



2013 SELF Board Election Results

Results of the 2013 SELF Board of Directors election were certified June 28 during the Board's last meeting of the fiscal year.

The results are as follows:

Area	Candidate	Votes
VI	Lynn April Hartline , Orange County DOE	53
	Diane Crosier , San Diego County Schools RMJPA	50
	Toan Nguyen , ABC Unified SD	44
	John Vinke, Lawndale USD	30
	Alex Cherniss, Los Angeles COE	23

Those candidates in bold text received the most votes and will represent Area VI for the next four years.

The votes were tallied at the SELF office in Sacramento on May 6 by Pacific Election Services Inc., the company hired to run the election. The results were certified, sealed and turned over to the Ad-Hoc Election Committee which presented them to the full Board at the June 28 meeting.

SELF holds elections for half its Board every two years. Each director serves a four year term. Under a change to SELF's Bylaws in 2012, elections are no longer held in Areas where the incumbents run unopposed. As such, Area VI was the only area where an election was held this year.

The Board also chose its officers for the next two years, re-electing the previous slate of officers: John Falappino, *Board Chair*; John Didion, *Vice Chair*; Lynn April Hartline, *Secretary*; Adam Hillman, *Comptroller*; and Michael Gregoryk, *Past Chair/Member At Large*.

New Online Tools Available Free to SELF Members

Munich Re, one of SELF's reinsurance partners, has teamed up with **My Community Workplace.org** to provide all active SELF members access to its dynamic web-based platform designed specifically for the needs of public and non-profit entities.

Access to the site, which provides state-of-the-art training in harassment prevention, discrimination prevention, and workplace ethics and other varied topics, human resources functions, articles on health and wellness, safety, leadership, legal matters and risk prevention techniques, is free to all active SELF members.

In coming weeks, an email providing each member district with the necessary information to register on the site will be going out, giving full access to all the

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Conferences & Events

SEPTEMBER

CAJPA Fall Conference
September 10-13
South Lake Tahoe

Good Schools Workshop Webinar
Special Ed Transportation Liability Issues
Tuesday, September 24, 1 p.m.
And a live repeat
Friday, September 26, 10 a.m.

OCTOBER

ACBO Fall Conference
October 28-30
Oxnard

About Us

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Our Mission

SELF is a member-owned, statewide partnership of public educational agencies providing quality pooled programs for excess coverage that benefit our students.

By the Numbers

SELF is the leading statewide excess liability provider for California's public schools and colleges, serving nearly 3 million students.

SELF Awareness

Comments should be sent to the above address or info@selfjpa.org.

Board

Area II	Adam Hillman
Area III	John Falappino
Area V	Cathy Reineke
	Dave George
	Nancy Anderson
Area VI	Diane Crosier
	Lynn April Hartline
	Eva Lueck
	Toan Nguyen
	Karla Rhay

Community Colleges

Michael Gregoryk, John Didion,
Teresa Scott, Kevin McElroy

A Message from Eric Lucas



Risk Management— Yesterday and Today

When we look at the historical nature of risk management, we realize—in its earliest form—the risk management process involved simply the spreading of the chance of loss to an entity. We all recall how the syndicates

at Lloyds of London came about, but prior to that type of risk management a merchant would send out three of his ships at once, all headed for the same faraway destination and loaded with the same goods. It was his hope, fingers crossed, that word would come back that at least one of the three ships had made the journey intact and did not succumb to any of the perils of the sea such as storms, pirates, etc. In the merchant's version of risk management, "one out of three ain't bad!" When you look at it now, it was a very costly way to manage risk but those were the early merchant's limited choices for doing business and guaranteeing that he stayed in business. He recognized that the probability of loss was great, and he hedged his bets by deploying more than one ship—knowing the odds were in his favor that at least one would make it to port.

The merchant's decision, in his world of risk management, was financial in nature. That has not changed today. Decisions on how much loss an entity can bear, i.e. retention and/or deductible, to how much coverage it needs, to what coverage limits it can afford are all parameters of the cost of risk management.

The issue of how much coverage is enough coverage is an interesting topic. Certainly, no entity wants to experience the loss that tests or exceeds their available coverage limit. We can draw experience from our peers in seeing their losses and the dollars involved; especially on the losses that gain headlines. We also know that someday, we could be in those same shoes and, much like the merchant of long ago, our fingers are crossed in hope it doesn't happen to us.

To alleviate that finger crossing phenomenon, SELF offers an Optional Excess Liability (OEL) coverage that can add another \$25m above your underlying \$20m in SELF's core coverage. Many current SELF members have this OEL coverage as part of their risk management portfolio. SELF encourages those members who are not participating in the OEL to take a look at this very affordable option.

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resources within it. Each district can assign its own "site administrator" and can assign employees training or give them access to checklists, articles and other resources deemed appropriate for their position. The site also features themed "zones" such as "Schools", "School Protection", "Government", etc.

This online tool is provided as an added benefit of your membership in SELF and is meant to augment the trainings and risk management tools currently offered to members at no cost via the SELF Resource Center, which can be accessed through the SELF website at www.selfjpa.org.

Keep an eye on your email for more information on this remarkable website coming soon!



Legislative Update School Services of California, Inc.

Cash Update and State Economy

Along with State Controller John Chiang's cash report for June 2013, which shows that revenues have come in \$1.2 billion higher during the month than Governor Jerry Brown's May Revision forecast, a new report released in mid-July indicates California's recovery is

among the strongest in the nation according to many factors, including budget revenues, outpacing all but one other state.

