

TRANSFORMING THE TREND

SYMPOSIUM REPORT

Working Together to Disrupt the Pattern of Child Sex Abuse



DEAR READERS,

We created the symposium called "Transforming the Trend: Working Together to Disrupt the Pattern of Child Sex Abuse" out of our deep concern for the children in our care. For decades, we have been trying to address the issue through piecemeal solutions. Many organizations manifested good intentions by instituting more comprehensive background checks, for example, or providing training on appropriate boundaries for new employees. In spite of those best efforts, the exposure has continued to change and grow. Today's reality includes an increase in student-versus-student incidents and the dangers of the dark web and social media. Relying upon organizational policies and employee training is not enough.

Many states have recognized that it may take decades to report incidents of sexual abuse or misconduct, and enacted "reviver statutes" that allow for delayed reporting and access to the civil justice system. As incident rates continued to rise, we have watched organizations struggle to create appropriate responses to decades-old incidents of abuse. The resolution of those claims is time consuming and costly, and it has the potential to deflect attention away from current conditions. Although it is important to acknowledge and rectify past harm, focus on resolving old claims is not enough.

As colleagues, we began to share our observations across multiple sectors and realized that we were all seeking an answer to the same set of questions: "How can we prioritize actions that will change these trends? What can we learn from other organizations and from the voices of survivors? What is enough?"

Through the gathering of experts and change-makers, we dove deeply into this topic and created a strategic action plan to continue the work. This report summarizes the discussions, conclusions and recommendations that we hope can influence organizational change and societal transformation.



Dorothy M. Gjerdrum
Senior Managing Director
Public Sector & K-12 Education



Stacie Kroll Managing Director Higher Education



Darrow Milgrim
National Director
K-12 Independent Schools & Camps



Peter Persuitti Managing Director Nonprofit & Religious

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INTRODUCTION

In November of 2022, Gallagher convened a two-day multi-industry symposium to address the ongoing crisis of child sexual abuse and molestation (SAM). This crisis is not isolated within a particular industry group, but rather exists across multiple sectors, including youth-serving organizations such as K-12 public and private schools, higher education institutions, human service organizations as well as faith-based ministries.

The symposium evolved out of years of discussion among Gallagher and industry leaders about the need for a more comprehensive and effective approach. Although guidance, policies and prevention measures have been developed, they have been shared only within the silos of individual industry groups. Within those silos, those tools and processes are usually piecemeal solutions that focus on specific aspects of the crisis—such as mandatory reporting or crisis intervention. We know of no other event that has been explicitly created to bring together organizations from multiple industries to define the crisis, share information and design practical, effective strategies that will address the entire spectrum of the problem.

Gallagher's practice leaders in Public Sector & K-12 Education, Higher Education and Youth Serving Nonprofit Organizations brought together a dynamic group to address the crisis and drive meaningful change. Before the symposium convened, we created an advisory group of national experts to assist in designing the agenda and defining expected outcomes. This group was integral to the structure, content and strategy deployed throughout the event. For the symposium itself, we engaged experts from each industry group to prioritize key issues and build an action plan that would effectively address the crisis.

The tragedy of life is often not in our failure but rather in our complacency; not in doing too much, but rather in our doing too little; not in our living above our ability, but rather in our living below our capacities.

BENJAMIN E. MAYS, CIVIL RIGHTS ACTIVIST

LEVEL SETTING — FACTS AND STATISTICS ABOUT CHILD SEXUAL ABUSE

Child sexual abuse refers to the involvement of a child (person less than 18 years old) in sexual activity that violates the laws or social taboos of society and that he/she:

- · does not fully comprehend
- · does not consent to or is unable to give informed consent to, or
- is not developmentally prepared for and cannot give consent to

Information from the CDC, Office of Justice Programs, National Council on Aging, NPR, Associated Press, Atlanta Journal-Constitution and Federation of State Medical Boards

- The CDC estimates one in four girls and one in thirteen boys experience sexual abuse during childhood
- Ninety-one percent (91%) of perpetrators are known and trusted by the child/family
- Youth-to-youth sexual misconduct occurs at a higher prevalence rate than adult-to-youth
- Adults with intellectual disabilities are sexually assaulted at a rate seven times higher than those without disabilities
- Experts suggest it is near impossible to ascertain the breadth of sexual violations in medicine
- Reported sexual assaults in US Military increased by 13% in 2021
- Elders are three times more often to experience abuse
- The total lifetime economic burden is \$9.3 billion (estimated in 2015)

Experiencing child sexual abuse can affect how a person thinks, acts and feels over a lifetime. This can result in short- and long-term physical, mental and behavioral health consequences. Some examples are listed below.

