Public entity

2021 Risk trends

Featured trend

Each year, this section focuses on a topic that is currently impacting the industry. This year's selected topics are sexual misconduct and failure to educate.

Child sex abuse statutes of limitation by jurisdiction[9]

42 states
have no criminal child sex abuse statutes of limitation for some or all claims

13 states
have no civil child sex abuse statutes of limitation for some or all claims

19 states
have a reviver or lookback window for expired civil claims

Many states
have bills underway to extend criminal and civil child sex abuse statutes of limitation

1   https://www.nytimes.com/2020/11/15/us/boy-scouts-abuse-claims-bankruptcy.html

2   https://www.nytimes.com/2018/01/25/us/the-metoo-moment-for-us-gymnasts-olympics-nassar-justice.html

3   https://www.wkar.org/post/insurers-begin-pay-msu-cover-costs-nassar-settlements#stream/0

4   https://www.nytimes.com/2018/01/25/us/the-metoo-moment-for-us-gymnasts-olympics-nassar-justice.html

5   https://www.wsj.com/articles/a-look-at-sexual-harassment-and-assault-settlements-in-schools-1514386801

6   https://www.courts.ca.gov/9618.htm

7   https://childusa.org/wp-content/uploads/2020/04/Delayed-Disclosure-Factsheet-2020.pdf

8   https://www.neumannlawgroup.com/sexual-assault-sol-revival-windows.html

9   https://childusa.org/2020sol/

10 https://www.wsj.com/articles/child-sex-abuse-claims-are-a-growing-risk-to-insurance-firms-11563710520

The impact of the #MeToo movement on schools

In October 2017, dozens of accusations of sexual abuse were made against now-disgraced media mogul Harvey Weinstein. In the following months, millions of women, men, and children around the globe began using the hashtag #MeToo across social media platforms to signify that they too had been a survivor of sexual harassment and/or abuse. As society's willingness to discuss victims' stories increased, high-profile individuals continued to come forward with their stories and contribute to the national dialogue. It was not long before cases involving students and minors began to join the national dialogue.

- As of November 2020, the Boy Scouts of America face more than 82,000 sexual abuse claims alleging assaults by scout leaders. This abuse spans decades with accusers ranging in age from 8 to 93 and with cases in all 50 states. In preparation for the onslaught of sex-abuse cases, the Boy Scouts filed for bankruptcy in a bid to survive the demands for damages.[1]

- Larry Nassar of Michigan State University (MSU), and USA Gymnastics' doctor, was accused of sexually assaulting more than 150 gymnasts and ultimately sentenced to 40–175 years in prison.[2] USA Gymnastics filed for bankruptcy in December 2018 and MSU reportedly reached a settlement agreement with Nassar's victims of $500M, much of which is still being paid out.[3,4]

Increased reporting and prosecution of sexual assault and misconduct has not been limited to the high-profile universities. In December 2017, the Wall Street Journal sampled 13,000 U.S. school districts and found that at least 26 of these school districts paid an estimated $37M in settlements that stemmed from sexual harassment or assault allegations. In 19 of 26 settlements, the victims were students.[5]

Following the increased reporting of sexual assault and molestation, legislators across the country took action to review the criminal and civil statutes of limitations (SOLs) for child sex abuse and also implemented revival windows. A statute of limitations sets a deadline by which a lawsuit must be filed.[6] For children who are victims of sexual abuse, studies have shown that the average age of disclosure is 52 years old, well beyond the SOLs that existed in 2018.[7] A revival window "sets a particular time period under which the survivor can sue an individual or institution, regardless of when the assault occurred", even if it is beyond the statutes of limitation.[8] Since 2018, civil and criminal SOLs for child sex abuse and revival windows have continued to shift in the favor of the victim, either extending the SOLs or eliminating them altogether. Child USA reports that as of October 15, 2020[9]:

These shifts in legislation led insurers to evaluate their reserves in 2019. Mostly notably, "Travelers Cos. and Chubb Ltd… added to their reserves because of uncertainty about sexual-abuse liabilities. Travelers increased reserves in the first quarter by between $50 million and $100 million after New York's Child Victims Act was signed into law [while]… Chubb increased reserves in the fourth quarter [2018] 'in response to the difficult environment around molestation and abuse,' said Michael Smith, the company's chief claims officer."[10] Insurers have also taken underwriting action in response to this evolving trend. These actions include rate increases, higher deductibles, reduced capacity, additional application questions, and, in some cases, altering coverage language.

Guarding against sexual misconduct in schools

The #MeToo movement challenged all institutions to ask if the risk protocols that they had in place were adequately protecting against sexual abuse and misconduct. In many cases, the emergence of new sexual misconduct claims in a post-#MeToo era proved that the existing controls weren't enough. Schools should revisit these cornerstones of prevention to make sure they're doing all they can to protect students.

Robust policies

All educational institutions should have a clear, written statement of policy and procedures regarding the unacceptability of sexual misconduct or abuse.

