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SEMI-ANNUAL CLAIMS ACTIVITY REPORTS: JULY 1, 2014 – DECEMBER 31, 2014

Action Requested: Receive the semi-annual claims activity reports for the period of July 1, 2014 through December 31, 2014.

Executive Summary: The semi-annual claims activity reports are designed to address eight categories of pending claims:

- (1) Lawsuits;
- (2) Tort and contract claims not yet lawsuits;
- (3) Complaints filed with administrative agencies other than workers' compensation claims;
- (4) Workers' compensation claims;
- (5) Internal discrimination complaints/investigations;
- (6) Faculty and Professional and Scientific (P&S) grievances and disciplinary measures;
- (7) Internal grievances/claims/investigations of contract-covered staff; and
- (8) Other matters which may be unique to the institution.

The institutions and the Board Office have submitted reports for each category and have prepared executive summaries highlighting significant issues, trends, areas for improvement, and initiatives to address the identified problem areas. The executive summaries submitted by the institutions are attached to this memorandum.

Office of the Board of Regents, State of Iowa

Executive Summary: The following table summarizes the number of cases, claims, complaints, and grievances applicable to the Board Office for the July 1, 2014 through December 31, 2014 time period, and compares those numbers to prior periods.

Type of Claim Pending	12/11	06/12	12/12	06/13	12/13	06/14	12/14
1. Litigation	2	3	2	3	3	4	3
2. Contract and Tort Claims	0	0	0	0	0	0	0
3. Administrative Agencies	0	0	0	0	0	0	0
4. Workers' Compensation	0	0	0	0	0	0	0
5. Internal Discrimination	0	0	0	0	0	0	0
6. Faculty and P&S	0	0	0	0	0	0	0
7. Merit Grievances	0	0	0	0	0	0	0

1. Litigation

Developments, Trends and Reasons for Occurrence: Three lawsuits involving requests for judicial review of final agency action were pending during this reporting period. In the first case (Juweid – SUI), the Iowa Court of Appeals affirmed the District Court’s decision dismissing the petition for judicial review. Petitioner filed an application for further review with the Iowa Supreme Court, which is currently pending. In the second case (Palo – ISU) the District Court ruled in favor of the petitioner and reversed the final decision of the Board of Regents. The Board’s appeal to the Iowa Supreme Court is currently pending. In the third case (Tidriiri – ISU) the District Court affirmed the final decision of the Board of Regents. As of the date of this report, petitioner has yet to appeal the District Court’s decision.

University of Iowa

Executive Summary: The following table summarizes the number of cases, claims, complaints, and grievances applicable to the University of Iowa for the July 1, 2014 through December 31, 2014 time period, and compares those numbers to prior periods.

Type of Claim Pending	12/11	06/12	12/12	06/13	12/13	06/14	12/14
1. Litigation	25	25	24	29	25	22	22
2. Contract & Tort Claims	7	10	12	6	10	6	6
3. Administrative Agencies	12	15	21	23	24	25	22
4. Workers' Compensation	687	712	795	749	736	730	854
5. Internal EOD Office Complaints	16	13	9	8	6	9	4
6. Faculty and P&S Grievances & Discipline	8	6	11	12	27	10	9
7. Merit Grievances	6	56	39	48	65	60	41
8. UIHC Tort Claims	21	15	23	24	17	12	6
9. UIHC Lawsuits	29	26	32	27	27	30	35

1. Litigation

Developments, Trends and Reasons for Occurrence: This report includes a listing of all lawsuits that were pending at any one time during the period of July through December 2014. Eight lawsuits were dismissed, settled, or otherwise adjudicated during this period and will be deleted from the next report. Four new lawsuits were filed. As of December 31, 2014, there are twenty-two active lawsuits. No significant trends can be identified.

2. Contract and Tort Claims

Developments, Trends and Reasons for Occurrence: During this period, seven tort claims were denied, withdrawn, or settled and will be deleted from the next report. Seven new tort claims were filed. As of December 31, 2014, there are six pending tort claims. No significant trends can be identified.

This report includes a listing of pending Iowa Code Chapter 573 claims. One claim was paid and will be deleted from the next report, and one new claim was filed. As of December 31, 2014, there are five pending claims.

3. Administrative Agencies

Developments, Trends and Reasons for Occurrence: Ten administrative agency claims were settled or administratively closed, and six new claims were filed. No significant trends can be identified.

4. Workers' Compensation

Developments, Trends and Reasons for Occurrence: The number of incidents is higher than the immediately preceding reporting period, but the total dollar amount of settlements decreased. The average settlement claim is lower than the immediately preceding reporting period. No significant trends can be identified.

