

Contact: Aimee Claeys

SEMI-ANNUAL CLAIMS ACTIVITY REPORTS: JANUARY 1, 2019 – JUNE 30, 2019

Action Requested: Receive the semi-annual claims activity reports for the period of January 1, 2019 through June 30, 2019.

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, 2019 through June 30, 2019 time period, and compares those numbers to prior periods.

Type of Claim Pending	06/16	12/16	06/17	12/17	06/18	12/18	06/19
1. Litigation	1	5	4	4	2	2	1
2. Contract and Tort Claims	0	0	0	0	0	0	0
3. Administrative Agencies	1	1	0	0	0	0	0
4. Workers' Compensation	0	0	0	0	0	0	0
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

1. Litigation

Developments, Trends and Reasons for Occurrence: One (1) lawsuit involving an Iowa Code Chapter 17A petition for judicial review was resolved in favor of the Board of Regents on appeal to the Iowa Court of Appeals

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, 2019 through June 30, 2019 time period, and compares those numbers to prior periods.

Type of Claim Pending	06/16	12/16	06/17	12/17	06/18	12/18	06/19
1. Litigation	22	21	27	24	31	24	25
2. Contract and Tort Claims	24	29	33	25/31	21/6	17/14	25/5
3. Administrative Agencies	29	22	21	24	28	29	28
4. Workers' Compensation	759	730	827	738	810	774	794
5. Internal Discrimination Complaints	1	3	8	4	10	8	8
6. Faculty and P&S Grievances & Discipline	5	10	5	6	3	4	3
7. Merit Grievances	51	45	22	20	20	12	13
8. UIHC Tort Claims	11	7	18	30	29	22	21*
9. UIHC Lawsuits	28	24	26	30	31	25	29

1. Litigation

Developments, Trends and Reasons for Occurrence: Between January 1 and June 30, 2019, six (6) were dismissed, settled or otherwise adjudicated during this period and will be deleted from the next report. Three (3) new lawsuits were filed during this period. As of June 30, 2019, there are twenty-five (25) pending lawsuits. No discernable trend can be identified.

2. Contract and Tort Claims

Developments, Trends and Reasons for Occurrence: During this reporting period, fifteen (15) claims were denied, withdrawn or settled and will be deleted from the next report. Ten (10) new tort claims were filed during this period. As of June 30, 2019, there are five (5) pending tort claims. No discernible trend can be identified.

This report includes a listing of twenty-eight (28) claims. During this period, three (3) contract claims were paid. Eleven (11) were filed. Two (2) were amended. Three (3) were paid on this report and will be deleted from the next report. There are twenty-five (25) pending claims. No discernible trend can be identified.

3. Administrative Agencies

Developments, Trends and Reasons for Occurrence: Four (4) administrative agency claims were settled or administrative closed in this time period and three (3) new claims were filed. As of June 30, 2019, twenty-eight (28) were pending. No discernible trend can be identified.

4. Workers' Compensation Claims

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 and P&S Grievances and Disciplinary Cases

Developments, Trends and Reasons for Occurrence: There are two (2) faculty, two (2) P&S, two (2) SNAHP and zero (0) COGS grievances filed during this period. The number of active cases is three (3).

7. Merit Grievances

Developments, Trends and Reasons for Occurrence: There were fifteen (15) grievances filed during this reporting period. The number of active cases is thirteen (13).

8. UIHC TORT CLAIMS²

Developments, Trends and Reasons for Occurrence: During this period, twenty-two (22) tort claims were denied, withdrawn or settled and will be deleted from the next report. Nine (9) of these tort claims have now been filed as lawsuits (and are also listed in that section of the report). Eight (8) new tort claims were filed during this period. As of June 30, 2019, there are twenty-one (21) pending tort claims.

9. UIHC LAWSUITS

Developments, Trends and Reasons for Occurrence: Nine (9) lawsuits were dismissed, settled or otherwise adjudicated during this period and will be deleted from the next report. One (1) of these ten (10) lawsuits was dismissed by the court, but the possibility of appeal still exists. Nine (9) new lawsuits were filed during this period. As of June 30, 2019, there are twenty-nine (29) pending lawsuits.

² Does not include small claims addressed by UIHC pursuant to a 28E Agreement with the Department of Justice. During this reporting period, no (0) 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, 2019 through June 30, 2019 time period, and compares those numbers to prior periods.

Type of Claim Pending	06/16	12/16	06/17	12/17	06/18	12/18	06/19
1. Litigation	19	20	19	17	20	16	15
2. Contract and Tort Claims	23	25	33	21	27	19	16
3. Administrative Agencies	11	10	10	10	9	10	9
4. Workers' Compensation	169	177	144	151	156	141	165
5. Internal Discrimination Complaints	36	10	18	16	8	15	15
6. Faculty and P&S Grievances & Discipline	11	16	17	8	11	14	8
7. Merit Grievances	6	25	24	19	16	1	1

1. Litigation

Developments, Trends and Reasons for Occurrence: In this reporting period, two (2) new lawsuits were filed. Eight (8) cases have been settled or dismissed. Of the five (5) currently pending cases, two (2) have trial dates in 2019 and three (3) are in the pre-trial discovery phase.