Examples of physical health consequences:

- Sexually transmitted infections (STIs)
- Physical injuries
- Chronic conditions later in life, such as heart disease, obesity and cancer
- Mental health consequences, such as depression or posttraumatic stress disorder (PTSD) symptoms

Examples of behavioral consequences:

- Substance use/misuse, including opioid misuse
- Risky sexual behaviors, meaning sex with multiple partners or behaviors that could result in pregnancy or STIs
- Increased risk for perpetration of sexual violence
- Increased risk for suicide or suicide attempts

Experiencing child sexual abuse can also increase a person's risk for future victimization. For example, recent studies have found:

- Females exposed to child sexual abuse are at 2-13 times increased risk of sexual violence victimization in adulthood
- People who experienced child sexual abuse are at twice the risk for nonsexual intimate partner violence



WHY THIS TOPIC, WHY NOW?

This crisis was years in the making. However, in recent years, Gallagher has noticed that:

A growing number of organizations are struggling to find coverage for sexual assault and misconduct coverage, including K-12 public and private schools, school pools, colleges and universities, and nonprofits that serve children.

Organizations that serve children need assistance in creating effective risk prevention programs — or choosing the best from the myriad of options.

Those organizations also need support and advice about how to acknowledge and manage the risk of sexual assault and molestation within their organizations.

The landscape is changing: Across the country, states are removing limitations regarding the filing of claims; insurers are beginning to limit coverage and even withdraw from the marketplace, and there is an enhanced societal awareness surrounding sexual assault and molestation that has not been present before.

This symposium put one of the Gallagher tenets into action: We run to problems, not away from them.

MIKE PESCH, PRESIDENT OF GGB AMERICAS AND CEO OF GGB US

WHAT'S DRIVING THIS CRISIS?

As insurance brokers, we traditionally rely upon past and current experience to predict the future and inform appropriate limits, lines of coverage and emerging trends. For SAM, those trends are particularly alarming to insurance companies. They include the increasingly volatile costs of jury verdicts and the rise of lawsuits funded by third parties. The expansion of opportunities for survivors to seek financial compensation, even from very old incidents, is another trend with unpredictable outcomes. We also must remember that SAM claims are the tip of the iceberg in terms of sexual misconduct incidents, many of which are unreported or poorly addressed, creating environments ripe for future violations.

We have observed that even after decades of developing awareness and prevention programs, many organizations are still struggling to create youth protection programs that effectively prevent and disrupt bad behavior. Organizations are also challenged to create appropriate, trauma-informed responses to decades-old incidents of abuse. As a result, insurance markets, frustrated with the lack of tangible reduction in risk, have begun limiting capacity and retracting coverage. Insurers require confidence that the risk can be and is being appropriately managed; without meaningful intervention, insurance experts fear that this disturbing trend will escalate.

It is important to note that while multi-million dollar settlements or jury verdicts and the surge of reviver statutes may be significant drivers of the insurance crisis, there is a broader context that is even more important. According to Johns Hopkins Bloomberg School for Public Health, 12% of youth remain at risk for sexual exploitation, despite the evolution of risk controls over the last few decades.¹

We recognize that we may never eradicate bad actors and reduce this exposure to zero. However, there is a lot that we can do to help organizations prepare and respond, beyond seeking insurance coverage. To create real and lasting solutions, we need to think beyond any one industry group, insurance solution or risk control measure.

[&]quot;Preventing and Addressing Child Sexual Abuse in Youth Serving Organizations—A Desk Guide for Organizational Leaders" published by the Johns Hopkins Bloomberg School of Public Health https://americanhealth.jhu.edu/sites/default/files/2020-11/YSO-Desk-Guide.pdf

SYMPOSIUM OBJECTIVES

The objectives of the SAM Symposium were both aspirational and specific:

- Help organizations that serve children understand and develop a child-safety culture that will support the disruption of bad behavior and early interventions;
- · Improve the management of incident responses and improve an organization's ability to defend itself;
- Learn from the successes and failures of other sectors;
- · Increase our insurance market partners' confidence and willingness to create products to meet our clients' needs; and
- Engage Gallagher's expertise and commitment to protecting children among multiple industry groups.

