



SISC

Self-Insured Schools of California
Schools Helping Schools

Property & Liability Division

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Quarterly Update

PROPERTY CASE STUDY—FIRE DAMAGE

Fire damage is one of the most devastating disasters that can impact schools and educational operations. It can destroy property and interrupt daily functions. We will discuss a real world case study involving a SISC member district fire. But prior to that, let’s dive into the four most common causes of fire damage and some of the preventative measures that can be taken:

1. Electrical Fires

The modern world runs on electronics. As a result, electrical fires are one of the most common causes of commercial fires. Overloaded circuits, frayed wires, and other electrical malfunctions can cause fires. To ensure the safety of your facilities, have a licensed electrician examine your electrical systems regularly. Furthermore, discourage employees from using space heaters or other electrical devices in an unsafe manner and unplug all non-essential equipment before leaving at night.

2. Natural Disasters

Natural disasters such as floods, hurricanes, and earthquakes can cause significant damage to commercial property, resulting in fire. To prevent natural disaster fires, ensure your building follows appropriate building codes and standards, have a safety plan for your employees and consider having a backup power system.

3. Cooking Equipment Fires

Commercial kitchens are often the site of cooking equipment fires, which can cause significant property damage and even harm employees. To minimize the risk of a cooking equipment fire, ensure that your kitchen is equipped with a fire suppression system and your staff is trained to use it. Always keep flammable materials away from heat sources, clean grease buildup regularly, and replace faulty or old cooking equipment.

4. Arson

Unintentional causes make up most fire incidents, but arson is a real possibility for schools. While preventing someone with criminal intent from starting a fire is difficult, several preventive measures can mitigate the risk. Install security cameras and keep combustible materials away from windows or other vulnerable entry points.

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PROPERTY & LIABILITY DIVISION

Mailing:
P.O. Box 1847
Bakersfield, CA 93303
Physical:
2000 K Street
Bakersfield, CA 93301
Phone: 661-636-4495

Newsletter Editor: Kerri Jones

Athletic Emergency Action Plans

Assembly bills 245 and 1653 made changes to Education Code section 35179 regarding emergency action plans and signage.

For school districts or charter schools that have interscholastic athletic programs, an emergency action plan must be in place that describes the location of emergency medical equipment and procedures to follow in the event of sudden cardiac arrest and other medical emergencies, including concussion and heat illness during an athletic activity or event.

Effective July 1, 2024, the Emergency Action Plan must be posted in compliance with the most recent pertinent guidelines of the National Federation of State High School Associations.

The California Interscholastic Federation (CIF) has a template of the posting requirements available on their website at [Emergency Action Plan Information - California Interscholastic Federation \(cifstate.org\)](#)

Additional information regarding these requirements can be found at:

- ◆ California Education Code Section 35179
- ◆ National Federation of State High School Associations nfhs.org/articles/emergency-action-plans-should-be-reviewed-rehearsed-annually/

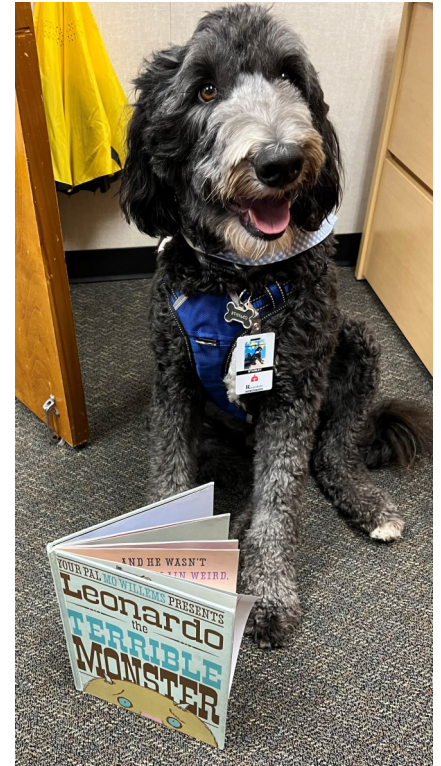
ANIMALS ON CAMPUS

SISC Safety and Loss Control staff are seeing an increase in questions about animals on school campuses. Some of our first questions are who the animal is intended for and what is the purpose of having this animal on campus. A review of the types of animals may be helpful.

