



March 28, 2022

TO: District Superintendents  
Chief Business Officials  
SISC Member Districts

FROM: Robert J. Kretzmer  
Director, Property & Liability

SUBJECT: Special Education Voluntary Coverage Program (SEVCP) for 2022/2023

### **BACKGROUND INFORMATION**

Several years ago, the SISC Administration developed a Special Education Voluntary Coverage Program (SEVCP), to help with the rising cost of special education legal expenses. The following program provides participating school districts and SELPAs financial assistance with such legal expense and it has grown each year. The program is as follows:

#### **A. COVERAGE**

The "trigger point" for coverage will be when notice is given to SISC that a Request for Due Process Hearing has been made to the Office of Administrative Hearings (OAH), Special Education Division, 2349 Gateway Oaks Drive, Suite 200, Sacramento, CA 95833-4231, with a copy of the filing being sent to SISC by the district.

- SEVCP will pay up to an aggregate of \$100,000 for those districts with an ADA of 4,000 or less and up to \$200,000 for those districts with an ADA above 4,000. The program is for legal fees and costs incurred during each fiscal year for which the required premium has been paid in the defense of due process claims resulting from the filing of due process complaint(s) with OAH. These reimbursement benefits are applicable through the judgment, dismissal or settlement of the OAH matter. Regardless of when the claim occurred, if the bills were incurred during a fiscal year that your district was in the SEVCP, it is eligible for payment. However, if there is not enough premium, all bills will be paid on a pro rata basis and the districts will pay the difference.
- The legal fees will be paid up to a maximum hourly rate of \$220.00.
- Fees for expert witnesses will be paid up to a maximum hourly rate of \$150.00.

#### **B. THE PROGRAM**

The program is reimbursement in nature and operates on a July 1<sup>st</sup> to June 30<sup>th</sup> fiscal year. SEVCP is administered by SISC staff.

- The money will be collected from the participating district **with a participation enrollment deadline of June 1, 2022.**
- All bills will be paid by the participating district or SELPA. **The paying entity will then submit the bills to SISC for reimbursement by August 1, 2023.** Districts will be reimbursed by the last work day in September 2023.

(1 of 2)

If there is enough money, SISC will reimburse the district up to the first (\$100,000 or \$200,000) of defense costs incurred during each fiscal year for which the required premium has been paid. If there is not enough premium, all bills will be paid on a pro rata basis and districts will pay the difference. If there is more than enough money, each district will receive a refund based on the pro rata basis of the collected premium less any claims paid on behalf of that district.

**C. PREMIUM**

Your district's premium for the 2022-23 fiscal year will be based on your 2021-2022 P-1 ADA pursuant to the following calculations:

| <b>Premium Schedule</b> |   |        |                        |
|-------------------------|---|--------|------------------------|
| <b>ADA Group</b>        |   |        | <b>2022-23 Premium</b> |
| 1                       | - | 100    | \$ 549                 |
| 101                     | - | 200    | \$ 1,220               |
| 201                     | - | 500    | \$ 2,125               |
| 501                     | - | 700    | \$ 2,730               |
| 701                     | - | 1,000  | \$ 2,933               |
| 1,001                   | - | 1,600  | \$ 3,380               |
| 1,601                   | - | 2,000  | \$ 4,320               |
| 2,001                   | - | 3,000  | \$ 5,525               |
| 3,001                   | - | 4,000  | \$ 7,175               |
| 4,001                   | - | 6,000  | \$ 11,100              |
| 6,001                   | - | 9,000  | \$ 15,675              |
| 9,001                   | - | 12,000 | \$ 20,580              |
| 12,001                  | - | 15,000 | \$ 24,570              |
| 15,001                  | - | 19,000 | \$ 29,750              |
| 19,001                  | - | 23,000 | \$ 34,440              |
| 23,001                  | - | 26,000 | \$ 36,260              |
| 26,001                  | - | 30,000 | \$ 38,640              |
| 30,001                  | - | OVER   | \$ 41,925              |

If you have any other questions and/or concerns, please do not hesitate to contact Robert Kretzmer at 661-636-4709.

RJK:lm

Enc.



**Special Education Voluntary Coverage Program (SEVCP)  
Participation Confirmation for 2022-23 Fiscal Year**

**Please check one of the boxes below:**

1.        Our district will participate in the SEVCP.  
    ● *Add 22-23 SEVCP premium to district's 22-23 Property & Liability premium invoice.*
  
2.        Our district will participate in the SEVCP.  
    ● *Submit a separate invoice for SEVCP premium.*
  
3.        Our district has elected not to participate in the SISC SEVCP Program.

\_\_\_\_\_

Name, Title

  

\_\_\_\_\_

District

  

\_\_\_\_\_

Telephone No.

  

\_\_\_\_\_

E-mail address

  

\_\_\_\_\_

Authorized Signature

  

\_\_\_\_\_

Date

| <b>Select your district's ADA Group:</b> |        |   |        |
|--|--------|---|--------|
|  | 1      | - | 100    |
|  | 101    | - | 200    |
|  | 201    | - | 500    |
|  | 501    | - | 700    |
|  | 701    | - | 1,000  |
|  | 1,001  | - | 1,600  |
|  | 1,601  | - | 2,000  |
|  | 2,001  | - | 3,000  |
|  | 3,001  | - | 4,000  |
|  | 4,001  | - | 6,000  |
|  | 6,001  | - | 9,000  |
|  | 9,001  | - | 12,000 |
|  | 12,001 | - | 15,000 |
|  | 15,001 | - | 19,000 |
|  | 19,001 | - | 23,000 |
|  | 23,001 | - | 26,000 |
|  | 26,001 | - | 30,000 |
|  | 30,001 | - | OVER   |

**Please return this form  
No later than June 1, 2022:**

Property & Liability  
 Attention: Lilia Beck  
 PO Box 1847  
 Bakersfield CA 93303  
 Fax 661-636-4868  
 via email: libeck@kern.org  
 (no need to send the original)