The "State Economic Monitor" study comes from the Tax Policy Center, a joint project of the Brookings Institution and the Urban Institute, which compares state tax revenues, economic growth, unemployment rates, and numerous other economic factors. According to the study, California's tax revenue boost of 35% was only second in the nation to North Dakota's increase of 75%. California's unemployment rate, while still among the highest in the nation, dropped faster than any other state during the period the study compares. The study also shows California's strong resurgence in the housing market, posting the third highest increase in housing prices over the year; Nevada and Arizona had higher increases, but also experienced deeper losses over the past five years.

Additional results can be found at <http://www.taxpolicycenter.org/publications/url.cfm?ID=412856>.

Summer in Sacramento

Things are quiet in Sacramento since the Assembly is officially on summer recess, and the Senate is seemingly

packing its bags to do the same. Just a handful of Senate committees met in mid-July leading up to the Senate policy committee deadline July 12. At this point, it appears that a few educational bills will not meet the deadline since they have not been approved by the Senate Education Committee, which is not scheduled to meet again. While legislative deadlines can be waived or sidestepped procedurally, a few bills look like they won't continue this year:

- **AB 375**—This bill seeks to streamline the teacher dismissal process in California but is opposed by some educational agencies and statewide associations who believe that while the bill contains some positive proposals, others will make it harder and more costly to dismiss tenured teachers. The bill failed passage at its hearing in early July and has not been scheduled for reconsideration.
- **AB 913**—This bill would subject charter schools to the state's existing open meetings, conflict of interest, and disclosure laws. The hearing of this bill was cancelled at the request of the author.
- **AB 1186**—This bill would establish the Common Core Implementation Block Grant for purposes of implementing the adopted Common Core State Standards (CCSS). With the 2013-14 State Budget including \$1.25 billion for CCSS implementation, this bill was no longer necessary, and its hearing was cancelled by the author.

KMTG Legal Alerts

Court Rules Student Dismissed From Charter School Was Not "Expelled," Thus Not Entitled To Evidentiary Hearing



A student was dismissed from a charter high school for brandishing a knife in class. The student sued to challenge his removal from the school, asserting that his weapon was not a knife under the Education Code definition and that he was entitled to an evidentiary hearing under Ed. Code 48918. The trial court disagreed with both arguments and dismissed the case. On appeal, the Fourth District Court of Appeal affirmed the trial court decision. (*Scott B. v. Bd. of Trustees of Orange County High School of Arts* (--- Cal. Rptr.3d ----, Cal.App. 4 Dist., June 14, 2013).

Decision

The appellate court rejected Scott's argument that the weapon was not a knife within the definition in Education Code section 48915, subdivision (g). The appellate court noted that the statutory definition lists many examples of objects with "prohibited characteristics," and that blade

length was only one of several alternate criteria listed for a district or school to consider, not a mandatory requirement.

The appellate court also rejected Scott's argument he was entitled to an evidentiary hearing before being "dismissed." The appellate court concluded Education Code section 48918 does not apply to charter schools, unless a charter school specifically adopts it. Moreover, from the appellate court's perspective Scott was not "expelled," but instead was "dismissed," which it ruled did not implicate due process rights in the same manner as expulsion, because the student still had the right to enroll in his school of residence.

What This Means To You

Charter schools sometimes use terms such as "dismiss," or "disenroll" to release a student. In your county, student release from a charter school might not be treated the same as expulsion depending upon the charter and MOU. This appellate court held section 44918 requirements for an expulsion hearing do not apply to charter schools, unless specifically adopted by the charter and/or MOU. Therefore, you may want to make sure that some form of due process for students is included in any charter petition you authorize. Clients should be aware students who are dismissed instead of expelled from a charter school may attempt to rely upon this decision to immediately enroll in the public school of their residence or request inter-district attendance. Also, be aware that the re-enrollment procedures under Education Code section 48915.1 probably do not apply to a charter school student who has been "dismissed" but not "expelled."

Questions

If you have any questions concerning the content of this Legal Alert, please contact the following KMTG attorneys, or the attorney with whom you normally consult.

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This alert has been edited for space considerations. To read the full alert visit www.kmtg.org

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SELF Honors Two; Appoints Three to Board

SELF recognized two valued members of its Board at its June meeting, following the announcement of a retirement and a new job posting.

Eric Johnston, Superintendent of Snowline Joint Unified School District and Area VI Board Representative, retired from his district and the SELF Board as of June 30. Eric had served on the SELF Board since 2002 and was Chair of the Liability Claims & Coverage Committee.

Krya Studer, Risk Manager at Ukiah Unified School District and Area I Board Representative, resigned her position on the SELF Board in April when she left UUSD to take a job with the County of Mendocino. She had served on the Board since 2011 and was a member of the Member Services & Communications Committee.

Two vacant Board positions were also filled at the June 28 meeting. Norine Tweedie, Risk Manager, Ukiah Unified School District, has been appointed as the Area I Representative, filling the vacancy left by Studer's departure, and George Linn, Director of Risk Management, Modesto City Schools, has been appointed as the Area IV Representative. Those seats will be up for re-election in 2017 and 2015 respectively.

The Board also appointed Ed Eng, Vice Chancellor of Finance and Administration for State Center Community College District to a vacant Northern Community Colleges Alternate position.