Service Animals – These animals are specially trained to provide specific tasks or services to a specific individual related to a disability. This may include tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability, including autism and epilepsy. When it is not obvious what service the animal provides, you may only ask if the animal is required because of a disability and what work or task the animal is trained to perform. Service animals must be allowed in all areas members of the public are allowed to access. Service animals are highly trained to meet the need(s) of the individual.

Therapy Dogs – These animals provide a comforting and calming presence to students. Therapy dogs work with numerous individuals in a school, hospital, nursing home or similar setting. The request for this type of animal is usually by staff to provide an uplifting experience that may reduce stress and anxiety or providing a calming presence. Interactions with therapy dogs are usually brief and in a classroom, library or other setting. Students may benefit from this type of animal on campus, but they are not the requesting individual. Therapy dogs also go through a training and certification process, but it is not as stringent as a service animal. In addition, they are not trained to do a specific task.

Emotional Support Animal – These animals are requested for use by an individual student or staff member to provide emotional support or companionship. There are numerous websites that will provide some form of certification for a fee. Businesses that claim to certify an emotional support animal are charging a fee for an unnecessary service. The district has the most discretion on allowing this type of animal. The exception would be if the emotional support animal is a part of the Individualized Education Program (IEP) or 504 plan. In some staff cases, an interactive meeting may be needed to determine if reasonable accommodations can be made for emotional support animals. Should the district decide to allow this type of animal, guidelines should be developed, and the animal approved by the Superintendent or their designee. As part of this process, the animal should be brought to campus to observe their temperament and compatibility to a variety of students.



INTRODUCING SABRINA MOTEN

Since January 2006, Sabrina Moten has been making a significant impact on the community through her work with the Kern County Superintendent of Schools (KCSOS) and SISC. She began her career at KCSOS in the Early Childhood Education program. Her role expanded when she joined SISC in October 2010 as a Claims Assistant for the Student Insurance Coverage program. She was promoted to Claims Examiner II in 2015. Moten also worked in medical billing for over 10 years in the hospital and public service industries. Moten's extensive knowledge of medical billing and claim processing has allowed her to be a crucial link between our member districts and their students. She is grateful for the opportunity to serve the community by helping parents financially through the Student Insurance program.

Moten has been married for 32 years and is proud of her four wonderful children and three awesome grandchildren. Family is important to her, and she focused on raising her children before continuing her education. She recently completed her Bachelor's and Master's degrees in Psychology, thus attaining a life-long goal. Moten uses her education every day in working with parents to navigate the Student Insurance program and reaching a satisfactory resolution to the claims process. She believes education is essential, and is thankful her career has allowed her to play a small part in helping member districts educate their students.

Moten continues to serve her local community by feeding people experiencing homelessness. She has had this privilege for over twenty years, and it keeps her grounded and grateful. She and those who serve with her, have fed over 20,000 meals during the last 20 years. "It is incredible what a small group of committed people can accomplish" said Moten. Her desire is to leave service to others, the love of family, and the importance of education as a legacy and inspiration for her family to follow.



Property & Liability Division

Robert Kretzmer, Director
661-636-4709

Tyrone Taylor, Coordinator
661-636-4601

Lilia Morentin, Administrative Secretary
661-636-4495

Ryan Bourget, Adjuster
661-636-4606

Hilda Hankins, Adjuster
661-636-4694

Lisa Pitstick, Adjuster
661-636-4761

Jahna Lewis,
Claims Assistant
661-636-4871

Micaelle Morales,
Claims Assistant
661-636-4786

Shelby Gonzales,
Safety & Loss Control
661-636-4604

Kerri Jones,
Safety & Loss Control
661-636-4376

Randy Rogers,
Safety & Loss Control
661-636-4607

Debbie Jackson,
Student Insurance
661-636-4206

Elsa Lara,
Student Insurance
661-636-4736

Sabrina Moten,
Student Insurance
661-636-4414

New Menu Item on our Website

Our readers will want to check out the new addition to the website under the Property & Liability Main Menu entitled “Articles and Documents of Interest”. This addition is intended to provide information to our members that comes from our many business partners.

