

**SISC**Self-Insured Schools of California
*Schools Helping Schools***Property & Liability Division**December 2025
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Quarterly Update

INVESTIGATING AND PRESERVING EVIDENCE

Accidents happen. It is how they are handled and investigated that can have a large impact on the outcome. If a student is injured on campus or during a school sponsored activity, the SISC Student Accident Coverage is available to our member districts. This coverage often prevents a claim from escalating to a litigated claim that can be costly and time intensive to everyone. Our adjusters always review additional information provided, to help substantiate the circumstances of the incident.

These early investigations by the district are critical in SISC being able to defend a claim. The process of identifying the who, what, when, where and why of an incident, gives our adjusters insight to the circumstances. Frequently adjusters will ask about additional circumstances including supervision and conditions at the time of the incident. When it comes to supervision, it is important to determine if the supervision was sufficient and/or effective. For example, was there only one staff member on the playground for multiple grades or large numbers of children? Was the staff member attentive to the activities on the playground and how the children were using the equipment and moving around? Or, were they distracted by their phone, other staff members, or too far from the area to adequately supervise the students? Was the incident that resulted in the claim due to a dangerous condition? Was it a trivial defect or substantial risk to cause harm? Examples may include: a raised sidewalk due to a tree root, other tripping hazards, or broken playground equipment.

Evidence to be gathered, starting at the district level, is any statements of witnesses or from the individuals involved either, in writing or orally. Particularly important is preserving any video footage from either campus security cameras, bus cameras, or cell phone video. Photographs are also helpful as they document the condition at the time. Work with your SISC adjuster to document conditions at the time of the event and when you may be able to remedy the situation to mitigate any additional exposure to future injuries or damage.

SISC has incident report forms on our website <https://sisc.kern.org/pl/forms/> that can assist member districts in capturing this type of information. Accident report forms and the Confidential School Incident Investigation form can be used by the district to capture the who, what, when, where and why. The Confidential School Incident Investigation form is a confidential form between

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Additional Legislative News

The California Legislature has been active, passing several bills impacting schools, particularly regarding immigration enforcement and child safety.

Five new bills address immigration enforcement in educational settings.

Immigration Enforcement and Schools

- **SB 98-Immigration Enforcement Notification** By **March 1, 2026**, all public schools must implement procedures to notify parents/guardians, teachers, administrators and school personnel when the school confirms the presence of immigration enforcement on the school site. These notification requirements are only in effect until **January 1, 2031**.
- **AB 49-California Safe Haven Schools Act** Except as required by state or federal law, Local Education Agencies (LEAs) must prohibit immigration enforcement officers from entering non-public areas (e.g., classrooms, offices, staff-only spaces) without a subpoena or court order. Officers must also present valid identification before entry.

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SB 848– CHILD ABUSE PREVENTION

Senate Bill 848 is a significant piece of legislation to further prevent child abuse. While this bill takes effect 7-1-26, there are some provision that require earlier action. We expect you will see a variety of educational organizations, such as CASBO and ACSA, to provide additional information on implementation. We at SISC wanted to share some information on what you should begin considering. The bill requires Local Education Agencies (LEA) to adopt written policies in the following:

- Address professional boundaries between students, school employees, adult volunteers, and school contractors. This also includes boundaries between and among students. Districts must establish appropriate limits on contact during or outside the school day between students and school employees, volunteers and school contractors that do not include a student's parent or guardian. This includes social media and text communication. SISC recommends all electronic communications be conducted through district-approved electronic communication platforms.
- School facilities and furnishings that promote safe environments for learning and engagement that are easily supervised. Many of our districts have already started identifying furniture layouts that promote visibility and supervision and removing furniture that is not appropriate for the school environment.

Additional requirements for LEA's:

- **Now:** Review your Comprehensive School Safety Plans (CSSP) now. The CSSP plan must include up-to-date procedures to address the supervision and protection of children from child abuse or neglect of sex offenses. The law requires each school to update and adopt its CSSP by March 1st, annually. SISC currently has a training available on Staff and Student Relations on our learning platform, Get Safety Trained. Updates to this training will occur in the next 6 months. District may want to consider adding this training to your annual list of training for staff.
- The list and definition of mandated reporters has changed. The list defines mandated reporters in a school setting as employees, volunteers and governing board members of an LEA or private school. A volunteer is any person over 18 years of age that interacts with pupils outside of the immediate supervision and control of the student's parent or guardian or a school employee. The bill also adds employee or volunteer of a contractor who interact with students as a Mandated Reporter. Districts should maintain records of these individuals completing the Mandated Reporter training. The Mandated Reporter training for Educators on the Get Safety Trained learning platform can be used for the expanded list of mandated reporters.
- **Starting January 1, 2026** the law now requires all *classified or noncertificated positions* (including temporary employees) to provide a complete list of every LEA where the applicant has previously worked. In addition, LEA's considering the applicant must inquire and determine with the previous employers when the applicant was the subject of egregious misconduct complaints, investigations or discipline. The law also expands the current background history for certificated staff to include private school employment to the process.

