



March 1, 2023

TO: District Superintendents
Chief Business Officials
SISC Member Districts

FROM: Robert J. Kretzmer
Director, Property & Liability

SUBJECT: Special Education Voluntary Coverage Program (SEVCP) for 2023/2024

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 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 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 and are available regardless of whether or not the OAH's hearing process is initiated by the student's representative, the district, county office of education or the SELPA. 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 1st to June 30th fiscal year. SEVCP is administered by SISC staff. We have replaced our prior participation form with our online secure form for ease of use and availability. This form can accessed at <https://wl.sisc.kern.org/Forms/SEVCP>. Please discontinue use of any saved form you may have. Please complete and submit this form no later than June 1, 2023.

P.O. Box 1847, Bakersfield, CA 93303-1847
2000 K St • Larry E. Reider Education Center, Bakersfield, CA 93301
ph: 661.636.4710 fx: 661.636.4156 • sisc.kern.org

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

- The money will be collected from the participating district **with a participation enrollment deadline of June 1, 2023.**
- 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, 2024.** Districts will be reimbursed by the last business day in September 2024.

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. In the event premium collected is less than the total adjusted claims submitted, payment will be made on a pro rata basis.

C. PREMIUM

Your district's premium for the 2023-24 fiscal year will be based on your 2022-2023 P-1 ADA pursuant to the following calculations:

Premium Schedule			
ADA Group			2023-24 Premium
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 Hilda Hankins at 661-636-4694.

RJK:lmb

Enc.