For example, Caren Curtiss, Esq., of Herr Pedersen & Berglund LLP. has prepared a very thorough legislative history of the Code of Civil Procedure Section 340.1. Many of you have questions concerning recent legislation that has impacted SISC’s and other JPA’s handling of childhood sexual assault claims and suits filed against school districts. Many of these cases and settlements have appeared in the headlines of national and local media outlets over the last several years. Curtiss’ excellent paper will provide our readers with information regarding how our state legislature has enacted laws that have greatly impacted school districts, JPA’s and reinsurers ability to respond to these types of claims.

Another example of a recent posting is the CAJPA 2024 Case Law Update that will provide our readers with a comprehensive review of recent court decisions at the California Superior Court, Appellate Court and Supreme Court levels. Many of these cases have clarified the application of legal doctrines and statutes in California that impact SISC’s adjusting staff and panel counsel’s handling of claims and suits presented against our members.

We will do our best to update the “Articles and Documents of Interest” on a regular basis for the benefit of our members and readers.

FROM THE DIRECTOR

Effective July 1, 2024, SISC Property & Liability entered into an agreement with a new excess reinsurer for the 2024-2025 fiscal year. Safety National will be providing excess reinsurance to SISC, excess of the self-insured retention. We look forward to introducing our members to the wide variety of programs offered by Safety National.

On October 16, 2024, SISC will be hosting its annual Defense Counsel Summit. The purpose of this meeting is to gather SISC’s panel defense counsel in one room and to talk about issues impacting not only SISC and its member districts, but also other risk retention pools throughout the state. This year’s program will feature presentations from two of our defense counsel panel attorneys, Caren Curtiss of Herr Pedersen & Berglund, LLP., and Golnar Fozi of Fozi Dwork & Modafferi, LLP. Curtiss will be speaking on the Legislative History of Code of Civil Procedure 340.1 and Fozi will discuss Trends in Employment Litigation Defense. This year’s summit will culminate with a roundtable discussion on the many issues still challenging risk retention pools and school districts related to recent legislation on childhood sexual abuse.

This edition of the Quarterly Update also includes a Case Study prepared by Ryan Bourget of our office. Bourget is an experienced property loss adjuster with years of experience under his belt. The case study is an excellent primer for those who have not yet experienced a large consequential property loss at their district.

We remain grateful to our many districts for their continued support of the SISC Property & Liability program. As we go forward, we recognize that claims handling and safety and loss issues continue to become more complex. However, when there is good communication with our membership, these complexities become far less challenging. Please reach out to me or anyone on staff, should you have suggestions as to how our communication with you can be improved.

Thank you and we look forward to sharing more with you in the December edition of the Quarterly Update.



2023 Defense Counsel Summit

LITIGATION CASE STUDY (CONTINUED FROM PAGE 1)

CASE STUDY

Below is a case study offered to illustrate an example of what can happen during a fire and the extreme damages that can be caused.

Description of Events

A fire started in the interior of a classroom at an elementary school. The fire was started by an electrical malfunction within the room. A cause and origin investigator determined that the fire started as the result of an overloaded circuit. The over load was caused by too many electrical devices plugged into the same outlet.

An employee of the district discovered the fire and the fire department was put on notice. The fire was burning for approximately 2 hours before the fire department arrived. The fire was contained primarily to one classroom, however, there was heavy smoke and water damage to the entire wing of connected classrooms and buildings.

Damages

Including the room where the fire started, there were a total of eight classrooms, a library, a gymnasium and additional offices that sustained heavy smoke damage. The classroom where the fire started sustained heavy fire damage, including structural damage to the roof line. An architect and structural engineer had to inspect the room and make recommendations regarding necessary repairs.