☑ Policies should include a written procedure for the reporting of incidents, allegations, or claims involving sexual misconduct.

☑ Robust policies also set clear expectations regarding employees, volunteers, and student teachers' responsibility to report suspected sexual misconduct or abuse promptly.

☑ Sexual misconduct must be explicitly defined in the policy, including the use of any state-specific definitions and statutory references where applicable.

☑ Engaging legal counsel is critical when the initial policy is drafted, and legal counsel should be engaged in an annual review of the policy once it is created. This annual review allows for the incorporation or updating of emerging trends, such as expectations surrounding social media use between students and employees/volunteers.

☑ Once written, these policies must be easily accessible to all employees and volunteers through a virtual or physical publication.
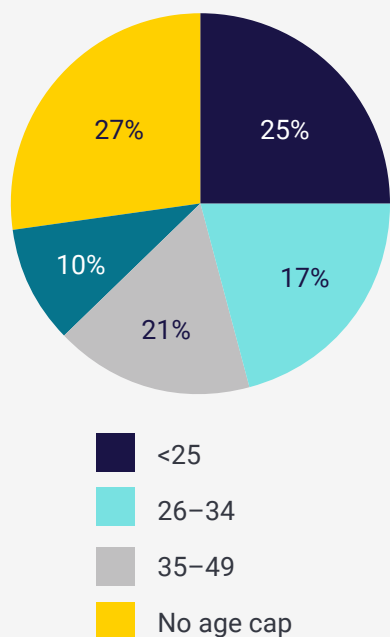
Effective implementation of policies

Having a robust policy is only the first step in protecting against sexual misconduct or abuse. Effective implementation and enforcement of policies is ultimately one of the greatest ways to reduce the risk of sexual misconduct or abuse. The best administrations bring a proactive mindset to prevention and policy implementation. Some steps that schools should take to ensure proper implementation include:

☑ Screening of new employees and volunteers. This includes obtaining references from prior employment, a multistate sex offender registry check, and a criminal record check (including the National Crime Information Center).

☑ Ongoing background checks for existing employees and volunteers at three-year intervals

☑ Requiring initial employee/volunteer training, followed by annual training. Each course completion should be documented.

☑ Providing multiple ways in which suspected misconduct or abuse may be reported, such as through designated staff or a hotline

☑ Regularly scheduled audits of policy adherence, including an in-depth review of all reported incidents followed by a debrief on lessons learned

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Policies can be sourced from a subscription-based resource or state resource, such as NEOLA or a State School Boards Association.

A 2019 study of school sexual misconduct policy effectiveness revealed "an absence of policy implementation [in the study schools], demonstrated most seriously by a lack of awareness and understanding of policies among school employees, understanding of policies among school employees, underreporting, and ineffective data collection."[11]

11 Billie-Jo Grant & Walter Heinecke (2019): K–12 School Employee Sexual Abuse and Misconduct: An Examination of Policy Effectiveness, Journal of Child Sexual Abuse

Statute of limitation age caps across the U.S. (percentage of states)[13]

- <25 — 25%
- 26–34 — 17%
- 35–49 — 21%
- No age cap — 27%
- (teal) — 10%

Handling accusations of sexual misconduct

Despite an institution's best efforts, accusations of sexual misconduct may still occur. In part this may be attributed to the sheer scale of the larger crisis of sexual misconduct and abuse in the United States. According to a 2017 study funded by the Department of Justice, "an estimated 10 percent of K-12 students will experience sexual misconduct by a school employee by the time they graduate from high school."[12] Therefore, it is critical to have procedures in place to manage reported accusations. The first step after an accusation is made is to ensure the safety of the victim and any individuals under the care of the accused. Safety means ensuring the victim's physical safety (e.g., determining if they are in the proximity of the alleged abuser) and also their mental/emotional safety (e.g., determining if they are at risk for self-harm, depressed, etc.). Each institution's policy should detail how allegations must be reported, to whom, the specific steps of the investigation process, and how the results of the investigation will be communicated. Policies generally include:

- Whom within the administration must be notified of the accusation and within what period of time
- If and when local/state law enforcement and/or child services must be notified
- How to protect the identity of all parties involved, including but not limited to the victim, the reporting party, and the accused
- If and when to remove the accused from contact with students
- Detailed steps to an investigation process
- Communication strategy
- Proper documentation of steps followed
- Post-mortem to identify key learnings and potential changes to policy

COVID's impact on sexual misconduct occurrence and reporting

The novel coronavirus forced much of the world's education system to move to remote learning. While some may hope that this removes the risk of sexual misconduct or abuse in a school setting, the reality is that perpetrators have likely shifted their methods, not stopped their behavior. A fall 2020 study conducted by Interpol found that "under-reporting of child sexual abuse and increased sharing of child exploitation material through peer-to-peer networks are among the effects of the COVID-19 pandemic"[14] In the U.S., Child USA estimates that "approximately 200,000 cases of children maltreatment went unreported in the months of March and April due to school closures amid the pandemics [and that] … calls to child abuse hotlines are down 70 percent amid the pandemic".[15] The emotional and psychological toll that this pandemic has taken on students and teachers alike will take time to quantify, but we know there is absolutely an impact on students and teachers. As classrooms reopen, abusers may look to take advantage of the new environment that includes many new policies and procedures. Schools must stay vigilant as they reopen their doors and reinforce early and often the policies and resources available regarding sexual misconduct.