2. Contract and Tort Claims

Developments, Trends and Reasons for Occurrence: Of the six (6) tort claims pending at the close of this reporting period, four (4) (Palo, Tidiri, Scharping and Spence) claim significant damages over \$100,000. There were no (0) contract claims pending at the end of this reporting period.

3. Administrative Agencies

Developments, Trends and Reasons for Occurrence: Four (4) new complaints were filed this period, one (1) with the US Department of Education, Office of Civil Rights Office, one (1) with the Department of Health and Human Services and two (2) claims were filed with the Iowa Civil Rights Commission.

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: Fifteen (15) investigations against faculty and/or staff were active during this term, however only one (1) remains pending at the close of the reporting period.

6. Faculty and P&S Grievances and Disciplinary Cases

Developments, Trends and Reasons for Occurrence: Of the six (6) faculty matters, two (2) matters remain pending at the close of the reporting period. Two (2) P&S disciplinary cases/grievances were received during this reporting period.

7. Merit Grievances

Developments, Trends and Reasons for Occurrence: Only one (1) grievance was pending during this reporting period.

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, 2019 through June 30, 2019 reporting period, and compares those numbers to prior periods.

Type of Claim Pending	06/16	12/16	06/17	12/17	06/18	12/18	06/19
1. Litigation	10	7	6	3	3	5	5
2. Tort and Contract Claims	5	2	0	1	7	5	6
3. Administrative Agencies	3	2	3	3	2	2	1
4. Workers' Compensation	62	84	61	64	78	61	72
5. Internal Discrimination Complaints	11	14	12	10	13	15	18
6. Faculty & P&S Grievances & Discipline	2	0	1	0	0	0	2
7. Merit Grievances	3	7	5	2	2	0	1

1. Litigation

Developments, Trends and Reasons for Occurrence: The number of lawsuits remained constant with the prior period. There are no apparent trends evidenced by the issues presented in the cases. One (1) of the five (5) cases involves all of the Regents universities.

2. Tort and Contract Claims

Developments, Trends and Reasons for Occurrence: The number of claims for the period increased by one (1) compared to the prior period. The number of claims is consistent with the experience of the University during prior periods. No trends are identified or apparent by the number or types of these claims.

3. Administrative Agencies

Developments, Trends and Reasons for Occurrence: The number of complaints filed outside of the University, with administrative agencies, decreased by one (1) as compared to the prior period. There is no trend(s) evident in this category.

4. Workers' Compensation Claims

Developments, Trends and Reasons for Occurrence: The number of workers' compensation claims filed during the reporting period increased slightly in comparison with the prior period. The number of claims is fairly consistent with prior periods. There are no readily apparent trends in the workers' compensation claims data but the number will be watched to help determine if additional University action is necessary and/or appropriate in this area.

5. Internal Discrimination Complaints/Investigations

Developments, Trends and Reasons for Occurrence: The number of complaints reflected in this category increased from the prior periods. Most of the complaints relate to Title IX. The University continues to strive to handle these complaints in a timely and appropriate manner, and will continue to review this area and these types of cases for any indication that changes or improvements are needed.

6. Faculty and P&S Grievances and Disciplinary Cases

Developments, Trends and Reasons for Occurrence: The number of grievances or cases in this category increased from the prior period by two (2). One (1) of the grievances has been resolved. The number of grievances is not large. No trend or consistent issue is reflected by the grievances in this category.

7. Merit Grievances

Developments, Trends and Reasons for Occurrence: The number of Merit employee grievances increased by one (1) in comparison to the immediately prior period, but is fairly consistent with the number of grievances in this category in prior periods. There is no trend(s) evident in this category.

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, 2019 through June 30, 2019 time period, and compares those numbers to prior periods.

Type of Claim Pending	06/16	12/16	06/17	12/17	06/18	12/18	06/19
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	1	0	0	0	0	0
4. Workers' Compensation	4	2	4	1	2	5	2
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: IBSSS experienced two (2) workers' compensation claim filings during the current reporting period. One (1) claim included time lost. The rest of the "claims" categories have "no claims" (0) for IBSSS.

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, 2019 through June 30, 2019 time period, and compares those numbers to prior periods.

Type of Claim Pending	06/16	12/16	06/17	12/17	06/18	12/18	06/19
1. Litigation	0	0	0	0	0	0	0
2. Contract and Tort Claims	0	0	0	0	0	0	0
3. Administrative Agencies	4	3	0	2	1	0	0
4. Workers' Compensation	5	6	3	3	5	3	3
5. Internal Discrimination Complaints	0	0	0	0	0	0	0
6. Faculty and P&S Grievances & Discipline	2	2	0	0	0	0	0
7. Merit Grievances	3	0	0	0	0	0	0

4. Workers' Compensation

Developments, Trends and Reasons for Occurrence: ISD had three (3) workers compensation claims during this period. There were no (0) missed time claims during this period. Workers compensation claims continue to be low at ISD.