The remaining rooms sustained primarily smoke and water damage. The interior of these rooms had to be completely demoed and cleaned in order to remove the smoke odor. In order to re-open the school for students and staff, temporary portable rooms had to be brought in until the repairs were completed.

The schools architect had to work with the Division of State Architect (DSA) to obtain approval for the reconstruction phase. After DSA approval, a scope of work was formalized and the project was bid on by local contractors. In addition to the building repairs, there were costs associated with emergency clean-up, demolition, portables and replacement of school property. Ultimately, the project took a year and a half to be completed and the cost of repairs and replacement of school property was in excess of \$7,500,000 dollars.

Preventative Action

An inspection of the classrooms at the school prior to the fire could have been conducted to make sure the electrical outlets weren't over loaded. Each outlet's circuits are designed to convey a certain amount of electricity and overloading them with too many devices at the same time does exactly that. This is one of the most common reasons for electrical fires and is very preventable.



Student Insurance Program Training

The SISC Student Accident Coverage Program staff welcomes our member Districts to the 2024-2025 school year. Our staff knows that each year has unique changes and challenges, so we want to ensure your employees have the tools necessary to serve your students. With this in mind, SISC Student Insurance would like to offer personalized training sessions to your district staff, either virtually or in person. The training explains the Student Insurance program in detail. Our virtual sessions have received excellent reviews, so we hope you take advantage of either opportunity.

Our training sessions are free to your district and are beneficial for district or school site personnel. The training is flexible; our staff will work around your busy schedules. The sessions can be part of regularly scheduled staff meetings or a special session convenient for specific staff. The sessions are approximately 30 minutes, and your staff can ask questions in real-time. The sessions will include information on Student Accident Coverage, Tackle Football, and Concussion coverage (Tackle Football and Concussion are for grades 9-12). You can contact Elsa Lara at ellara@sicschools.org if you're interested in setting up a session.

We look forward to meeting your staff and are excited to introduce ourselves to your district.

Maintaining District Contacts

Communicating with our member districts is a top priority for SISC. Communicating items such as coverage summary memos; Memorandums of Coverage (MOC); insurance and school industry updates and memos; and information of training opportunities are types of information important to share with our members. In that effort, we strive to maintain current contact information for our district administrative contacts.

If you have changes in administrative staffing, e-mail addresses, phone numbers or mailing addresses for your district, please e-mail Lilia Beck, Administrative Secretary at libeck@siscschools.org

ANIMALS (CONTINUED FROM PAGE 2)

Should the district want to allow and include therapy dogs and/or emotional support animals, a conversation with your Administrative Counsel is recommended. Allowing these animals on campus may also require a modification of your Board Policy and Administrative Policy. In addition, SISC recommends the following:

- The animal must be under control at all times. Uncontrolled barking, jumping on people, or running away from the handler are examples of unacceptable behavior.
- The handler/owner is required to have the animal under control using a harness, leash, or other tether.
- The animal must be housebroken.
- The handler/owner provides for the care and supervision of the animal, including cleaning up after the animal. This is not the district's responsibility.
- The animal should be vaccinated in accordance with state and local laws including a current rabies vaccination.

The handler/owner should provide the district a Certificate of Insurance naming the district, its officers and employees as an Additional Insured. This Certificate of Insurance and Endorsement should be provided before the handler/owner is allowed to bring the animal on to the campus. The liability of the animal owner is governed by California Civil Code Section 3342. Animal owners are held strictly liable for injuries caused by their animal. All the claimant or plaintiff needs to do is prove that the injury was caused by the animal. Negligence is not a factor.

Although allergies and fear of dogs are not valid reasons for denying the accommodation of a therapy or emotional support animal, the district should be aware that these situations may occur. If an employee or student is afraid, a solution may be to allow enough space for that person to avoid getting close to the animal. Most allergies to dogs are caused by direct contact with the animal. A separate space might be adequate to avoid allergic reactions. However, if an employee or student is at risk of a significant allergic reaction to the animal, it is the responsibility of the district to find a way to accommodate both the person using the animal, as well as the person with the allergy.