegals to schedule a phone call with an attorney (jcypert@osba.org and cjacobson@osba.org). For complex matters, such as an employment termination, please contact us as early in the process as possible at pacelegal@osba.org. Remember that to have your termination deductible waived, you need to have a consultation with an OSBA/PACE attorney at least 72 hours in advance of the termination. A notification is not sufficient to waive your deductible.

PACE legal staff provides a monthly PACE webinar on hot topic issues. We conducted a complaint process webinar in December and an employment contract non-renewals webinar in January. In celebration of Black History Month in February, attorneys will hold a webinar on Black history from a school law perspective. Attorneys will review cases like *Brown v. Board of Education of Topeka* and more recently decided cases regarding student discipline for violation of school anti-discrimination policies. We will also review significant legislation from the 2021 legislative session as well as offer a preview of what schools might see from the 2022 legislative session. The OSBA policy director will review the legally required policies school boards must adopt prohibiting symbols of hate in K-12 schools and policies that prohibit discrimination based on race, color and national origin. Look for the registration link coming soon!

Past PACE legal webinars can be found at: pace.osba.org/MemberServices/Trainings/Recorded-Webinars

A friendly reminder from our attorneys to take a moment to assess your record retention process. The Oregon public records law requires schools to maintain public records for specific periods of time. Those records include emails and text messages that may be located on personal cell phones. Make sure your staff is aware that public business on personal devices will open those devices up to public record requests and discovery in litigation. This is particularly important to remember if you have received a tort claim notice, if someone has suffered a significant injury on school property or at a school-sponsored event, and other significant matters where a claim may be anticipated. If you have any questions about the public records law, record retention requirements and best practice tips for maintaining records, please contact your school's general counsel or pacelegal@osba.org.

Finally, we announced that attorney Elliot Field has joined the school law section of Garrett Hemann Robertson P.C. Although we are sad to see Elliot leave OSBA, we are happy that he will continue to be a resource to Oregon's public schools at GHR! We will be filling the position soon and we hope to have news in the next PACE update. Haley Percell, Callen Sterling, Tonyia Brady and Leslie Howell continue to be available for your legal questions at pacelegal@osba.org. Amy Williams and Michael Miller continue to defend PACE members in active litigation in Oregon courts and administrative agencies.

Please continue to contact the OSBA/PACE attorneys at pacelegal@osba.org with your legal questions or contact our paralegals at jcypert@osba.org and cjacobson@osba.org to schedule a phone call. Stay well!

PACE COMMUNICATIONS



[View the full poster](#)

COMMUNICATIONS STAFF SUPPORTS

other PACE departments with marketing and editing assistance. We help send PACENews to members every two weeks, as well as design the quick reference guides that are available in the online library and place the orders for promotional items taken to conferences around the state.

