



POMS RISK CONTROL
& INSURANCE
SMARTER INSURANCE
FOR SMARTER BUSINESS



Sexual/Ethical Abuse and Misconduct Compliance Initiative Kick-Off (Year 2)

Presenters:

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Premium Credit Initiative

- NMPSIA **Annual Initiative** (started last year)
 - Poms & Associates' role is consultation, not enforcement
- New Questionnaires went out on September 15, 2026
 - Deadline: End of the year (2026)
- Gauging compliance with HB 128 (2021)
 - Hiring Practices (Reference Checks)
 - Policies (Tracking of Misconduct)
 - Training Requirements (Misconduct and Mandatory Reporting)
- 3 Different Questionnaires:
 1. School Districts/Charter Schools
 2. Higher Education Institutions
 3. Other Local Education Agencies (LEAs) - RECs, CES, etc.
- Discount Applied to General Liability Premium for 2027-2028 School Year

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The Benefits of Compliance

- Protecting our Students!
- Discount on General Liability Premium – between \$1,000 – \$10,000
 - Based on ADA

ADA	ADA	Credit
Micro	0 to 200	\$1,000
Small	201 to 1,000	\$1,600
Small Medium	1,001 to 2,500	\$3,000
Medium	2,501 to 4,999	\$5,000
Medium Large	5,000 to 9,999	\$8,000
Large	10,000+	\$10,000

- For Questions about your specific discount, contact Justin Perkins:
jperkins@pomsassoc.com

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Questionnaire Changes

- **Hiring Practices**
 - Applications – wider definition. Just need to show you are doing the following at some point in the hiring process and before the person starts employment:
 - Reference checks – Staff (licensed and unlicensed), Non-Staff (volunteers, contractors, etc.)
 - HB 128 questions asked to the finalist & all past employers/volunteer organizations where the finalist had unsupervised access to students.
 - Do you also respond to these requests from others when asked?
 - Screen grabs, templates, other samples will work!
 - How do you handle volunteers/contractors?
- **Higher Education – HB 128 (2021) really only applies to some Dual Credit programs**

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Questionnaire Changes

- Training
 - In-person (Poms) or eLearning (Vector Solutions)
 - Needs to cover signs of sexual abuse/misconduct, including targeting, testing, and grooming.
 - Also needs to cover Mandatory Reporting – If suspected abuse involved a school employee, reports go to the Superintendent/Director and/or PED directly
 - **Need to do upon hire and at least once every other year**
 - Document certificates or completion reports
 - Vector Solutions – NMPSIA pays for Child Sexual Abuse Prevention Course (CSAP), which meets these requirements
 - Volunteers/Contractors – They need this training as well. Do you provide it, or do you rely on the contractor?
 - Members can now download, save, or print the questionnaire at any time!

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Questions?

- We want everyone to reach compliance and will work to get you there!
 - *Every member who submitted a questionnaire last year was eventually deemed compliant!*
- When in doubt, submit the questionnaire so we can help you!
 - Incomplete information ➡ **Submit!**
 - Unsure how to answer a question? ➡ **Submit!**

We're here to help!

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Pre-Submitted Questions

Q: How to document efforts to attain completion rates?

A: In terms of the training requirements, schools just need to have a process for documenting completions. This can be a certificate (eLearning), completion reports (eLearning), or a list of attendees (in person)

Q: How is eligibility for the General Liability Premium Credit determined?

A: Step one is the questionnaire we are discussing today. Step 2 is follow-up consultations/trainings with NMPSIA members and Poms & Associates' staff. Step 3 is a vote by the NMPSIA Board of Directors on compliance/non-compliance. The Poms' staff reaches out to members to schedule the follow-up sessions within the first week or two of receiving the questionnaire response.

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Pre-Submitted Questions

Q: If we get approved for the credit, how do we know how much and how we receive it?

A: The amount of your credit is based on your ADA. The discount is automatically applied to your General Liability Premium for the following year. For questions, reach out to Justin Perkins: jperkins@pomsassoc.com

Q: What changes do we need to make in order to keep in compliance?

A: This is based on your answers to the questionnaire. The Poms' team will work with each responding member to make appropriate recommendations and provide resources to help members reach compliance. Poms is also available to conduct in-person boundaries training upon request. The idea is that once you are compliant, all you have to do is maintain best practices to stay compliant.

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Pre-Submitted Questions

Q: What do we do if other past employers/organizations don't reply to our request for information about past sexual/ethical misconduct concerns?

A: This is largely out of your control. HB 128 (2021) just requires you to send the request to past employers/organizations. You should document those attempts and non-responses, though, as an added layer of protection.

Q: Can you please explain what the contractor assurance and affidavit of understanding forms are, and when we should use them?

A: In order to assist members, Poms has developed these resources, which are available to download on the NMPSIA website. The contractor assurance is simply a document the contractor fills out verifying they are doing the proper vetting and training of employees placed in your schools. The affidavit is something schools can use with volunteers/guests/contractors to make sure they understand what is and isn't acceptable behavior with students.

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Pre-Submitted Questions

Q: Why do we have to do this annually?

A: Sexual/Ethical misconduct claims are growing more and more costly for all NMPSIA members. More importantly, we are all committed to ensuring that schools remain a safe place for students to learn and grow. HB 128 (2021) was passed by the legislature in an attempt to address some shortfalls around the vetting, hiring, and training of school staff and volunteers/contractors. NMPSIA has taken the extra step of offering this discount on the General Liability Premium for those members who are living up to their statutory requirements.

Q: When should training occur for schools?

A: HB 128 (2021) requires training upon hire and at least every other year thereafter. Training can be completed in person, by request, from Poms & Associates. An eLearning option is also available through Vector Solutions, and paid for by NMPSIA (Child Sexual Abuse Prevention, or CSAP).

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