12 https://www.ojp.gov/pdffiles1/nij/grants/252484.pdf

13 https://childusa.org/2021sol/

14 https://www.interpol.int/en/News-and-Events/News/2020/INTERPOL-report-highlights-impact-of-COVID-19-on-child-sexual-abuse

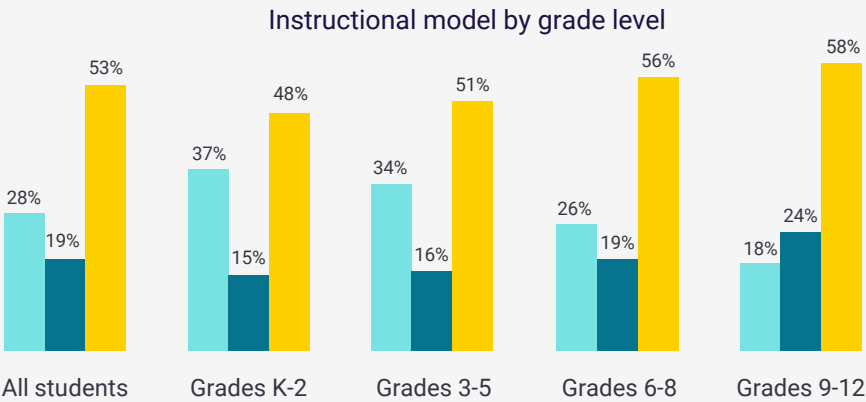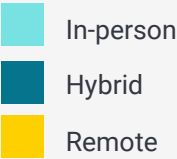15 https://childusa.org/focus-on-facts/

Failure to educate claims are on the rise with virtual learning models

COVID-19 has been a major disruptor for many industries. Chief among them is education, where the near-total shutdown of all schools and the shift to distance learning at the start of the pandemic in spring of 2020 led to school districts across the country adopting different approaches to learning during the 2020-21 school year. The three main approaches to education that arose include (1) fully remote instruction, (2) fully in-person instruction, and 3) hybrid instruction with a mix of remote and in-person learning.[16]

Most students receive remote instruction

Though younger students are more likely than older students to be taught in a classroom, more than half of students at almost every grade level are fully remote.

- In-person
- Hybrid
- Remote

Instructional model by grade level

	All students	Grades K-2	Grades 3-5	Grades 6-8	Grades 9-12
In-person	28%	37%	34%	26%	18%
Hybrid	19%	15%	16%	19%	24%
Remote	53%	48%	51%	56%	58%

Schools that have opted to use some form of distance learning are facing new failure to educate claims from families of students who oppose distance learning options, with the majority stemming from students with disabilities, who are entitled to a free and appropriate public education (FAPE) under the Individuals with Disabilities Act (IDEA).
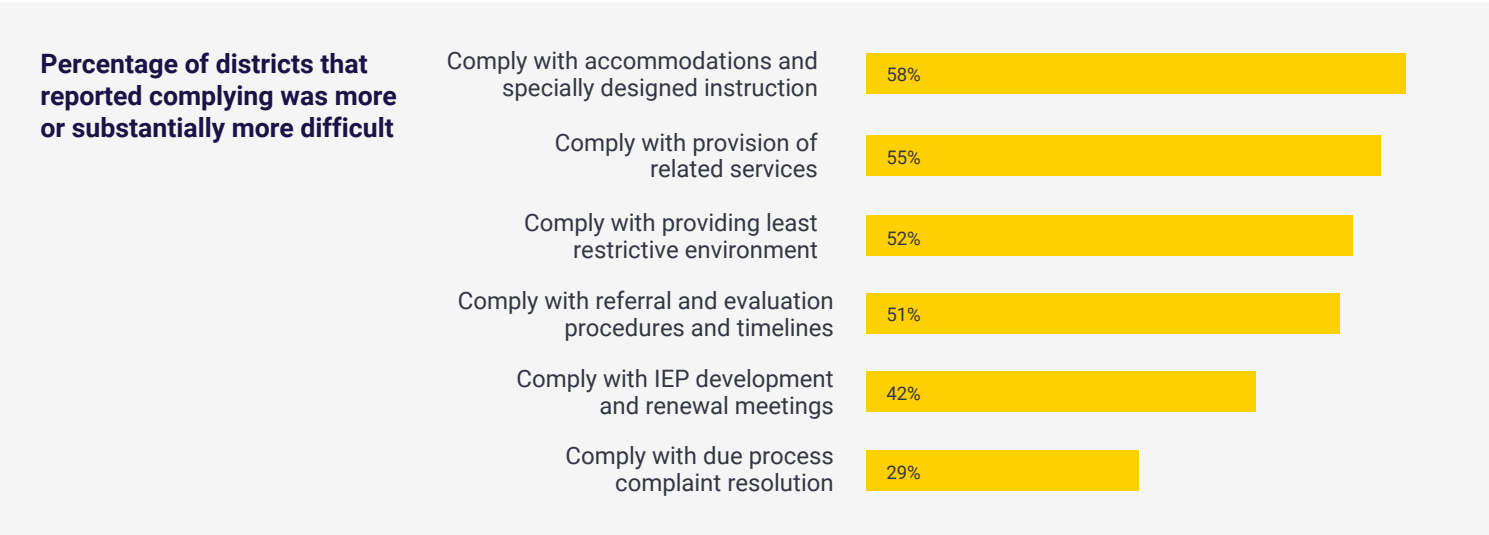
The fully remote and hybrid models create a unique set of challenges for students with functional needs receiving therapies through schools and those who are on Individualized Education Programs (IEPs). These challenges were recognized in a national survey conducted by the American Institutes for Research (AIR) whose goal was to determine how COVID-19 affected education for students with disabilities. AIR found that complying with IDEA and Section 504 requirements was difficult for all school districts, noting similar responses across high- and low-poverty and rural and urban districts and illustrating the widespread nature of this issue. Districts reported compliance was more difficult around areas such as fulfilling accommodations and specially designed instruction, providing a least restrictive environment, and adhering to referral and evaluation procedures and timelines.[17]