In other words, rather than seeking piecemeal solutions, we sought a comprehensive, interconnected approach that would address all aspects of the crisis.



WHO PARTICIPATED

An Advisory Group (Seven industry experts)

Three Industry Cohorts (Thirty professionals)

- Higher Education
- Human Services (Nonprofit)
- Public and Private K-12 Schools

One Insurance Cohort (Eight participants)

- Gallagher: Global Brokerage, Retail Brokers
- Gallagher Re: Gallagher Reinsurance, Brokers
- RPS: Risk Placement Services, Wholesale Brokers
- Artex: Captive and Alternative Placement Leaders

Plenary and Panel Speakers (Seven Contributors)

• Thought Leadership on Advocacy, Commitment and Culture

There was strong Gallagher leadership support for the symposium, which included welcome remarks from Chairman and CEO Pat Gallagher, President of Gallagher Global Brokerage Americas and CEO of Gallagher Global Brokerage US Mike Pesch, and the participation of Global Chief Ethics Officer Tom Tropp and Practice Group Strategy Leader Eric Pan. In addition to the collaboration of four practice groups (Higher Education, K-12 Education, Nonprofit and Religious), there were contributions from Gallagher Benefit Services, Gallagher Bassett and Gallagher National Risk Control.

Presenters and panelists represented industry expertise and thought leadership, and they included:

Aaron Lundberg

Praesidium President and CEO

Tom Tropp

Gallagher's Global Chief Ethics Officer

Ju'Riese Colon

US Center for SafeSport CEO

Margo Byrne

YMCA Channel Islands CEO

Dr. Troy Hutchings

NASCTEC Senior Policy Advisor

GREGORY Love

Attorney and Co-Developer of AbusePreventionSystems.com and MinistrySafe.com

Tom Buckley

RC Archdiocese of St. Louis General Counsel

Symposium participants were chosen to reflect the diversity of experience, leadership, roles, persons of color and gender. The cohort groups also represented the breadth of experience and composition of each sector. For example, the K-12 school cohort included a private school board member and head of school, school pools (group insurance organizations) from a variety of geographic locations, and individual public school risk managers from large and small districts. The higher education cohort included varying institution types (including private, public and community colleges), geographic locations and size. The cohort representing youth-serving organizations included the full spectrum of human service organizations as well as faith-based ministries.

Each cohort had the support of an experienced facilitator, a note-taker and a practice group leader. After hearing presentations from experts, the cohorts met to discuss reactions and answer specific questions that helped shape the strategic action plan and other outcomes.

KEY FINDINGS

Sexual misconduct is a process, not a singular event.

Most instances of sexual misconduct are the result of a **long-term process**, in which boundaries are breached gradually and lines of appropriate behavior are blurred. What may begin as an expression of care and compassion for a child can devolve over time into boundary violations or abuse when there is a lack of clear guidelines, effective training, appropriate coaching or corrective behavior. Another example comes from higher education, where faculty members or coaches who have protected status may perpetrate abuse that takes years to uncover. Sexual misconduct is more appropriately viewed as a process rather than a singular event.

Effective policies, procedures and responses are survivor-centric.

Organizations that face an incident of sexual abuse or misconduct must manage their response, including defense of their policies, procedures and actions. That process often prioritizes resolving the claim or incident at the least cost and with the least publicity possible. However, if the primary objective is to protect the reputation or brand of the organization rather than address the systemic conditions that led to the abuse, that objective will drive a process that fails our children. We heard from multiple experts that it is critically important to create policies, procedures and response processes that are responsive and appropriately victim (and survivor)-centric.

We need awareness and urgent action.

In general, we **lack a sense of urgency** about this problem. Lots of organizations do not recognize sexual abuse and molestation as a key risk. It is all too easy to hide behind the belief that "such a thing would never happen here." Or we rely on the belief that child molesters are bad people who do bad things all the time, instead of understanding the long-term process and the slippery slope of inappropriate behavior. The multi-million dollar settlements and verdicts? We rationalize them as California-centric or decades-old stories instead of current-day occurrences across the country. This is also a complex topic to face. Decision makers and governing boards have many critical issues on their agendas; if they are not dealing with an immediate claim or allegation, it may be easier to look away.