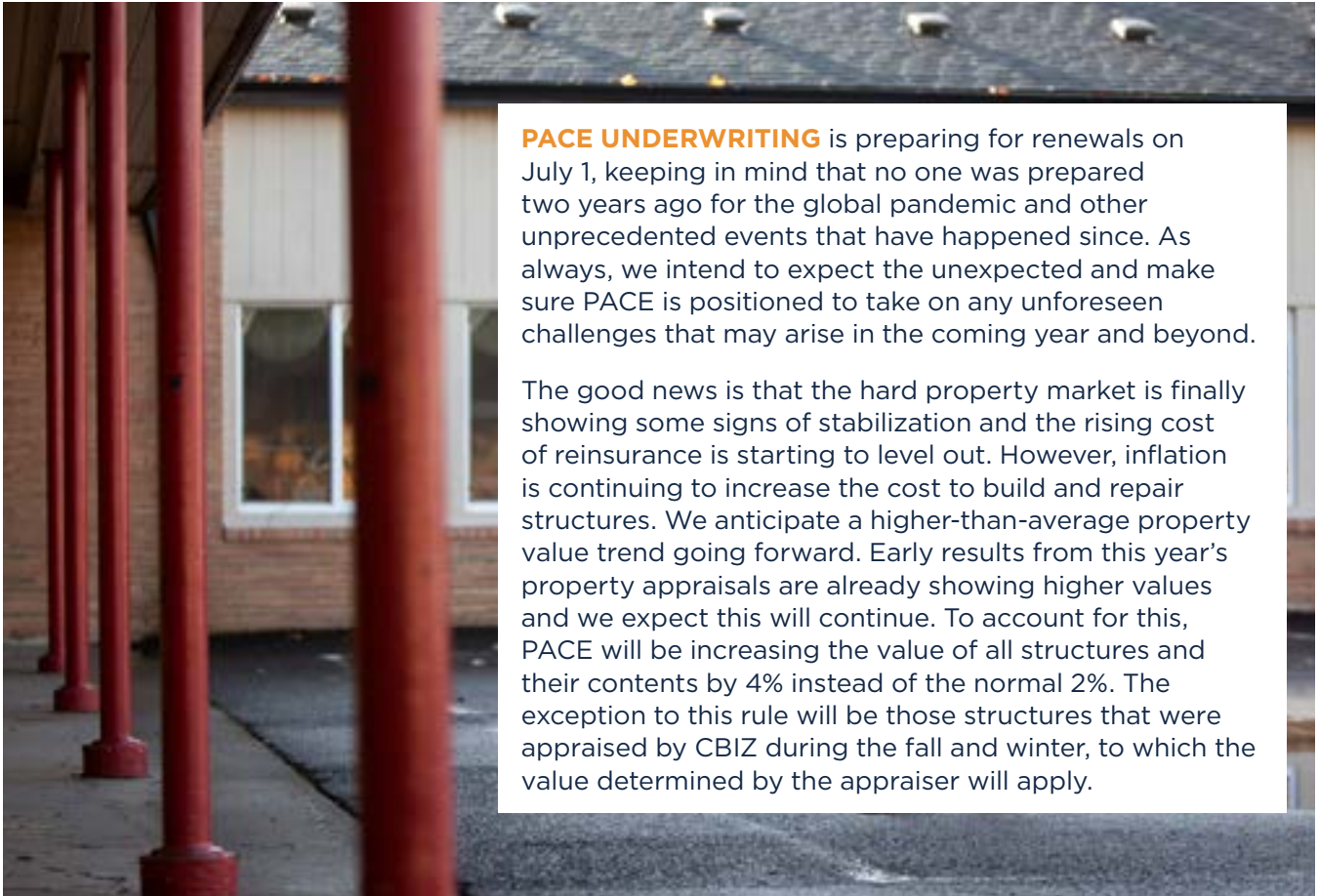
In collaboration with PACE Risk Management and Sexual Abuse and Molestation Prevention Specialist McKenzie Nix, we have marketed webinars, a toolkit and online resources, as well as designing, marketing and ordering printed versions of a prevention poster called **“We Got This!”**

In 2021, we also launched a new branding campaign, called **“PACE Positive.”** The campaign tells member success stories and shows the ways PACE has made a difference. Examples of positive stories PACE has shared recently with members include the McKenzie Fire response and a finger save by a PACE SawStop saw. These types of success stories will continue, along with additional strategies such as graphics for emails and social media and stories.

In addition, communications staff has continued our regular service of providing media consulting to schools in crisis. Such requests had slowed to a trickle while schools were closed, but are averaging about one a week since September.



PACE UNDERWRITING



PACE UNDERWRITING is preparing for renewals on July 1, keeping in mind that no one was prepared two years ago for the global pandemic and other unprecedented events that have happened since. As always, we intend to expect the unexpected and make sure PACE is positioned to take on any unforeseen challenges that may arise in the coming year and beyond.

The good news is that the hard property market is finally showing some signs of stabilization and the rising cost of reinsurance is starting to level out. However, inflation is continuing to increase the cost to build and repair structures. We anticipate a higher-than-average property value trend going forward. Early results from this year's property appraisals are already showing higher values and we expect this will continue. To account for this, PACE will be increasing the value of all structures and their contents by 4% instead of the normal 2%. The exception to this rule will be those structures that were appraised by CBIZ during the fall and winter, to which the value determined by the appraiser will apply.



DATA BREACH AND CYBER-RELATED CLAIMS

are a significant concern for public educational entities as the insurance industry continues to pull back from this risk. In the cyber insurance market, we are seeing insurers demand increased premiums, provide lower limits and expect increased underwriting requirements. As the outside marketplace gets more restrictive, PACE intends to continue providing this valuable coverage and will continue to expand the sound risk management practice requirements from last year. Be sure to look for further information on new cyber coverage underwriting requirements in the coming weeks.