16 https://www.educationnext.org/pandemic-parent-survey-finds-perverse-pattern-students-more-likely-to-be-attending-school-in-person-where-covid-is-spreading-more-rapidly/

17 https://www.air.org/sites/default/files/COVID-Survey-Spotlight-on-Students-with-Disabilities-FINAL-Oct-2020.pdf

Percentage of districts that reported complying was more or substantially more difficult

Comply with accommodations and specially designed instruction	58%
Comply with provision of related services	55%
Comply with providing least restrictive environment	52%
Comply with referral and evaluation procedures and timelines	51%
Comply with IEP development and renewal meetings	42%
Comply with due process complaint resolution	29%

The study further identified several areas that were the hardest part of remote instruction, including providing hands-on accommodations and services, appropriate instructional accommodations, and speech therapy.[18]

Percentage of districts that reported providing support was more or substantially more difficult

Provide hands-on accommodations and services	82%
Provide appropriate instructional accommodations	73%
Provide speech therapy	62%
Engage families for help with IEP requirements	57%
Collaborate with social service or other agency partners	55%

Mitigating the risk of failure to educate claims

For schools, it's important to treat learning concerns as a top priority and to take a proactive approach, before issues potentially develop into larger — and more costly — problems. Here are some key actions schools should take to help ensure they continue to meet their students' learning needs.

- **Adapt IEP meetings to a virtual environment.** By adapting the delivery method for the IEP meeting, educational agencies are better equipped to meet IDEA Part B service provisions and timeframe requirements for initial, annual, and re-evaluation IEP meetings. The Diverse Learners Cooperative (DLC) provides a checklist for conducting virtual IEP meetings, as well as engaging questions for consideration.

- **Be flexible and creative with IEP requirements.** The DLC suggests using "a variety of methods, materials, and team members to deliver high-quality services" and to "get creative with delivery through online and analog methods," sharing examples of IEP service scenarios utilizing high- and low-technology options. Below is an example of what reading intervention could look like for a remote student on an IEP.[19]

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18 https://www.air.org/sites/default/files/COVID-Survey-Spotlight-on-Students-with-Disabilities-FINAL-Oct-2020.pdf

Reading intervention

| IEP service minutes: 60 minutes, 5x per week	Skill(s) to target: Decoding + Fluency
High technology option: • Assign students skill activities to complete on a digital learning platform (e.g. Scholastic, Starfall, IXL, i-Ready) for about 15 to 20 minutes • Pre-record video lessons of reading intervention lessons for students to access online for students to watch (e.g. 30 minutes 3x/week) - Schedule a video or phone check-in for 2 times a week for 15 to 20 minutes each • Track progress through online platform, or create quizzes using Google Forms	**Low technology option:** • Mail a printed set of worksheets or a student workbook to the student's house, with directions for how often to complete a sheet (spending about 10 to 15 minutes per task) • Schedule a phone call for 3 times a week (for 15 to 20 minutes each) to review worksheets and practice phonological awareness activities (e.g. rhyming, syllables, blending, segmenting) • Track progress through oral exercises, or ask students to write words/sentences to send you

- **Establish a process to evaluate student learning concerns.** As learning platforms and teaching environments change, having a consistent way to identify concerns and decide when to make modifications is critical. Consider assigning responsibility for evaluation to a dedicated official. There are various online tools for progress monitoring to assist with the evaluation process, such as Marshall Street's Virtual Progress Monitoring and the National Center on Intensive Intervention at AIR's Tools Charts, which are available for both academic and behavior screening, progress monitoring, and intervention tools.