5. Internal Discrimination Complaints

Developments, Trends and Reasons for Occurrence: There were four cases pending during this reporting period. No significant trends have been identified.

6. Faculty, P&S and SEIU Grievances

Developments, Trends and Reasons for Occurrence: There were no faculty grievances, and one Professional and Scientific grievance active during this reporting period. There were nine active SEIU Grievances.

7. Merit Grievances

Developments, Trends and Reasons for Occurrence: As of December 31, 2014 there were forty-one active files. The number of grievances filed during this reporting period is lower than the normal range of variability.

8. UIHC Tort Claims¹

Developments, Trends and Reasons for Occurrence: This report includes a listing of all tort claims that were pending at any one time during the period of July through December 2014. During this period, twenty-five tort claims were denied, withdrawn or settled and will be deleted from the next report. Nine of these tort claims have been filed as lawsuits, and are also reflected in section 9 of this report. Four new tort claims were filed during this reporting period. As of December 31, 2014 there were six pending tort claims.

9. UIHC Lawsuits

Developments, Trends and Reasons for Occurrence: This report also includes a listing of all lawsuits pending at any one time during the period of July through December 2014. Four lawsuits were dismissed, settled or otherwise adjudicated during this reporting period and will be deleted from the next report. Nine new lawsuits were filed during this reporting period. As of December 31, 2014 there were thirty-five pending lawsuits.

¹ Does not include small claims addressed by UIHC pursuant to a 28E Agreement with the Department of Justice. During this reporting period, three (3) 28E Agreement tort claims were settled directly by UIHC.

Iowa State University

Executive Summary: The following table summarizes the number of cases, claims, complaints, and grievances applicable to Iowa State University for the July 1, 2014 through December 31, 2014 time period, and compares those numbers to prior periods.

Type of Claim Pending	12/11	06/12	12/12	06/13	12/13	06/14	12/14
1. Litigation	8	9	10	9	9	9	12
2. Contract and Tort Claims	20	21	29	30	31	34	17
3. Administrative Agencies	5	4	2	4	3	9	11
4. Workers' Compensation	253	188	184	185	161	178	156
5. Internal Discrimination Complaints	4	1	4	13	16	21	23
6. Faculty and P&S Grievances & Discipline	4	10	15	8	8	11	10
7. Merit Grievances	20	18	8	6	4	5	4

1. Litigation

Developments, Trends and Reasons for Occurrence: Dennis Smith's Iowa Supreme Court appeal concluded with an award of \$650,000 against the University. The case remains active for determination of attorney's fees. The Eighth Circuit Court of Appeals dismissed Suzanne Clark's appeal, although a Petition for En Banc Hearing was filed on January 4, 2015. The Board of Regents' decision on the dismissal of an appeal by Dr. Moulay Tidriri was affirmed. During this reporting period, four new suits were filed (Gerlich v. Leath, et al; Kleiman v. State of Iowa; Huss v State of Iowa; and Sackos v NCAA, et al.) Three cases reported during the prior period (Clark, Palo and IHBRA) remain pending.

2. Contract and Tort Claims

Developments, Trends and Reasons for Occurrence: There were no significant developments related to tort claims (15 pending claims). Contract claims have decreased due, in part, to the resolution of Iowa Code Chapter 573 subcontractor claims on two projects.

3. Administrative Agencies

Developments, Trends and Reasons for Occurrence: Five complaints were closed during this reporting period. Five new complaints were filed, although three of those cases arise from similar circumstances. One new case involves a complaint with the U.S. Department of Education, Office of Civil Rights, and concerns an ongoing sexual assault disciplinary proceeding involving two students.

4. Workers' Compensation Claims

Developments, Trends and Reasons for Occurrence: The number of claims and missed days continues to decrease, although the total dollar amount of settled claims has increased. It is expected that the increase in dollar amount is a result of usual variation, although the University will continue to monitor this area.

5. Internal Discrimination Complaints

Developments, Trends and Reasons for Occurrence: Ten internal discrimination cases involved student-on-student harassment and violence. Most of these cases involved sexual assault,

sexual harassment or domestic violence. The remaining thirteen cases involved claims against faculty, staff or the University. There is no prevailing theme among the claims involving employees.

6. Faculty and P&S Grievances and Disciplinary Cases

Developments, Trends and Reasons for Occurrence: One faculty conduct matter is currently pending on appeal to the President. Three faculty conduct matters have been closed. Four non-disciplinary faculty appeals have been resolved.