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STAFF PROFILE—ALEXIS SANTIESTEBAN

SISC Property and Liability welcomes Alexis Santiesteban, Claims Assistant to our team. Santiesteban joined SISC initially as a temporary staff member and became an official part of the team in October. She grew up in Los Angeles, as one of eight children with a single mom for most of her childhood. Her father's passing in her high school years, had a profound effect on Santiesteban. Family is very important to her. The hard work of her mom set an example for her children and they all depended on each other growing up. The strong family ties Santiesteban shares with her siblings is a benefit and strong support system for her mom, as she deals with significant health issues.

Today Santiesteban is happily married with two children of her own, Jeremiah 7, and Jhenesis, 5 who is a Christmas day baby. As such, they made it on the local news, which is a special memory for the family.

Santiesteban moved to Bakersfield 12 years ago. She graduated from a local high school and has a bachelor's degree. Santiesteban is excited to be joining the SISC Property & Liability team and contribute her skills and passion to serving our member districts. It is likely Santiesteban is one of the first people you will interact with by phone or through the mail. Welcome Alexis to our team.



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INVESTIGATIONS AND PRESERVING EVIDENCE (CONTINUED FROM PAGE 1)

the District and SISC adjusters.

There are circumstances where school site investigation should not be conducted. Incidents of child abuse and neglect should be reported to law enforcement and child protective services. This is a two-step process. Calls should be made to the appropriate authority AND reported in writing using the Suspected Child Abuse Report form within 36 hours of the call. Documentation of reporting suspected abuse and neglect protects the mandated reporter and the district, by showing compliance with mandated reporter requirements. Investigations for these types of circumstances are conducted by law enforcement and/or child protective service agencies only.

The second type of incidents that should not be investigated at the school site level are allegations of Title IX and/or violations under the Uniform Complaint Policy. These types of allegations are handled and investigated at the district level by specifically appointed personnel. These appointed personnel should reach out to SISC if they feel an incident may give rise to a liability claim against the district. The adjuster assigned will work with the district appointed personnel to gather information.

If you have further questions, please feel free to contact our office at (661) 636-4495.

Water Loss Prevention Sensors

SISC is partnering with Hartford Steam Boiler (HSB) to offer our member districts special pricing on water loss prevention sensors. Sometimes known as Internet of Things (IoT) sensors, these devices can be placed in areas to detect the unexpected presence of water, such as a pipe burst, faulty faucet or water heater etc. Alerts are transmitted through a cellular network to designated district personnel.

Districts may want to consider these devices for facilities such as multipurpose rooms, cafeterias, and gymnasiums, as a starting point. HSB estimates sensors can reduce the cost of a claim by 25%. In addition, this can reduce "loss of use" time for a district.

For more information contact Kerri Jones at kejones@siscschools.org

STUDENT ACCIDENT CLAIMS: INCREASE REFLECTS IMPROVED REPORTING AND NEW PROCEDURES

BY ELSA LARA, STUDENT INSURANCE CLAIMS EXAMINER

In the first quarter of the 2025-2026 coverage term, Student Insurance received 233 student accident claims—an increase from 147 during the same period last year.

Although this seems like a significant jump, the higher number of claims is mainly the result of improved reporting practices.

A significant factor contributing to the increase, is our expanded training and outreach. Over the past several months, Student Insurance has conducted multiple on-site presentations and virtual training through WebEx. These efforts clarified when and how injuries should be reported. As a result, schools are now using the Student Accident Coverage program more consistently and submitting claims in a timely manner, which has naturally increased total claim counts.

New Reporting Requirement

Student Insurance is introducing a strengthened reporting expectation:

We are now asking districts to submit a Student Accident Claim Form every time an injury is reported at a school site. This change will help SISC receive comprehensive data and reduce underreporting.

This improved reporting process enables Student Insurance to capture a more accurate count of student injuries and helps identify trends earlier in the school year. Proper utilization of Student Accident Coverage is important. There is an inverse relationship between utilization of the Student Accident Coverage and the presentation of liability claims. Very few families that take advantage of the Student Accident Coverage go on to file a lawsuit against the district. According to SISC data, less than 1% of the families that utilize the Student Accident Coverage have resulted in liability claims.

To ensure your district is making the most of Student Accident Coverage, or to support new staff in understanding the program, reach out to the SISC Student Insurance Department at (661) 636-4414. We are happy to arrange a WebEx training or an in-person presentation tailored to your needs.