- **Set a cadence for reaching out to families with IEPs and use a communication log for tracking.** Encourage families to contact the district with questions or concerns and to flag emerging issues so they can be addressed. Consider increasing frequency of check-ins between educators and families and also using a communication log to help track completed touchpoints and topics discussed and to schedule future calls.

- **Notify your carrier as soon as issues emerge.** Set up a conference with the family as soon as any complaints or allegations that an IEP isn't being followed come to light to try to reach a resolution.

- **Reach out to your insurance agent or broker to discuss your school's or district's current insurance program** and to determine whether it includes Educator's or School Leader's Errors and Omissions coverage or a similar professional liability policy. Failure to educate claims can be costly to defend, and these policies typically cover nonmonetary defense costs, along with claims handling and legal expertise from the carrier or claims administrator.

- **Seek guidance from your state's Department of Education to ensure compliance.** Below is an interactive map; click on your state to link to your state's COVID-19 guidance or see appendix for URL.

Interactive map: State COVID-19 education resources[20]
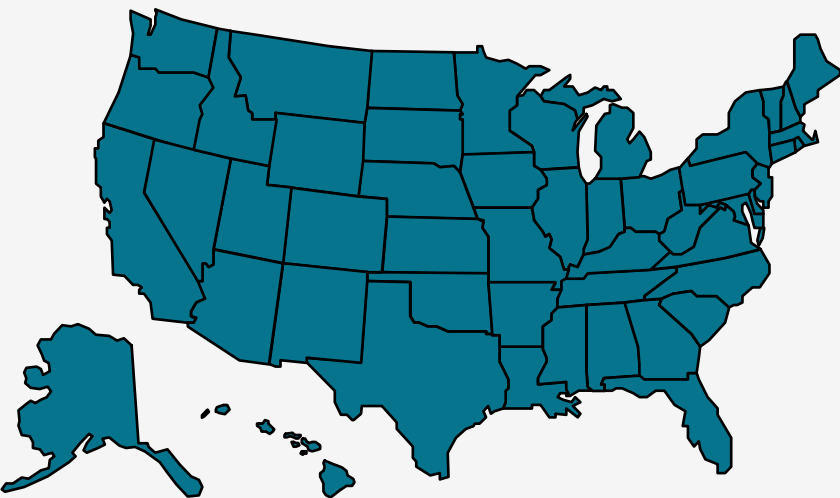
As the U.S. adapts to the "new normal" following the pandemic, it's likely that components of virtual learning will remain for educational institutions. By taking a proactive approach and communicating with families, a school is better equipped to support its students, resolve many issues without attorney involvement, and mitigate the risk of costly failure to educate claims.

19. https://static1.squarespace.com/static/5ed1db01912a495e0dc0f28e/t/5eeae3cc5119dc0eb9ab39fc/1592452046887/Virtual-IEP-Meetings_-Resource-Guide-1.pdf
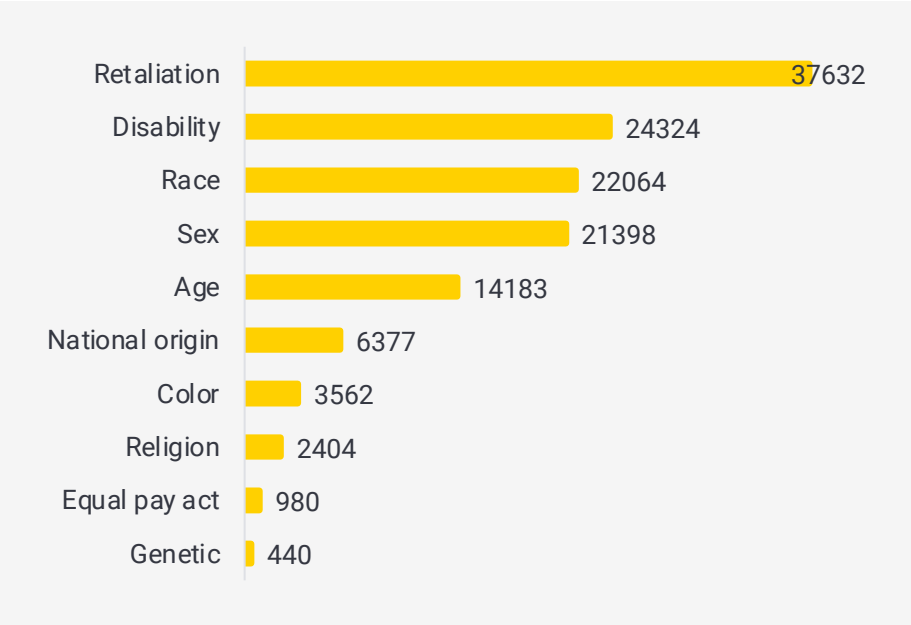
20. https://publish.smartsheet.com/ca16025db8ec4fb2b34297f3b449bad4

Wrongful termination

Most states in the U.S. are considered "at will" employment states, which allow the employer to terminate an employee with or without reason. However, there are federal and state laws protecting employees from wrongful termination for illegal reasons, such as discrimination, violation of public policy, retaliation, and contractual obligations. The table below highlights these common reasons for wrongful termination.[21]

Age discrimination
Age discrimination at the workplace involves treating employees or job applicants less favorably because of their age.

