



July 1, 2019

**TO:** District Superintendents  
SISC Member Districts

**FROM:** Robert J. Kretzmer  
Director, Property & Liability

**SUBJECT:** 2019/2020 Coverage Summary

This correspondence verifies that the 2019/2020 Memorandum of Coverage (MOC) documents for your auto/bus, liability and property risks are in force. Please consult the applicable coverage document to fully understand the nature and limitations of the coverage afforded. Coverage documents and “generic” certificates of insurance can be obtained from the SISC website at <http://sisc.kern.org/pl/> *Notable changes to the 2019/2020 MOC’s have been referenced in italics below in each applicable section.*

#### **AUTOS AND BUSES**

Under the Memorandum of Coverage No. SAP 7119 20, effective July 1, 2019 through July 1, 2020, SISC provides coverage for owned autos, hired autos, borrowed autos, and non-owned autos. Members should refer to the Memorandum of Coverage posted on the SISC website for particulars related to the coverages afforded.

SISC has a \$1,750,000 self-insured retention (S.I.R.) over the district’s \$1,000 deductible feature per accident. Excess coverage is provided by private carrier, to the level of \$50,000,000.00 in excess of \$1,750,000 for a total of \$51,750,000 limit per accident.

*Under the 2019/2020 Auto/Bus MOC, SISC will enforce the application of one deductible per vehicle in the event there is more than one district vehicle involved in the same accident. However, no more than three deductibles per accident will be applied.*

*In addition, SISC has added a benefit to the Auto/Bus program for 2019/2020. Effective July 1, 2019, an amount of \$1,000 in coverage will be available for the loss of the district’s personal property that results from damage, theft or vandalism. The loss of any such property will be considered part of any auto collision or auto comprehensive claim.*

#### **BOILER AND MACHINERY**

Policy number FBP2253749 is underwritten by Hartford Steam Boiler Insurance Company for the period of July 1, 2019 through July 1, 2020, subject to the policy’s exclusions, definitions, conditions and other limitations. Coverage is provided on a comprehensive basis with a limit of \$20,000,000, subject to the \$5,000 deductible feature, and covers boilers and various equipment and machinery on a replacement cost basis. A \$10,000 deductible applies to combined hardware, software, and data restoration.

#### **COMPREHENSIVE CRIME**

Policy number 014921665 is underwritten by National Union Fire Insurance Company (subject to the policy’s exclusions, definitions, conditions and other limitations) coverage is effective July 1, 2019 through July 1, 2020 and provides coverage for inside crime, outside crime, depositor’s forgery, employee dishonesty and credit card forgery. Coverage is afforded in the amount of \$250,000 per occurrence along with the application of a \$1,000 deductible.

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*A Joint Powers Authority administered by the Kern County Superintendent of Schools Office, Mary C. Barlow, Superintendent*

### **CONCUSSION INSURANCE**

Coverage is provided to our member districts whose enrollment includes interscholastic sports for grades nine through twelve. This program has effective dates of July 1, 2019 through July 1, 2020 and is being underwritten by Nationwide Life Insurance Company. Coverage is triggered with the diagnosis of a concussion injury resulting from participation in a game or practice involving an interscholastic sport. The benefit is for an overall maximum medical expense up to \$25,000. All claims originate with SISC staff and will be coordinated and processed through the SISC Student Insurance Program. Questions regarding the coverage afforded and the processing of claims should be directed to Elsa Lara, Claims Examiner, at 661-636-4736 or by e-mail at [ellara@kern.org](mailto:ellara@kern.org)

### **CYBER SUITE COVERAGE**

SISC has partnered with the Hartford Steam Boiler Insurance Company to provide cyber suite coverage to our member districts. Coverage is July 1, 2019 through July 1, 2020 under policy number 1004061-03. There are seven (7) specific coverages available to our member districts under the plan. These are listed as Data Compromise Response Expenses, Computer Attack, Cyber Extortion, Data Compromise Liability, Network Security Liability, Electronic Media Liability and Identity Recovery. The Annual Aggregate policy limit per member district is in the amount of \$100,000. Sub-limits pertain to Forensic IT Review, Legal Review, Federal and PCI Fines and Penalties, and Public Relations Services. A \$1,000 deductible applies to the Cyber Suite coverage. Questions regarding this coverage can be directed to Robert Kretzmer, Director, at 661-636-4709.

