

Contact: Aimee Claeys

SEMI-ANNUAL CLAIMS ACTIVITY REPORTS: JANUARY 1, 2017 – JUNE 30, 2017

Action Requested: Receive the semi-annual claims activity reports for the period of January 1, 2017 through June 30, 2017.

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

- (1) Lawsuits¹;
- (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.

¹ This category may include lawsuits in which multiple Regent institutions and/or the Board of Regents are named parties. These claims are included in the reports for each named party.

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 January 1, 2017 through June 30, 2017 time period, and compares those numbers to prior periods.

Type of Claim Pending	06/14	12/14	06/15	12/15	06/16	12/16	06/17
1. Litigation	4	3	7	7	3	5	4
2. Contract and Tort Claims	0	0	0	0	0	0	0
3. Administrative Agencies	0	0	0	0	1	1	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: Two (2) lawsuits involving Iowa Code Chapter 17A petitions for judicial review of final agency action were pending during this reporting period. One (1) new lawsuit alleging age and gender discrimination was filed. One (1) lawsuit alleging violations of the Iowa Open Meetings Act remains pending.

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 January 1, 2017 through June 30, 2017 time period, and compares those numbers to prior periods.

Type of Claim Pending	06/14	12/14	06/15	12/15	06/16	12/16	06/17
1. Litigation	22	22	24	24	22	21	27
2. Contract & Tort Claims	6	6	13	33	24	29	33
3. Administrative Agencies	25	22	23	24	29	22	21
4. Workers' Compensation	730	854	756	704	759	730	827
5. Internal EOD Office Complaints	9	4	8	5	1	3	8
6. Faculty and P&S Grievances & Discipline	10	9	10	9	5	10	5
7. Merit Grievances	60	47	61	39	51	45	22
8. UIHC Tort Claims	12	6	14	16	11	7	18
9. UIHC Lawsuits	30	35	33	34	28	24	26

1. Litigation

Developments, Trends and Reasons for Occurrence: During this reporting period, eight (8) lawsuits were dismissed, settled, or otherwise adjudicated and will be deleted from the next report. Eight (8) new lawsuits were filed during this period. As of June 30, 2017, there were twenty-seven (27) pending lawsuits. Six (6) are petitions for injunctions to prevent the release of claimed trade secrets in bid documents filed by vendors. No discernable trend has been identified.

2. Contract and Tort Claims

Developments, Trends and Reasons for Occurrence: During this reporting period, ten (10) tort claims were denied, withdrawn, or settled and will be deleted from the next report. Sixteen (16) new tort claims were filed. As of June 30, 2017, there were fourteen (14) pending tort claims. No discernable trend has been identified.

Twenty-nine (29) contract claims were pending during this reporting period. Four (4) claims were paid, four (4) new claims were filed, and two (2) were amended. Five (5) claims pending on the prior report were paid and will be deleted from the next report. As of June 30, 2017, there were nineteen (19) pending contract claims. No discernable trend has been identified.

3. Administrative Agencies

Developments, Trends and Reasons for Occurrence: Seven (7) administrative agency claims were settled or administratively closed during this reporting period, and five (5) new claims were filed. As of June 30, 2017, one (1) claim was pending. No discernable trend has been identified.

4. Workers' Compensation

Developments, Trends and Reasons for Occurrence: No discernable trend has been identified.

5. Internal Discrimination Complaints

Developments, Trends and Reasons for Occurrence: The number of pending cases during this reporting period is eight (8). No discernable trend has been identified.

6. Faculty, P&S and SEIU Grievances

Developments, Trends and Reasons for Occurrence: There was zero (0) Faculty, one (1) Professional and Scientific, one (1) COGS, and zero (0) SEIU grievances filed during this reporting period. As of June 30, 2017, five (5) cases remain pending. No discernable trend has been identified.

7. Merit Grievances

Developments, Trends and Reasons for Occurrence: There were twenty-three (23) grievances filed during this reporting period, and twenty-two (22) grievances remain active. The number of grievances filed during this reporting period is within the normal range of variability.

8. UIHC Tort Claims²

Developments, Trends and Reasons for Occurrence: During this reporting period thirteen (13) tort claims were denied, withdrawn or settled and will be deleted from the next report. Eight (8) of these claims have been filed as lawsuits, and are also listed in that section of the report. Fifteen (15) new tort claims were filed during this reporting period. As of June 30, 2017, there were eighteen (18) pending tort claims.

9. UIHC Lawsuits

Developments, Trends and Reasons for Occurrence: Eleven (11) lawsuits were dismissed, settled, or otherwise adjudicated during this period and will be deleted from the next report. Two lawsuits were taken to trial, and resulted in a verdict in favor of UIHC. These cases will continue to be listed in this report if they are appealed. Ten (10) new lawsuits were filed during this reporting period. As of June 30, 2017, there were twenty-six (26) pending lawsuits.

²Does not include small claims addressed by UIHC pursuant to a 28E Agreement with the Department of Justice. During this reporting period, one (1) 28E Agreement tort claim was 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 January 1, 2017 through June 30, 2017 time period, and compares those numbers to prior periods.

Type of Claim Pending	06/14	12/04	06/15	12/15	06/16	12/16	06/17
1. Litigation	9	12	13	13	19	20	19
2. Contract and Tort Claims	34	17	16	18	23	25	33
3. Administrative Agencies	9	11	11	9	11	10	10
4. Workers' Compensation	178	156	167	171	169	177	144
5. Internal Discrimination Complaints	21	23	23	26	36	10	18
6. Faculty and P&S Grievances & Discipline	11	10	8	8	11	16	17
7. Merit Grievances	5	4	3	3	6	25	24

1. Litigation

Developments, Trends and Reasons for Occurrence: During this reporting period five (5) new lawsuits were filed, and five (5) cases were settled or dismissed. Of the fourteen (14) pending cases, ten (10) are in the pre-trial discovery phase. There are three (3) cases currently pending on appeal (Huss, Gerlich, and Coppoc), and one (1) case is awaiting a decision on a post-trial motion (Tidrir). No discernable trend has been identified.