Constructive discharge
Constructive discharge occurs when an employee resigns as a result of the employer creating a hostile work environment.

Disability
Wrongful termination for having a disability, even though the employee could fulfill their duties, is illegal.

Employment contract
Wrongful dismissal occurs when a termination breaches one or more terms of a contract of employment.

Gender
Being wrongfully terminated because of an employee's sex is called termination due to gender discrimination.

Pregnancy
It is illegal to terminate a woman for becoming pregnant. Pregnancy cannot be the cause of losing a job.

Public policy
Firing an employee due to exercising a legal right, or refusing to do something illegal, may be in violation of public policy.

Race, color, nationality
Termination or workplace harassment due to an employee's race, color, national origin, and religion is illegal.

Retaliation
Retaliatory discharge occurs when an employee is terminated because of reporting some wrongful conduct of the employer.

Sexual orientation
Being discriminated against for gender expression/identity or sexual orientation is illegal in many instances.

Whistleblower
Whistleblowing is when an employee reports illegal conduct that is not related to workplace rights.

According to the Equal Employment Opportunity Commission (EEOC), there were more than 70,000 workplace discrimination and termination charges filed between September 2019 to 2020, with retaliation being the most frequently cited workplace discrimination claim. Retaliation was cited in 56 percent of all charges filed, followed by disability, race, and sex.

Category	Charges
Retaliation	37632
Disability	24324
Race	22064
Sex	21398
Age	14183
National origin	6377
Color	3562
Religion	2404
Equal pay act	980
Genetic	440

21 https://www.wrongfulterminationsettlements.com/

22 https://www.eeoc.gov/newsroom/eeoc-releases-fiscal-year-2020-enforcement-and-litigation-data

The education and government sectors are not immune to wrongful termination suits. For instance, Seattle Public Schools recently settled a lawsuit against a former athletic director for $400,000. The suit alleged that "the termination violated his constitutional rights and endangered his career," although as part of the settlement the details are confidential.[23] Settlement amounts can vary widely for these types of claims with some reaching into the millions. As another example, a teacher in California was "awarded more than $3.5 million… in a wrongful termination lawsuit against the Archdiocese of Los Angeles" due to allegations of becoming pregnant while not married.[24] These two examples highlight that wrongful termination suits can be costly, so it is important to have strong, formal employment practices in place to mitigate the risk.

In a government instance, an arson investigator with the city of Charlotte, North Carolina, filed a wrongful termination suit alleging retaliation for her objection to worker safety when her department moved to a new office building that she claimed was unsafe. While the city stated she was fired for an inappropriate social media post, the jury found the city guilty, awarding the plaintiff $1.14M in damages and attorney costs.[25]

Ensuring effective employment practices policies and procedures

Given recent trends in wrongful termination allegations and suits, it is critical your school or municipality has sound and clearly defined policies and procedures on employment practices. The policy should be effectively communicated to staff and employees, ensuring they know who to go to with concerns. The policy should also be updated frequently and reviewed at least annually, including with legal counsel who are practiced and experienced in public sector employment law.

23 https://www.seattletimes.com/seattle-news/education/seattle-public-schools-will-settle-lawsuit-with-former-athletic-director-for-400000/

24 https://www.dfederlaw.com/blog/2018/12/teacher-awarded-over-35-million-in-wrongful-termination-case/

25 https://www.charlotteobserver.com/news/politics-government/article180896311.html

26 https://safetynet.libertymutual.com/Documents/ReferenceNotes/RC8110.pdf
   Citing this document for internal purposes; likely do not need to include in final publication.

Regarding termination and misconduct, here is a checklist to identify improvement opportunities for your current employment practices policies and procedures:[26]

- ☑ The school addresses personnel issues rather than transferring a problem to another school or department within the district.

- ☑ Procedures for investigating employee misconduct are implemented and consistently applied.

- ☑ The human resource department and legal counsel are consulted prior to, during, and after any significant employment-related activity (e.g., terminations, reductions in force, employee discipline, etc.).

- ☑ School supervisors and managers do not have the authority to terminate an employee "on the spot."

- ☑ Termination and employee discipline protocols include a review of employment-related contracts, collective bargaining agreements, and similar issues before a significant employment-related action is taken.

- ☑ The school has a good understanding (or has access to someone who does) of local procedures in terminating or nonrenewing employees with employment contracts.

- ☑ The school has established attorney-approved employee termination procedures and protocols such as:
  - Who is allowed to make a termination decision
  - How and where the message is communicated
  - How post-termination issues are handled
  - Proper documentation and follow-up
  - Anticipating and addressing conflict

Understanding the external environment is essential when formulating strategies for the upcoming year. This section summarizes macroeconomic trends that impact public entities.