This work requires intent and commitment.

Addressing this issue **requires intent and commitment**. If we want real and lasting change, we need to be willing to look at how organizational culture and lack of leadership may be perpetuating the problem. Organizational culture follows leadership and is also a reflection of the beliefs, values and practices of daily life within the organization. If an organization does not explicitly work to be transparent and consistent in the application of policies and procedures, and hold people accountable, the system will not support or encourage disclosure. If survivors are not believed, or privileged abusers are protected, we will fail in our responsibility to protect and care for children.

Every speaker emphasized the importance of good, proactive leadership in order to transform the trend of child sex abuse within organizations. We heard examples of how strong and committed leaders set the tone, which must be consistently and continually communicated, and prioritize the organization's commitment, expressed through the resources and actions needed to create a culture of youth protection.

Institutions of higher education do not identify as youth-serving organizations, yet most serve more minors than college-aged students. The time is now for all to acknowledge the risk of minors involved in college and university programs and activities, and to capitalize on the resources that exist to help to mitigate this top-tier risk.

LINDSAY BOND, EXECUTIVE DIRECTOR, HIGHER EDUCATION PROTECTION NETWORK (HEPNet)

SYMPOSIUM STRUCTURE AND CONTENT

Day-1 focused on the protection of children and the voice of survivors and Day-2 focused on actionable change.

After hearing from the presenters and panelists, industry cohorts met to answer key questions, consider potential solutions and prioritize potential actions.

The time is now to move from a complacency or compliance mindset to a commitment mindset.

AARON LUNDBERG, CEO OF PRAESIDIUM

Highlights from the presenters and panelists:

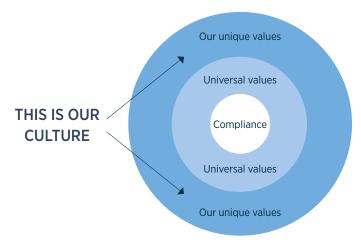
- The days of complacency are gone. Although very few
 organizations are operating in a state of total complacency,
 we need to understand the very human desire to turn away
 from this topic and do nothing. The rise in societal awareness
 has eradicated the luxury of denial or the belief in excuses that
 normalize the behavior by saying "boys will be boys." Where we
 are still complacent, we need to change; complacency must be
 replaced with action.
- Most organizations operate from a state of compliance.
 This evolving crisis has pushed organizations from a state of complacency to a state of compliance. As a result, organizations have become keenly focused on meeting the requirements of insurance carriers or regulators. While compliance can result in program improvement, it is not enough. Compliance alone will not protect our children or improve culture.
- The journey to commitment requires humility (to recognize that we need to do more) and active leadership (to enact change). Commitment requires organizations to focus on culture and values in order to be active leaders in the protection of children. This is a proactive, preventative model, rather than a reactive, compliance model. Organizations that operate from a place of commitment consider the survivor perspective with compassion, transparency and confidence.

Understanding gets compliance. Only belief gets commitment.

STEPHEN BUNGAY, AUTHOR AND STRATEGY CONSULTANT

Understanding ethical decision making and the culture of an organization can help us move into appropriate action.

- Compliance tells us what we must do; ethics tells us what we should do. Ethical decision making is founded in our beliefs, values and organizational culture. Compliance is founded on what laws and contracts require of us.
- Ethical operations require a creative culture based upon human values. Rather than culture and values being dictated from the top, which assumes acceptance by stakeholders, organizational culture should be surveyed and developed from the middle of the organizations. Leaders are then responsible for guiding, molding and embracing the culture throughout the organization.



SOURCE: Tom Tropp, Global Chief Ethics Officer

A number of speakers focused on the need for active leadership in order to address the myriad of issues related to SAM.

Examples included:

- How the US Center for SafeSport is changing culture across youth and Olympic sports through training and awareness and accountability, including a publicly available list of coaches sanctioned for inappropriate behavior.
- The Model Code of Ethics for Educators, which helps educators understand and navigate the complexities of decision making and its impact upon the safety and well-being of children as well as school culture and mission.

- Warning signs for organizations that are not effectively
 managing this risk include: prioritizing brand preservation over
 the protection of children, a lack of guardrails for inappropriate
 behavior, a lack of transparency or inconsistency, the lack of a
 standard of care, and not recognizing that sexual misconduct is
 a process, not an event.
- A recommendation to look for organizations that are doing a
 better job of managing this risk and ask for help. There are
 places that have operationalized commitment and changed
 culture through broad engagement, transparency, survivor
 advocacy and accountability.