PACE CLAIMS

PROPERTY LOSSES:

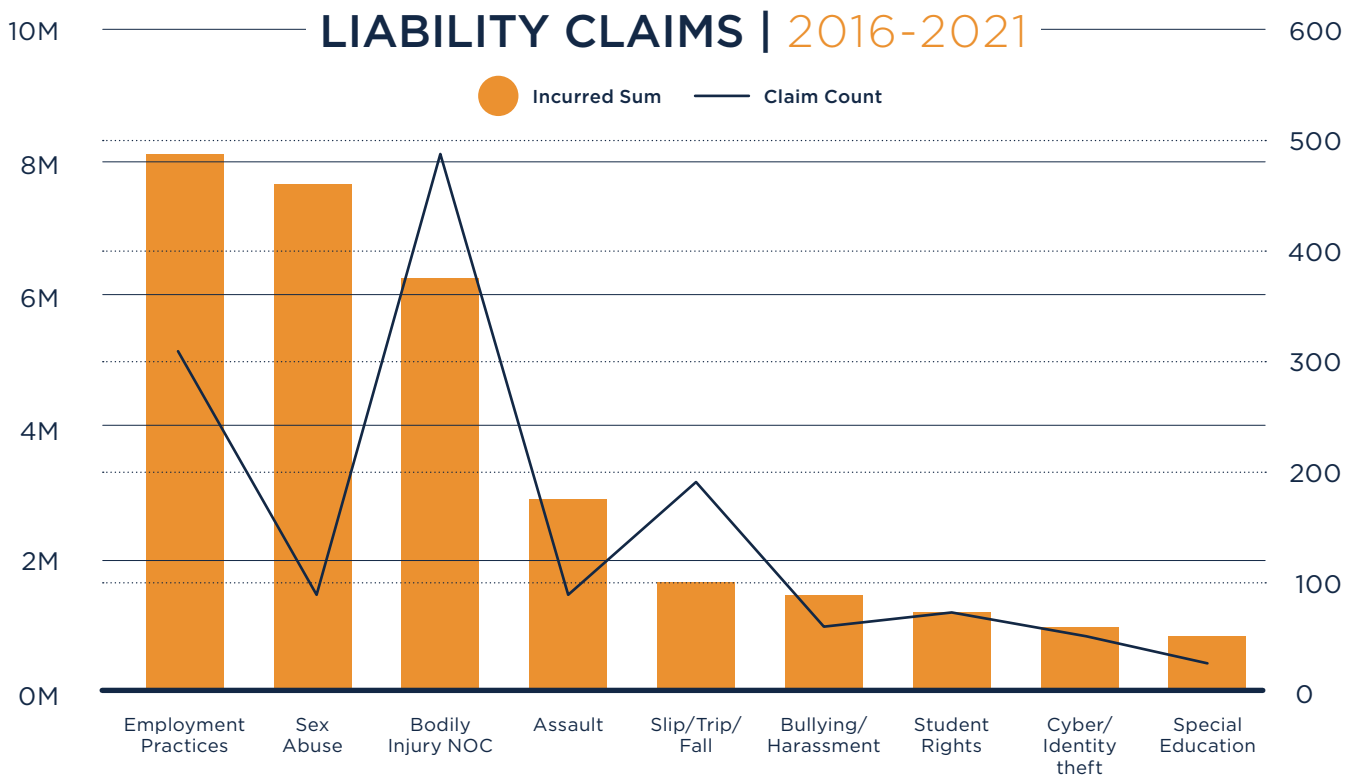
Property loss claims due to wildfire had a bit of a reprieve this year as we had no wildfire losses to PACE-covered property in the 2021 wildfire season. The snowpack in Oregon appears to be somewhat normal due to December storms. The big question is if it will last throughout the year or melt off quickly in the spring. We hope to not have a repeat of 2020. The early cold snap this year caused several frozen/broken pipe water losses. These are often avoidable by either insulating exposed pipes or making sure some heat is maintained in a building.

AUTO PHYSICAL DAMAGE:

Catalytic converter theft has tapered down, but we still see a handful of these cases monthly. While individual repairs for a stolen catalytic converter average about \$3,000 per vehicle, the volume of events makes it a concern. We have also seen thieves climb onto roofs looking for precious metals in the HVAC systems.

LIABILITY LOSSES:

We saw a wave of student fights after schools reopened in the fall. We have also seen a slew of trip and fall cases, not seen last year during distance learning. These kinds of losses along with the other exposures we face seem to be nearing pre-pandemic levels. There may be claims we are unaware of due to the state placing moratoriums on notice and filing requirements. Employment and SAM cases are the two largest loss exposures to PACE (see table below). It is critical that efforts taken by the PACE Trust to curb these exposures continue for the long-term viability of PACE.



CLAIMS

claims@sdao.com

800-305-1736 | 503-670-7066

LEGAL

pacelegal@osba.org

503-485-4800

RISK MANAGEMENT

riskmanagement@sdao.com

800-285-5461 | 503-371-8667

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