Happy Holidays from SISC Property & Liability



SISC HOLDS 4TH DEFENSE SUMMIT

On October 15, 2025, SISC Property & Liability held our 4th Defense Counsel Summit, attended by over 75 individuals. This annual event has become increasingly important to our defense counsel members as an opportunity to learn more about pressing issues in education and liability claims, trends SISC is seeing in our pool and available data on claims statewide. In addition to defense counsel members, the summit was also attended by district superintendents, excess property and liability providers, risk managers, staff counsel and legislative advocates.

This year's Summit included a presentation on the legislative process. While many of us remember the old School House Rock presentation on how a bill becomes a law, this year's Summit did a deep dive into the actual legislative process from a sitting member of the California State Legislature. The presentation included the most effective times to share information with your legislative member on the impact proposed legislation will have on public education, the local community and students.

Building on the legislative process, a panel discussion by David George, Chief Executive Officer at Schools Excess Liability Fund (SELF); Leilani Aguinaldo, Senior Director at School Services of California, Inc.; and Michael Fine, Chief Executive Officer at FCMAT; provided helpful information on crafting your message and how to share it in a way that best illustrates the impact. The panel members discussed their roles and the beneficial legislation passed in recent years for the safety and well-being of students, including AB 1913 and SB 848. Both bills were signed into law and go further than ever before to protect students from sexual assault and abuse.

The day ended with presentations from Carlos Rojas, Chief Governmental Relations Officer, Kern County Superintendent of Schools, and Dr. John Mendiburu, Superintendent, Kern County Superintendent of Schools, who discussed the successes and challenges in education. An additional speaker was Ann Gergen, Executive Director, Association of Governmental Risk Pools (AGRIP) who discussed the national trends of governmental risks.

In addition, the Summit provides a great opportunity for defense counsel members to network and collaborate on effective practices in defending our member districts.



Legislation (continued)

- **AB 419, SB 580 & AB 495-Family Support and Preparedness** These three bills provide information and support to families regarding immigration enforcement activities. Schools must provide families with the Attorney General's Immigration Enforcement Notice ("Know Your Rights") and post the notice at education sites. The Attorney General must publish and maintain a database of state and local agency policies relating to immigration authorities.
- **AB 495-The Family Preparedness Act:** Requires schools to support families in preparing for potential immigration enforcement, except where state or federal law dictates otherwise.
- **AB962—Smartphone Use Policy—LEA's** may not restrict student smartphone use in emergencies, in response to actual or perceived threats, when directed by a physician, or when included in a student's Individual Education Plan (IEP).

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 Morentin, Administrative Secretary at limorentin@siscschools.org

FROM THE DIRECTOR

We want to thank all of our SISC Property & Liability member agencies for another successful year as 2025 comes to a close.

Our stability as a Joint Powers Authority is derived from the relationships that our staff has with you as members. Whether it be our claims staff, student insurance examiners, or our safety and loss specialists, each of our working units develop strong relationships with the personnel located at our member agency offices.

To further that development of strong communication, I am proud that we launched our SISC Property & Liability Advisory Group that several of you have chosen to participate in this past year. The first meeting took place in March of 2025 and we believe our group is off to a good start. Notices will continue to go out to our members encouraging participation. Our goal with the advisory group remains to create a platform where members can tell us about their concerns, and advise SISC staff on how school environments are impacted.

In October of this year, we once again held a successful Defense Counsel Summit. Each of the last four years we have been able to bring a large number of our panel counsel together for an afternoon of collaboration. This year we were pleased to have Senator Dave Cortese of the Fifteenth Senate District address our group. He offered his insights into how those in the JPA community could go about gaining the attention of legislators when issues of significance arise. The senator's presence at our summit was a special honor and so well received.

Lastly, a special thank you to our editor of the Quarterly Update, Kerri Jones, for all of her efforts. The professionalism of our newsletter now accompanied by an index of articles located on our website serves as a great tool for access to substantive information.

2026 promises to be another challenging year with greater efforts towards connecting with our membership. On behalf of all of us here in Property and Liability we wish you the happiest of holidays.

SB 848– CHILD ABUSE PREVENTION (CONTINUED FROM PAGE 2)

Additional provision of the bill that are still being developed at this writing include:

- Classified Employee Database – Contingent upon state funding, the California Commission on Teacher Credentialing (CTC) would develop a statewide database of noncertified LEA employees and all private school employees by July 1, 2027. The database would include the employees start date, end date, title for each position held, and any previous employer that substantiated a report of egregious misconduct. If established, LEA's would be required to consult the new database before hiring an individual for a noncertified position or any private school position.
- Pupil Instruction – The State Superintendent of Instruction (SSPI) will provide resources that LEAs may use for age-appropriate instruction on the prevention of abuse. The bill does not include any new obligation to instruct students on abuse prevention but does instruct the SSPI to develop resources for district to consider for use.