An analogy that inspired the group was the comparison of how buffalos and cattle respond to a severe storm. Cattle will turn their backs and wait out the bad weather. Buffalos turn into the wind and move into the storm, because they know that if they do that, the storm will pass sooner. As stated by one of the symposium panelists, Margo Byrne, "Leaders need to lean into the storm, be confident and strong in their actions, and believe that we will survive this, together. We need to be buffalos."

You're either serious about this problem, or you're not.

TOM BUCKLEY, GENERAL COUNSEL, RC ARCHDIOCESE OF ST. LOUIS

In the industry-specific breakout sessions, participants tackled the following questions:



Who are the critical stakeholders that your cohort needs to consider?



What are the existing cultural barriers to making a change?



What are the critical issues that need to be addressed?



Long term: Describe practical success for your industry group



Short term: Prioritize actions to drive progress



SUMMARY OF RESULTS

Critical Stakeholders

Internal and external stakeholders are important to consider in the development of a strategic action plan. They may be allies or opponents. They may provide funding or regulatory oversight. They may be constituents, policymakers or children. Understanding their roles, values and concerns will strengthen both the planning process and potential outcomes. A number of recommendations in the strategic action plan include potential publications and speaking engagements, so understanding the target audience is critical to success. Each cohort identified key stakeholders; the complete list is in Appendix A.

CULTURAL BARRIERS

The discussion of cultural barriers to change was designed to help fine-tune the strategic action plan. By paying attention to expected challenges and obstacles, we can build a more effective and realistic approach. This list may also be helpful to organizations interested in improving their existing programs. If any of these examples describe a current condition, there's more work to be done.

Examples of barriers identified by all three groups included:

- Lacking the recognition of SAM as a prevalent risk that needs ongoing treatment
- Not understanding the need for changed behavior and the need to change the culture of silence
- A lack of understanding of how sexual abuse and molestation relate to an organization's mission, which relegates the topic to lower-level engagement or the inability to elevate and prioritize SAM to a level that will generate action
- The lack of resources and capacity
- The lack of reliable data and strategic, big-picture thinking
- A reliance upon insurance as the primary solution and assuming that insurance will continue to be available
- The mistaken belief that a successful program will result in zero incidents, rather than regarding incidents as opportunities for correction and training
- The belief that establishing a management policy and experiencing no reported SAM claims is enough; and that it means that there is no SAM behavior occurring
- The phenomenon of passing the trash; when abusers are forced out of one organization and move to another, similar organization
- Ensuring accountability that goes beyond compliance; moving from compliance into a commitment to ethical behavior

STRATEGIC ACTION PLAN

The outcomes from the cohort breakouts were compiled into a strategic action plan. One of the surprising results was that although the K-12, Higher Education and Nonprofit cohorts worked separately to prioritize the next steps, they produced virtually identical outcomes.

The plan's priorities can be summarized in three key areas — awareness, data and resources:

- Develop awareness and support for the issue, including:
 - » Understanding the crisis, including the increase in peer-on-peer incidents, insurance market constraints and the ongoing changes regarding reviver statutes
 - » The need for top leadership support and engagement
 - » Sexual abuse awareness and training must take priority
 - » Ongoing communication and education for all stakeholders
 - » Advocacy and support of survivors, and development of survivor-focused responses
 - » Integrating research on offenders which offers a paradigm shift in understanding boundary violations
 - » Collaboration with industry associations and stakeholder groups, including the insurance industry
- Gather and develop data to support education, prevention and advocacy, including:
 - » Advocate for consistent metrics, collection and sharing of data
 - » Identify the most meaningful data to collect and communicate (e.g., frequency is more important than severity in this case)
 - » The importance of gathering, analyzing and sharing data with key stakeholders
 - » Link data to outcomes and to the improvement of child safety
- Identify, prioritize and develop resources to support culture change, such as:
 - » Expanded background checks that include a review of sanctioned coaches and teachers
 - » Identification of existing resources for specific sectors
 - » Best practices for prevention
 - » Best practices for managing incidents, allegations and claims
 - » Information and advocacy regarding centrally-managed youth programs on higher education campuses

SUMMARY

This report is intended to share the highlights of the many conversations that occurred during the Symposium and the excellent discussions of challenges and potential solutions.

