



AGENDA
STATEWIDE ASSOCIATION OF COMMUNITY COLLEGES
(SWACC)

CLAIMS & COVERAGE COMMITTEE MEETING
NOVEMBER 3, 2025
10:00 A.M.

THE WESTIN SAN FRANCISCO AIRPORT
1 OLD BAYSHORE HIGHWAY
MILLBRAE, CA 94030
(960) 692-3500

This meeting will also be conducted via Teleconference
(669) 944-9171; Meeting ID: 981 4390 7217

MT. SAN ANTONIO CCD
1100 N. Grand Ave.
Walnut, CA 91789
Duetta Wasson (909) 274-5508

PALOMAR CCD
1140 West Mission Rd.
San Marcos, CA 92069
Victoria De La Torre (661) 722-6300

I. CALL TO ORDER

II. ROLL CALL

CHAIRPERSON:

Santa Clarita Community College District
Citrus Community College District

April Marin, Chair
Wade Ellis, Vice Chair

COMMITTEE MEMBERS:

Barstow Community College District
Coast Community College District
Desert Community College District
Los Rios Community College District
Mt. San Antonio Community College District
NCCCSIA/Marin Community College District
Palomar Community College District
Pasadena Area Community College District
San Diego Community College District
San Joaquin Delta Community College District
Santa Monica Community College District
West-Valley Mission Community College District

DeeDee Garcia
Janet Phillips
Terri Wilson
Anita Singh
Duetta Wasson
Eresa Puch
Victoria De La Torre
Darlene Inda
Joel Peterson
Stacy Pinola
Daniel Phillips
Michael Robins

EX-OFFICIO:

South Orange County Community College District

Ann-Marie Gabel

MANAGER:

Keenan & Associates

Colleen Bjerknes
Jeff Ostrom
Brian Evans
Matthew Takeda
Peter Vasquez

III. APPROVAL OF AGENDA

ACTION

Page 6

SWACC retains the right to change the order in which agenda items are discussed. Subject to review by SWACC, the agenda is to be approved as presented. Items may be deleted or added for discussion only according to G.C. § 54954.2.

COMMITTEE CONSIDERATION

IV. PUBLIC COMMENTS

INFORMATION

Page 7

Members of the public wishing to comment on an agenda item or another topic within the jurisdiction of the Committee will be given the opportunity to ask questions by submitting public comments via email to the SWACC JPA Manager, Colleen Bjerknes, at: cbjerknes@keenand.com. All public comments will be accepted via email. Submissions must be received by 8:30 a.m. on the day of the meeting. Please include in the subject line of the email: COMMENTS FOR THE MEETING OF November 3, 2025. Please indicate if you are addressing a specific agenda item or are making “Public Comment.” Submissions will be read aloud at the meeting and must comply with the 3-minute time limit.

PUBLIC COMMENTS

COMMITTEE CONSIDERATION

V. APPROVAL OF MINUTES – August 11, 2025

ACTION

Pages 8-15

The Committee will review the minutes of the August 11, 2025 Committee meeting for any adjustments and adoption.

COMMITTEE CONSIDERATION

VI. CORRESPONDENCE

INFORMATION

Pages 16

Correspondence will be presented and reviewed by SWACC. No action may be taken in response; only referred for action on a subsequent agenda.

COMMITTEE CONSIDERATION

VII. CLOSED SESSION

ACTION/INFORMATION

Pages 17-153

As authorized by Government Code Sections 54954.5 and 54956.9, the Committee will discuss the following:

A) SPECIAL CLAIMS CONSIDERATIONS/REQUESTS/APPEALS:

ACTION

Pages 18

At the time of the agenda, there were No Special Requests to present.

COMMITTEE CONSIDERATION

B) LIABILITY CLAIM SETTLEMENT AUTHORIZATIONS:

ACTION

At the time of the agenda, there were No Liability Claim Settlements to present.

COMMITTEE CONSIDERATION

Pages 19

C) LOSS RUN/CLAIM REVIEW/CLAIM INCURRED ANALYSIS:

ACTION
Pages 20-22

The Manager will review new/serious claims from the Claim Incurred Analysis.
COMMITTEE CONSIDERATION

D) CLAIM UPDATES NEW/SERIOUS REPORTS:

INFORMATION
Pages 23

At the time of the agenda, there were No Claim Updates to present.
COMMITTEE CONSIDERATION

E) NEW LOSS REPORT:

INFORMATION
Pages 24-26

The Manager will provide a report on any new losses that pierced SWACC's member retained limit during the most recent quarter, for information.
COMMITTEE CONSIDERATION

F) TRIALS:

INFORMATION
Pages 27-37

The Claims Administrator will provide information regarding any new pending trials, updates on current pending trials, and trial results for Committee information.