2. Contract and Tort Claims

Developments, Trends and Reasons for Occurrence: Of the twenty-eight (28) tort claims pending at the close of this reporting period, eight (8) (Palo, Lippincott, Black (2), Schussler (3), and Tidrir) claim significant damages in excess of \$100,000. There was one contract claim filed during this reporting period. No discernable trend has been identified.

3. Administrative Agencies

Developments, Trends and Reasons for Occurrence: Three (3) new complaints were filed during this reporting period, one of which is a U.S. Department of Education, Office of Civil Rights claim related to web accessibility. Two claims were filed with the Iowa Civil Rights Commission. Two previous claims with the Department of Education, Office of Civil Rights remain pending. No discernable trend has been identified.

4. Workers' Compensation Claims

Developments, Trends and Reasons for Occurrence: The number of claims for workers' compensation remains near the average.

5. Internal Discrimination Complaints

Developments, Trends and Reasons for Occurrence: Eighteen (18) investigations against faculty, staff or departments were active during this reporting period. Two (2) complaints were pending at the close of this reporting period. No discernable trend has been identified.

6. Faculty and P&S Grievances and Disciplinary Cases

Developments, Trends and Reasons for Occurrence: Of the fifteen (15) faculty matters, two (2) faculty grievances remain pending, and two (2) will be presented to an Administrative Law Judge. One (1) Professional and Scientific disciplinary cases was pending during this reporting period, and has been resolved.

7. Merit Grievances

Developments, Trends and Reasons for Occurrence: Of the twenty-four (24) grievances pending during this reporting period, fifteen (15) are a result of a department reorganization.

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 January 1, 2017 through June 30, 2017 time period, and compares those numbers to prior periods.

Type of Claim Pending	06/14	12/14	06/15	12/15	06/16	12/16	06/17
1. Litigation	6	7	7	9	10	7	6
2. Tort and Contract Claims	16	12	12	8	5	2	0
3. Administrative Agencies	3	4	1	2	3	2	3
4. Workers' Compensation	79	66	68	72	62	84	61
5. Internal Discrimination Complaints	6	7	8	3	11	14	12
6. Faculty & P&S Grievances & Discipline	4	8	7	3	2	0	1
7. Merit Grievances	14	10	4	2	3	7	5

1. Litigation

Developments, Trends and Reasons for Occurrence: The number of lawsuits decreased slightly in comparison to prior reporting periods. One (1) of the reported cases involves all three Regent universities. No discernable trend has been identified.

2. Tort and Contract Claims

Developments, Trends and Reasons for Occurrence: The number of claims pending during this reporting period decreased when compared to prior periods. No discernable trend is evident from the number or types of claims.

3. Administrative Agencies

Developments, Trends and Reasons for Occurrence: The number of complaints filed with administrative agencies represents a slight increase, but remains consistent with prior reporting periods. No discernable trend has been identified.

4. Workers' Compensation Claims

Developments, Trends and Reasons for Occurrence: The number of workers' compensation claims filed during this reporting period decreased when compared to the prior period. This is not unusual for the first six months of the calendar year. No significant trends have been identified.

5. Internal Discrimination Complaints/Investigations

Developments, Trends and Reasons for Occurrence: The number of complaints reflected in this category decreased slightly when compared to the prior period. The number of complaints remains fairly consistent over the last several years, and many of the complaints involve Title IX matters. The University will continue to handle these complaints in a timely and appropriate manner.

6. Faculty and P&S Grievances and Disciplinary Cases

Developments, Trends and Reasons for Occurrence: The number of cases in this category increased slightly as compared to the prior reporting period, but the number of cases over the last several reporting periods remains fairly consistent. No discernable trend has been identified.

7. Merit Grievances

Developments, Trends and Reasons for Occurrence: The number of Merit employee grievances decreased slightly, but remains consistent with prior periods. Three grievances were settled or withdrawn during this reporting period. No discernable trend has been identified.

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 January 1, 2017 through June 30, 2017 time period, and compares those numbers to prior periods.

Type of Claim Pending	06/14	12/14	06/15	12/15	06/16	12/16	06/16
1. Litigation	0	0	0	0	0	0	0
2. Contract and Tort Claims	0	0	0	0	0	0	0
3. Administrative Agencies	0	0	0	0	0	1	0
4. Workers' Compensation	6	1	1	0	4	2	4
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: Four (4) workers' compensation claims were filed during this reporting period, none resulted in time missed from work. No discernable trends have been identified.

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 January 1, 2017 through June 30, 2017 time period, and compares those numbers to prior periods.

Type of Claim Pending	06/14	12/14	06/15	12/15	06/16	12/16	06/17
1. Litigation	0	0	0	0	0	0	0
2. Contract and Tort Claims	0	0	0	0	0	0	0
3. Administrative Agencies	0	0	0	0	4	3	0
4. Workers' Compensation	4	3	3	4	5	6	3
5. Internal Discrimination Complaints	0	0	0	0	0	0	0
6. Faculty and P&S Grievances & Discipline	0	0	0	2	2	2	0
7. Merit Grievances	0	3	1	1	3	0	0

4. Workers' Compensation

Developments, Trends and Reasons for Occurrence: Three (3) workers' compensation claims were filed during this reporting period. Two (2) claims involved time missed from work. There is one (1) open contested claim. Workers' compensation claims continue to be low at the Iowa School for the Deaf.