The work will continue beyond the two days that we spent together, and we look forward to expanding our engagement and influence as real solutions are developed and deployed. We are hopeful that by working together we can help organizations that work with or support children — from any sector — embed a culture of protection and care.

We deeply appreciate the contributions of the many experts, practitioners, consultants and insurance advisors, and our shared commitment to transform the trend of child sexual abuse.

For further information about our ongoing work, or to review the Symposium resources, interviews with experts and opportunities for further engagement, please visit our web page at ajg.com/transformingthetrend.

Leadership is tasked with making the right decisions, even when they are tough decisions. Let's make a conscious decision to respect the inherent value of our children and commit to training and prevention! When presented with the data, it will be hard not to choose to elevate sexual abuse awareness.

ANGELA CROTTY

CHIEF SCHOOL BUSINESS OFFICIAL, MIDLOTHIAN SCHOOL DISTRICT

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Appendix A



	INTERNAL STAKEHOLDERS	
Higher Education	K-12 Schools	Nonprofit Organizations
Students	Students	Clients
Faculty	Teachers and paraprofessionals	Staff
Administration	Administrators and staff	Leadership team
Cabinet, senior leaders	Superintendent or head of school	CEO
Volunteers	Volunteers	Volunteers
N/A	Seasonal employees	Seasonal staff
Board and committees	Board members and trustees	Board and executive committee
Donors	Donors	Donors
Camps and other outside organizations using facilities	Camps and other outside organizations using facilities	Third-party users
Contractors working inside	Contractors working inside	Contractors working inside
Athletics coaches, student athletes	Nonfaculty coaches	N/A
Alumni	Alumni	Benefactors
Department chairs and units	N/A	Division heads
Unions (dining, police, teacher and staff)	Unions and labor associations	N/A
Shared governance bodies (student government, faculty senate, staff senate, etc.)	N/A	N/A
Campus security	Security	Security/risk management
N/A	Interns	N/A
Researchers	General counsel	General counsel
N/A	Parents	Stakeholders

	EXTERNAL STAKEHOLDERS	
Higher Education	K-12 Schools	Nonprofit Organizations
Parents and families	Parents and families	Parents and families
Potential students and families	Potential students and families	Prospective clients and parents
Potential employees and faculty	Potential employees	Potential employees
Local Communities	Local communities	Local communities
Visitors	Visitors	Volunteers
Government agencies — NCCA, NAIA and NGOs	Local, state and federal government	Local, state and federal government
Accreditation agencies	Accreditation agencies	Credentialing organizations
Outside consultants and trainers	Outside consultants and trainers	Outside consultants
Vendors and service providers	Vendors and service providers	Vendors
Law enforcement	Law enforcement and SROs	Law enforcement
Renters and facility users	Facility users	Lessees
Other colleges and universities	Other K-12 schools, charter schools and colleges	Other nonprofits
Political leaders	Political leaders	Political leaders
Social Media	Social Media	Social media
Insurance	Insurance partners, pools and captives	Insurance
Donors	Donors	Donors
Summer programs run by outside organizations	Summer programs run by outside organizations	Community partners
Alumni	Alumni	Beneficiaries
Advisory groups — youth protection, risk, HR and compliance	N/A	Advocacy organizations — youth protection, risk, HR and compliance

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Appendix B Symposium Participants



Advisory Committee

Sarah Braughler

Vice President of Risk Management, United Educators

Candace Collins

Director of Strategic Alliances, Praesidium

Henry DeHart

COO, American Camp Association

Kathleen McChesney

CEO, Kinsale Management Consulting

David Ozmore

CEO, Y Alliance of Northern KY and WV

Dr. Karla Rhay

Chief Strategist, The Karla Rhay Group

Scott Tennant

Executive Director, School Pool for Excess Liability Limits Joint Insurance Fund and Area VP of Risk Program Administrators

Youth-Serving Human Service Organizations Cohort

Michael Belcher

National Vice President, Child Safety and Quality Assurance, Boys & Girls Clubs USA (Atlanta, GA)

Elizabeth Besade Perez

Senior Director of Risk & Compliance, American Heritage Girls (Cincinnati, OH and Miami, FL)