New Pending Trials (pages 27-35):

1. Alvarez v. Desert CCD
2. Anne-Hobbins v. Desert CCD
3. Rabii-Rankin vs. Rancho Santiago CCD
4. Wang v. Foothill De Anza CCD

COMMITTEE CONSIDERATION

Trial Updates:

At the time of the agenda, there were No Trial Updates to present.
COMMITTEE CONSIDERATION

Trial Results:

At the time of the agenda, there were No Trial Results to present.
COMMITTEE CONSIDERATION

G) COVERAGE OPINIONS:

ACTION
Pages 38-106

The following claims will be presented and discussed by the Committee for coverage issues and position letters as per the SWACC coverage determination policy:

1. Boullard v. Santa Monica CCD
2. Desmangles v. San Joaquin CCD
3. Gallagher v. San Diego CCD
4. Garibay v. Antelope Valley CCD
5. Heras v. Pasadena Area CCD
6. Humble v. San Bernardino CCD
7. Noland v. Rancho Santiago CCD
8. Schmidt v. Sonoma County Jr. CCD

9. Smith v. Foothill De Anza CCD

10. Soto v. Santa Clarita CCD

COMMITTEE CONSIDERATION

H) POSITION LETTERS:

ACTION
Pages 107-126

Position letters issued August 14, 2025 are included in the agenda for Committee ratification.

COMMITTEE CONSIDERATION

I) IN-HOUSE SETTLEMENT AUTHORITY REQUESTS:

ACTION
Pages 127-153

Approved in-house settlement authority requests are included in the agenda for Committee ratification.

COMMITTEE CONSIDERATION

VIII. OPEN SESSION

INFORMATION

Page 154

In accordance with Government Code Section §54957.1, any action taken while in closed session will be reported out.

COMMITTEE CONSIDERATION

IX. PROPERTY CLAIM SETTLEMENT AUTHORIZATION REQUEST(S)

ACTION
Pages 155-159

1. Cabrillo CCD

2. El Camino CCD

COMMITTEE CONSIDERATION

X. CLAIMS PAID REPORT

ACTION
Pages 160-161

Review the closed and settled claims report from July 1, 2025 – September 30, 2025.

COMMITTEE CONSIDERATION

XI. APPROVED DEFENSE ATTORNEY PANEL – ANNUAL REVIEW

ACTION
Pages 162-174

Review reports evaluating defense attorney firm performance and take action on any requests received in regard to the approved defense attorney panel.

COMMITTEE CONSIDERATION

XII. CLAIMS & COVERAGE POLICY REVISIONS

ACTION
Pages 175-194

Review SWACC's revised Claims & Coverage Policies and take action to recommend approval.

Claims & Coverage Policies with Revisions:

1. **Coverage Determination Policy** – Minor grammatical updates.
2. **Claim Settlement Authority Policy**– Minor grammatical updates.
3. **Claims Audit Policy**– Minor grammatical updates.
4. **Defense Counsel Selection Policy** – Minor grammatical updates, language consistency and procedural updates to reflect current practices.
5. **Defense Counsel Guidelines Policy** – Minor grammatical updates, language consistency and procedural updates to reflect current practices.
6. **Claims Administrator Policy**-Minor grammatical updates.

7. **Loss Data Reporting Policy** - Minor grammatical updates and language consistency.
8. **Amicus Brief Policy** - Clarifying language allowing SWACC to delegate authority to any member of the Executive Committee to authorize counsel to file an Amicus Brief.
9. **Settlement Policy for Non-Covered Damages** – Minor grammatical updates and clarifying language.

COMMITTEE CONSIDERATION

XIII. 2026 ANNUAL CONFERENCE CLAIMS TOPICS

ACTION AS NECESSARY

Page 195-196

The Committee will discuss desired topics for the 2026 Annual Meeting in January.

COMMITTEE CONSIDERATION

XIV. BRIEFINGS/ LEGISLATIVE UPDATE

ACTION AS NECESSARY

Pages 197-213

Discuss recent briefings for Committee review.

COMMITTEE CONSIDERATION

XV. INFORMATION REPORTS

MEMBER COMMENTS:

Each Committee member may report about various matters involving SWACC. There will be no Claims Committee discussion except to ask questions or refer matters to staff, and no action will be taken unless listed on a subsequent agenda.

MANAGER COMMENTS:

The Manager will report to the Claims and Coverage Committee about various matters involving SWACC. There will be no Committee discussion except to ask questions or refer matters to staff, and no action will be taken unless listed on a subsequent agenda.

OTHER COMMENTS:

The public may address the Claims and Coverage Committee on any matter pertaining to SWACC that is not on the agenda. The chairperson reserves the right to limit the time of presentations by individual or topic.

XVI. AGENDA ITEMS NEXT MEETING

Members and visitors may suggest items for consideration at the next meeting which is scheduled for February 20, 2026. Regularly scheduled agenda items are:

- Closed Session – Claims

XVII. ADJOURNMENT

Americans With Disabilities Act

The Statewide Association of Community Colleges conforms to the protections and prohibitions contained in Section 202 of the Americans with Disabilities Act of 1990 and the federal rules and regulations adopted in implementation thereof. A request for disability-related modification or accommodation, in order to participate in a public meeting of the Statewide Association of Community Colleges, shall be made to: Jeff Ostrom, JPA Account Manager, Keenan & Associates, 2355 Crenshaw Boulevard, Suite 200, Torrance, CA 90501, 310.212.3344.

Documents and materials relating to an open session agenda item that are provided to the SWACC Claims & Coverage Committee less than 72 hours prior to a regular meeting will be available for public inspection and copying at 2355 Crenshaw Boulevard, Suite 200, Torrance, CA 90501. The documents will also be available on the agency's website at www.swacc.org.