Online education

The K-12 online learning market, which includes students enrolled in distance-education courses with online components, is poised for steady growth in the years ahead. Dozens of states now have fully online virtual schools, which serve about 420,000 students nationwide, according to Evergreen Education Group. Most of these online schools are charter schools with statewide enrollment, but a growing number are run by local districts. Public school students may take supplemental online courses to study subjects that aren't available at their schools or to receive extra help with their studies.

Growing data security threat

As public schools increase investments in education technology (EdTech), funds devoted to staff education, security software, disaster planning, and data governance policies will also necessarily increase due to growing adoption of these systems placing schools at higher risk for data breaches. For example, nearly 6,000 accounts containing students' personal information were exposed in November 2019 when a student gained unauthorized access to an online college and career readiness program in Maryland. The attacker downloaded demographic information about students at six schools across the school district before the software provider identified the breach. This incident occurred approximately a year after the Federal Bureau of Investigation (FBI) issued a warning that growing use of personalized learning and collaboration technology, as well as backend systems that track student performance and manage classroom information, is putting the personal information of K-12 students at greater risk. Such information can be used for social engineering, identity theft, bullying, and other malicious acts, according to the FBI.

Ensuring school safety

Public school administrators must develop and enforce a number of policies to help ensure the safety of students and staff. The U.S. Department of Education oversees a comprehensive plan for all U.S. schools, covering issues such as gun safety, mental health, community violence prevention, and media influences on children. All schools receive support from the federal government to develop emergency management plans, student counseling programs, and teacher training programs. Some districts have increased spending on metal detectors and other security equipment in recent years in response to school violence.

Expanding mental health services for trauma

More public schools K-12 may be looking to expand their long-term mental health services, including suicide prevention programs, and increase training for staff to respond appropriately to trauma after the Parkland, Florida community lost two students to suicide. The students, who had survived the shooting at Marjory Stoneman Douglas High School in February 2018, committed suicide within one week of each other in March 2019.

In other parts of the country, government agencies and schools have worked together to address suicide prevention efforts. For example, Texas passed a law in June 2019 to add mental health to public school curricula and require districts to have suicide prevention plans, while grants and state budget increases in Montana and Tennessee have recently gone toward teenage suicide prevention programs.

Growth in special education spending

All U.S. schools are required to provide accommodations for students with physical and mental disabilities that negatively impact academic performance. About 7 million students — 14 percent of the public K-12 student population — receive special education services. Special education is significantly more expensive than general classroom instruction on a per-pupil basis, and many districts struggle to keep up with the rising costs of staffing and materials for special education classrooms.

Source: D&B Hoovers powered by First Research, https://app.dnbhoovers.com/, 2020

Growing role of technology in new normal

Technology plays a dominant role in the new normal, which will change definitions of the workplace, both remotely and on the job site. According to the American Federation of Government Employees, more than 56 percent of federal employees are working remotely due to the pandemic. To prepare for the new normal, companies have redirected investments from bigger office spaces and on-site support to new technological solutions to allow for resilient, safe, and productive work environments. For example, Work Examiner, an employee monitoring software, enables companies to monitor employees' working time and online activity through software downloaded on their laptops.

Bans on facial recognition technology

More local governments may ban facial recognition technology as companies like Amazon, Microsoft, and Google contend with perceived accuracy, privacy, and civil liberties issues. According to a recent issue of Government Technology magazine, while facial recognition technology has been a boon for law enforcement and school safety, more government agencies are proposing banning or heavily regulating its use. Proposed bans could limit benefits such as providing quicker identification of potential crime suspects, improved government building security measures, finding missing children, and similar functions that many say a computer can complete more efficiently than a human. Government agencies interested in adoption or continued use of facial recognition software may want to work with local policymakers to create oversight for using the technology, as well as establish funding to support developing more accurate systems.

Chief data officers

Cities across the U.S. are hiring chief data officers (CDOs) as they work to digitize administrative operations and improve technology resources for constituents. About 20 large and midsize cities have hired a dedicated CDO, including Minneapolis, New Orleans, New York, Philadelphia, and Louisville. Cities increasingly need to track and analyze data to find efficiencies in city maintenance, traffic flow, record keeping, and tax processes, as well as to better address homelessness, food safety, urban decay, and other challenges. The Civic Analytics Network is an association of municipal CDOs working to coordinate city data processes by sharing best practices, troubleshooting tips, and open-source tools and algorithms.

Water and wastewater funding gap

As pipes and systems age, the U.S. water and wastewater infrastructure is in growing need of upgrade and repair. According to the American Water Works Association (AWWA), the average water main breaks per year is up to 240,000. If every pipe were to need replacement, the estimated cost could reach more than $1 trillion. In the latest survey done by the United States Environmental Protection Agency (EPA), for the next two decades, the U.S. will need to invest more than $271 billion to upgrade its sewer systems.