### **LIABILITY COVERAGE**

Under the Memorandum of Coverage No. SLP 7119 20 effective July 1, 2019 through July 1, 2020, SISC provides \$1,750,000.00 limits over the district's deductible. Excess coverage is provided by commercial excess insurers, to the level of \$50,000,000.00 in excess of the \$1,750,000.00 self-insured retention for a total of \$51,750,000.00. A \$1,000 deductible is applicable per occurrence on each claim.

Coverage A - Bodily Injury; Coverage B - Property Damage; Coverage C - Errors and Omissions; Coverage D - Personal Injury; Coverage E - Employment Practices; Coverage F - Employee Benefit Wrongful Acts; and Coverage G - Liability that the Member is required to insure against under Education Code sections 35208 and 72507 or is authorized to insure against under Government Code sections 989 and 990.

*Effective July 1, 2019, a sub-limit of liability will apply in the amount of \$250,000 for any suit for discrimination or retaliation under the Americans with Disabilities Act, California's Unruh Civil Rights Act, or any similar State or Federal law, where suit arises from, in connection with, or on account of any claim or suit alleging a failure to provide a Free and Appropriate Education (FAPE), regardless whether brought before the Office of Administrative Hearings or any State or Federal Court.*

*In addition, and effective, July 1, 2019, the SISC Student Accident Coverage benefit will be extended to provide coverage for injuries that take place while a student is traveling in private vehicles on behalf of or at the direction of the district. Coverage will no longer be strictly limited to or for injuries that take place strictly on district owned transportation.*

The MOC does not cover employees who willfully or intentionally participate in misconduct. SISC may exercise its discretion to extend a defense to alleged offenders if its investigation determines the allegations are likely without merit; however, it may not indemnify them if they are held liable for willful or intentional misconduct, as to do so is barred by law. Similarly, SISC will defend but not indemnify districts for wrongful termination, retaliation, and other alleged violations of law that result from intentional administrative actions.

Coverage generally is afforded to the following individuals or organizations, subject to the exclusions, definitions, limitations and conditions for the named covered party, officers and members of the governing board, employees (including students serving in required internships), volunteer and student body organizations and auxiliary organizations.

Coverage generally is afforded for claims or suits arising from premises, operations, professional, products, contractual liability, errors and omissions and employment practices liability, subject to the exclusions, definitions, limitations and conditions found in the MOC.

Coverage is written on an occurrence basis for bodily injury; property damage; and errors and omissions. Coverage is afforded with respect to personal injury and employment practices subject to an offense described in the definition of personal injury and employment practices.

The Student Accident Coverage provided by SISC is included in Section VIII of the Liability Memorandum of Coverage. It is of course subject to the policy's exclusions, definitions, conditions and other limitations and provides benefits for student injury during regular classes, class trips, summer school and recreation, school sponsored activities and while students are on school owned or operated transportation.

Student accident coverage is secondary to any other applicable health insurance available to the student. Medical payment limit is \$2,500. No deductible applicable. Coverage is included for athletic injury, except tackle football. The benefit period is fifty two (52) weeks and benefits are limited to usual and reasonable expenses unless specifically stated otherwise. The coverage pays for medical services commenced within thirty (30) days of injury.

*Under the 2019/2020 Liability MOC, the "inverse condemnation" exclusion and the "back pay" definition has been further clarified. Under the Arbitration clause of the MOC, the JAMS office in Sacramento is now the designated location for initiation of arbitration proceedings. Lastly, the bicycle exclusion under Student Accident Coverage has been removed.)*

## **PROPERTY COVERAGE**

Under our Memorandum of Coverage SPP 7119 20 effective July 1, 2019 through July 1, 2020, SISC provides coverage for the district's interest in covered property. The coverage applies to all property of the insured including both real and personal property and including personal property of others for which the insured is liable (reporting requirements and conditions apply). Excess coverage is provided by commercial excess insurers above \$250,000, with a combined total of \$150,000,000.