Vince Bryson

Retired CEO, Ronald McDonald House Charities of Southern California (Los Angeles, CA)

Tom Buckley

General Counsel, RC Archdiocese of St. Louis (Missouri)

Margo Byrne

CEO, YMCA of the Channel Islands (Santa Barbara, CA)

Gregory Love

Attorney and Founder, Abusepreventionsystems.com

Aaron Lundberg

CEO of Praesidium

Joe Pick

Director, Youth Safety and Program Audit, Boys Town (Omaha, NE)

K-12 Public and Private Schools, and School Pools Cohort

John Bracker

Head of School, CA Polytechnic (Pasadena, CA)

Deborah Callahan

Executive Director, WA Schools Risk Management Pool (WA)

Heidi Cisneros

Student Safety Advocate, Risk Services, Alliance of Schools for Cooperative Insurance Programs (CA)

Angela Crotty

Chief School Business Official, Midlothian School District (Midlothian, IL)

Steve Fast

Executive Director, CO School Districts Self-Insurance Pool (CO)

Dave George

Executive Director, Schools Excess Liability Fund (CA)

David Halwig

Board of Trustees, St. George's School (Middletown, RI)

Dr. Troy Hutchings

Senior Policy Advisor, NASDTEC

Dawn Jones

Risk Manager, Gwinnett County Public Schools (Atlanta, GA)

Dr. Karla Rhay

Chief Strategist, The Karla Rhay Group

Scott Tennant

Executive Director, School Pool for Excess Liability Limits Joint Insurance Fund (NJ)

Mike Tiffany

Executive Director, AZ Schools Risk Retention Trust (AZ)

Higher Education Cohort

Brook Bahr

Security Consultant, Districts Mutual Insurance & Risk Management Services (WI)

Lindsay Bond

Executive Director, Higher Education Protection Network (HEPNet)

Sarah Braughler

Vice President of Risk Management, United Educators

Prenicia Clifton

Youth Protection and Compliance Administrator, UW Office of Compliance and Integrity (WI)

Candace Collins

Director of Strategic Alliances, Praesidium

Sam Florio

Director of Risk Management and Compliance, Santa Clara University (Santa Clara, CA)

Dawn Riddle

Director of Risk Management, Vanderbilt University (Franklin, TN)

Eliot Young

Risk and Compliance Officer, Kansas State University

Guest Speakers and Panelists

Tom Buckley

General Counsel, RC Archdiocese of St. Louis (Missouri)

Margo Byrne

CEO, YMCA of the Channel Islands (Santa Barbara, CA)

Ju'riese Colon

CEO, US Center for SafeSport

Pat Gallagher

President and CEO, Arthur J. Gallagher & Co.

Troy Hutchings

Senior Policy Advisor, NASDTEC

Gregory Love

Attorney and Founder, Abusepreventionsystems.com

Aaron Lundberg

CEO of Praesidium

Mike Pesch

President of GGB Americas and CEO of GGB US, Arthur J. Gallagher & Co.

Tom Tropp

Global Chief Ethics Officer, Arthur J. Gallagher & Co.

Gallagher Participants

Steve Cius

Area President, Risk Placement Services

Ashly Farmer

Placement Specialist, Risk Placement Services

Jennifer Gallagher

President, Artex North America

Shannon Gunderman

Executive Director, Public Sector & K-12 Education Practice

Grea Hunter

Broker, Higher Education Practice and Public Sector & K-12 Education Practice

Heidi Greene

Executive Director, Public Sector & K-12 Education Practice

Jessica Grzesiak

Practice Groups Coordinator

Martin Hughes

Executive Vice President — Underwriting, North America, Artex

Eric Pan

Practice Group Strategy Leader, US Global Brokerage

Dante Pezzi

Broker Placement Specialist Associate, Risk Placement Services

Lisanne Sison

Managing Director, ERM Practice

Ian Skelly

Executive Vice President — Broking, Gallagher Re

Alexis Spoon

Broker, Higher Education Practice and Public Sector & K-12 Education Practice

Jim Smith

Regional Leader, National Risk Control

Rebecca Starr

Area President, Gallagher Benefits Services HR Consulting

Scott Thomason

Broker, Public Sector & K-12 Education Practice

It's hard work. It takes time. It's worth it.

JU'RIESE COLON, CEO
US CENTER FOR SAFESPORT





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