Two Professional and Scientific (P&S) appeals were received during this reporting period. These complaints arose from a single incident and have been resolved.

7. Merit Grievances

Developments, Trends and Reasons for Occurrence: One new grievance was filed during this reporting period and remains pending. Three grievances filed during the prior reporting period have been denied and one grievance was resolved.

University of Northern Iowa

Executive Summary: The following table summarizes the number of cases, claims, complaints, and grievances applicable to the University of Northern Iowa for the July 1, 2014 through December 31, 2014 time period, and compares those numbers to prior periods.

Type of Claim Pending	12/11	06/12	12/12	06/13	12/13	06/14	12/14
1. Litigation	6	5	4	5	4	6	7
2. Tort and Contract Claims	2	3	6	10	7	16	12
3. Administrative Agencies	5	4	5	2	3	3	4
4. Workers' Compensation	68	80	70	111	65	79	66
5. Internal Discrimination Complaints	4	5	6	7	7	6	7
6. Faculty & P&S Grievances & Discipline	13	23	16	16	7	4	8
7. Merit Grievances	5	10	5	8	14	14	10

1. Litigation

Developments, Trends and Reasons for Occurrence: The number of lawsuits remains consistent with prior reporting periods. Two pending lawsuits involve the three Regent universities. No apparent trends have been identified.

2. Tort and Contract Claims

Developments, Trends and Reasons for Occurrence: The number of pending tort and contract claims remains consistent with prior reporting periods. No apparent trend has been identified.

3. Administrative Agencies

Developments, Trends and Reasons for Occurrence: The number of administrative agency complaints increased slightly, but remains within the normal range of variability. No apparent trends have been identified.

4. Workers' Compensation Claims

Developments, Trends and Reasons for Occurrence: There was a decrease in the number of workers' compensation claims filed during this reporting period. The total dollar amount for approved claims increased slightly. No apparent trends have been identified, although the University will continue to monitor this area.

5. Internal Discrimination Complaints/Investigations

Developments, Trends and Reasons for Occurrence: The number of complaints remains consistent with prior reporting periods. Six new cases were filed, and five pending cases were resolved.

6. Faculty and P&S Grievances and Disciplinary Cases

Developments, Trends and Reasons for Occurrence: The number of cases in this category increased slightly when compared to the prior period. The University continues to monitor and work on faculty and P&S grievances and disciplinary cases.

7. Merit Grievances

Developments, Trends and Reasons for Occurrence: The number of merit employee grievances decreased. The type of grievances do not reflect any apparent trends or overall issues.

Iowa Braille and Sight Saving School

Executive Summary: The following table summarizes the number of cases, claims, complaints, and grievances applicable to the Iowa Braille and Sight Saving School for the July 1, 2014 through December 31, 2014 time period, and compares those numbers to prior periods.

Type of Claim Pending	12/11	06/12	12/12	06/13	12/13	06/14	12/14
1. Litigation	0	0	0	0	0	0	0
2. Contract and Tort Claims	0	0	1	0	0	0	0
3. Administrative Agencies	0	0	0	0	0	0	0
4. Workers' Compensation	8	6	2	6	5	6	1
5. Internal Discrimination Complaints	0	0	0	0	0	0	0
6. Faculty and P&S Grievances & Discipline	0	0	0	0	0	0	0
7. Merit Grievances	0	4	0	0	1	0	0

4. Workers' Compensation Claims

Developments, Trends and Reasons for Occurrence: One workers' compensation claim was filed during this reporting period. There was no lost time associated with this claim.

Iowa School for the Deaf

Executive Summary: The following table summarizes the number of cases, claims, complaints, and grievances applicable to the Iowa School for the Deaf for the July 1, 2014 through December 31, 2014 time period, and compares those numbers to prior periods.

Type of Claim Pending	12/11	06/12	12/12	06/13	12/13	06/14	12/14
1. Litigation	1	1	1	0	0	0	0
2. Contract and Tort Claims	0	0	0	0	0	0	0
3. Administrative Agencies	0	0	0	0	0	0	0
4. Workers' Compensation	4	3	3	5	3	4	3
5. Internal Discrimination Complaints	0	0	0	0	0	0	0
6. Faculty and P&S Grievances & Discipline	0	0	0	0	0	0	0
7. Merit Grievances	0	0	0	0	0	0	0

4. Workers' Compensation

Developments, Trends and Reasons for Occurrence: Three workers' compensation claims were filed during this reporting period. None of the claims involved time missed from work. Workers' compensation claims continue to be low at the Iowa School for the Deaf.