Risk-management concerns

The top risk-management issues among local governments are employee-related: safety, workers compensation, and employment practices liability. Other concerns include general liability, cyber risk, and privacy litigation. Local governments must be proactive in initiating risk-management policies to minimize liability exposure. Negligent hiring suits have increased against employers, holding them responsible for their employees' actions.

Police transparency demands

Several major U.S. cities are investing in body cameras and other technology to improve transparency and community relations at local police departments. Outfitting officers with devices that record their interactions with suspects has gained momentum since recent high-profile police shootings of civilians. Some of the equipment could be paid for with federal funds.

Source: D&B Hoovers powered by First Research, https://app.dnbhoovers.com/, 2020

Appendix

State	COVID-19 education resources
Alabama	https://www.alsde.edu/covid-19
Alaska	https://education.alaska.gov/safeschools/infectiousdisease
Arizona	https://www.azed.gov/communications/2020/03/10/guidance-to-schools-on-covid-19/
Arkansas	http://dese.ade.arkansas.gov/divisions/communications/covid-19-information
California	https://www.cde.ca.gov/ls/he/hn/coronavirus.asp
Colorado	https://www.cde.state.co.us/safeschools
Connecticut	https://portal.ct.gov/SDE/COVID19/COVID-19-Resources-for-Families-and-Educators
Delaware	https://www.doe.k12.de.us/covid19
Florida	http://www.fldoe.org/em-response/index.stml
Georgia	https://www.georgiainsights.com/coronavirus.html
Hawaii	http://www.hawaiipublicschools.org/ConnectWithUs/MediaRoom/PressReleases/Pages/COVID-19-Information-Updates.aspx
Idaho	https://coronavirus.idaho.gov/resources-for-schools/
Illinois	https://www.isbe.net/Pages/covid19.aspx
Iowa	https://educateiowa.gov/article/2020/03/30/covid-19-guidance-and-information
Indiana	https://www.doe.in.gov/safety/health/covid-19-resources-indiana-schools
Kansas	https://www.ksde.org/
Kentucky	https://education.ky.gov/comm/Pages/COVID-19-Updates.aspx
Louisiana	https://louisianabelieves.com/resources/covid-19
Maine	https://www.maine.gov/doe/covid-19/
Maryland	http://marylandpublicschools.org/newsroom/Pages/COVID-19/index.aspx
Massachusetts	http://www.doe.mass.edu/covid19/
Michigan	https://www.michigan.gov/mde/0,4615,7-140-37818_53456---,00.html
Minnesota	https://education.mn.gov/MDE/dse/health/covid19/
Mississippi	https://www.mdek12.org/COVID19
Missouri	https://dese.mo.gov/communications/coronavirus-covid-19-information
Montana	http://opi.mt.gov/COVID-19-Information
Nebraska	https://www.education.ne.gov/publichealth/resources/
Nevada	http://www.doe.nv.gov/home/COVID_Resources/
New Jersey	https://www.nj.gov/education/topics/index.shtml
New Hampshire	https://www.education.nh.gov/who-we-are/commissioner/covid-19
New Mexico	https://webnew.ped.state.nm.us/bureaus/safe-healthy-schools/covid-19-coronavirus/
New York	http://www.nysed.gov/coronavirus

State	COVID-19 education resources
North Carolina	https://www.dpi.nc.gov/news/covid-19-response-resources
North Dakota	https://www.nd.gov/dpi/nddpi-updates-and-guidance-covid-19
Ohio	http://education.ohio.gov/Topics/Student-Supports/Coronavirus
Oklahoma	https://sde.ok.gov/newsblog/2020-03-12/coronaviruscovid-19-faqs-oklahoma-public-schools
Oregon	https://www.oregon.gov/ode/students-and-family/healthsafety/Pages/COVID19.aspx
Pennsylvania	https://www.education.pa.gov/Schools/safeschools/emergencyplanning/COVID-19/Pages/default.aspx
Rhode Island	https://www.ride.ri.gov/InsideRIDE/AdditionalInformation/Covid19.aspx
South Carolina	https://ed.sc.gov/newsroom/covid-19-coronavirus-and-south-carolina-schools/
South Dakota	https://doe.sd.gov/coronavirus/
Tennessee	https://www.tn.gov/education/health-and-safety/update-on-coronavirus.html
Texas	https://tea.texas.gov/texas-schools/health-safety-discipline/coronavirus-covid-19-support-and-guidance
Utah	https://www.schools.utah.gov/coronavirus
Vermont	https://education.vermont.gov/news/covid-19-guidance-vermont-schools
Virginia	http://www.doe.virginia.gov/support/health_medical/office/covid-19.shtml
Washington	https://www.sbe.wa.gov/news/updated-covid-19-information
Washington, D.C.	https://dcps.dc.gov/coronavirus
West Virginia	https://wvde.us/covid19/
Wisconsin	https://dpi.wi.gov/sspw/2019-novel-coronavirus
Wyoming	https://edu.wyoming.gov/educators/covid-19-resources/

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