SISC does afford flood coverage under the Property MOC and our excess insurer. An annual aggregate limit of \$5,000,000 applies to flood coverage for all member districts combined under the excess policies.

The Property MOC covers all risk of direct physical loss or damage, subject to the exclusions, definitions, conditions and other limitations set forth in the policy. In general, a deductible of \$2,500 applies to all losses. Please note that some districts have elected to take higher deductible amounts.

Certain properties owned by your district or in your district's control are subject to sub-limits. A listing of those sub-limits can be found in Section VIII of the Property MOC entitled "Limits of Liability." In addition, there are particular kinds of property that are simply not covered under the MOC. These properties can be found under Section II of the MOC entitled "Interest and Property Not Covered."

Building and contents are insured for replacement cost; however, to recover replacement cost on a loss requires proof of actual replacement. Some property is valued at actual cash value; check the MOC for details on valuation.

### **SCHOOL CONNECTED ORGANIZATIONS**

Liability coverage is provided by SISC under the Liability MOC for School Connected Organizations by endorsement. This coverage is made available to our member districts' booster clubs and foundations. Participating school connected organizations must be officially recognized by the appropriate district official in the application for coverage. Questions regarding how your booster club or foundation can apply for this coverage can be directed to Lilia Beck, Administrative Secretary, at 661-636-4495 or by e-mail at [libeck@kern.org](mailto:libeck@kern.org)

### **SPECIAL EDUCATION VOLUNTARY COVERAGE PROGRAM**

SISC affords coverage to our member districts under the Special Education Voluntary Coverage Program (SEVCP) for the reimbursement of fees and costs associated with the defense of due process complaints before the Office of Administrative Hearings. This coverage pays up to \$200,000 (in the aggregate) per year to each enrolled member district with an ADA of 4,000 or above and \$100,000 (in the aggregate) per year to each enrolled member district with an ADA under 4,000. Should your district wish to enroll in this voluntary coverage program please contact Lilia Beck, Administrative Secretary.

### **SUPPLEMENTAL STUDENT ACCIDENT COVERAGE**

This is a voluntary coverage program available for purchase by the parents or guardians of enrolled students within your member district. The program is self-administered and underwritten entirely by SISC. Coverage is afforded up to \$25,000 above the standard Student Accident Coverage benefit of \$2,500. Scheduled benefits apply per the plan. This is a low cost supplemental insurance plan that applies to incidents that take place during regular school hours, on school premises while school is in session. The coverage also applies to travel to and from scheduled classes in a school furnished vehicle and while participating in school sponsored and supervised sports with the exception of tackle football. Questions regarding the application process for this coverage should be directed to Elsa Lara, Claims Examiner.

### **TACKLE FOOTBALL COVERAGE**

This coverage can be purchased by parents or guardians of students who elect to participate in tackle football. The program is completely self-funded and self-administered by SISC staff. The policy will pay up to \$15,000 for covered medical expenses due to accidental bodily injury sustained in any one accident. The covered treatment, care, and services must be rendered within 52 weeks of the accident. This is a low cost completely voluntary coverage available to parents and/or guardians seeking to provide coverage for the student athlete either as their primary or secondary insurance. In the event you have questions concerning enrollment or benefits, please contact Elsa Lara, Claims Examiner.

### **TERRORISM COVERAGE**

SISC affords coverage for damage to property that result from acts of terrorism or sabotage in the amount of \$10 million above the SISC self-insured retention of \$250,000. In general, an act of terrorism is one that includes the use of force or violence, committed for political, religious or ideological reasons. In addition, SISC affords coverage for liability exposures to our member districts that result solely and directly from an act or acts of terrorism in the amount of \$1.75 million.

Please contact the SISC office by calling 661-636-4495 should you have any questions.

RJK:lmb