PUBLIC CHARTER SCHOOL INSURANCE REQUIREMENTS

Insurance
The Charter School shall maintain adequate and current policies that address the following areas:

- Comprehensive or Commercial General Liability
- Worker’s Compensation
- Property Insurance (for leased facilities) to address business interruption and casualty needs including fire and other hazards with replacement costs coverage for all assets listed in the Charter School’s property inventory and consumables
- Comprehensive or Business Automobile Liability; and
- Crime Insurance
- Educators Legal Liability (errors & omissions)
- Catastrophic Student Accident Insurance
- Business Income and Extra Expense Insurance

All required insurance coverages must be underwritten by insurers allowed to do business in the State of Maryland and acceptable to the Board. The insurers must also have a policyholders' rating of "A-" or better, and a financial size of "Class VII" or better in the latest evaluation by A. M. Best Company, unless Office of Risk Management grants specific approval for an exception. The Board hereby grants specific approval for the acquisition of workers compensation and employers liability insurance from the Injured Workers Insurance Fund of Maryland.

Certificates of Insurance listed above must be provided to Baltimore County Public Schools as a requirement of this agreement. Certificates should be mailed to Patrick Hancock, Risk Manager, Baltimore County Public Schools, 9610 Pulaski Park Drive, Suite 219, Middle River, MD 21220 Insurance as required hereunder shall be in force throughout the term of the Charter School’s operations. Original certificates signed by authorized representatives of the insurers or, at the Baltimore County Public Schools Office of Risk Management's request, certified copies of insurance policies, evidencing that the required insurance is in effect, shall be maintained with the Board throughout the term of the Charter School’s operations.

Coverage
For purposes of the foregoing requirement, the following coverage shall be deemed “adequate:”

Worker’s Compensation insurance to cover minimum statutory limit obligations imposed by federal and state statutes having jurisdiction over the Charter School’s employees, as well as employers’ liability insurance with a minimum limit of $100,000 per each accident and employee and $500,000 policy limit for bodily injury by disease.

Comprehensive General Liability insurance with a minimum combined single limit of $1,000,000 each occurrence, $1,000,000 personal and advertising injury, $1,000,000 general aggregate, and $1,000,000 products/completed operations aggregate.
This insurance shall include coverage for all of the following:

- Liability arising from premises and operations;
- Liability arising from the actions of independent contractors;
- Contractual liability including protection for the Charter School from bodily injury and property damage claims arising out of liability assumed under contract;
- Liability arising from athletic participation (Any athletic participation exclusion shall be deleted.);
- Liability arising from child care (Any specific child care exclusion shall be deleted.);
- Liability arising from field trips or other off-premises activities (Any specific field trip exclusion or designated premises endorsement shall be deleted.); and
- Liability arising from sexual and/or physical abuse with minimum sublimits of $250,000 per occurrence, $250,000 annual aggregate.

The Board and Board’s elected and appointed officials, officers, directors, trustees, consultants, agents and employees shall be named as additional insureds under the commercial general liability and umbrella excess (or excess liability) coverages, and each certificate of insurance, or each certified policy if requested, must so state this.

Comprehensive or Business Automobile Liability insurance with a combined single limit for bodily injury and property damage or not less than $1,000,000 each occurrence with respect to the school’s owned, hired or non-owned vehicles, assigned to or used in performance of the services offered by the school.

Property Insurance for buildings being used by the Charter School to fulfill the purposes of this contract and any contents purchased by the Charter School shall provide the County Board with the ability to file a claim for any loss of property purchased with state or federal funds. The Board shall be named as loss payee under the Charter School’s property insurance with respect to that property in which the Board has a financial interest, while such property is located in or on the premises of the Charter School or is otherwise in the care, custody or control of the Charter School.

Educators Legal (Errors and Omissions) Liability Insurance conforming to the following requirements:

- Errors and Omissions Liability Insurance shall cover the Charter School for those sources of liability arising out of the rendering or failure to render professional services in the performance of this agreement, including all provisions regarding financial management and indemnification.
- The minimum limits to be maintained by the Charter School shall be no less than $3,000,000 per claim/annual aggregate.
This insurance shall include coverage for all of the following:

- Any professional staff or other employees of the Board assigned to work at or participate in the operations of the Charter School must be included as insureds.
- This policy must be modified by manuscript endorsement to specifically apply on a primary basis for these Board employees in relation to the Board’s school board legal liability coverage.

Umbrella excess liability or excess liability insurance with minimums of $2,000,000 per occurrence, $2,000,000 aggregate for other that products/completed operations and auto liability, and products/completed operations aggregate, and include all of the coverage required on the Commercial general liability, Business auto liability and Employers liability.

The Board and Board’s elected and appointed officials, officers, directors, trustees, consultants, agents and employees shall be named as additional insureds under the commercial general liability and umbrella excess (or excess liability) coverages, and each certificate of insurance, or each certified policy if requested, must so state this.

Crime Insurance with minimum limits of $500,000 for each loss due to employee dishonesty, $100,000 for each loss due to forgery or alteration, theft, disappearance or destruction (money and securities).

This insurance shall include coverage for all of the following:

- The definition of employee shall include students and volunteers, including fund solicitors.
- Named insured shall include any employee welfare, pension or benefit plan sponsored and approved by Charter School.
- Compliance with ERISA of 1974 requirements with respect to: defining employee to include trustees, officers, employees, administrators or managers (except independent contractors) of any of Charter School’s employee welfare, pension or benefit plans, and the named insured's directors or trustees while handling funds or other property of such plans, commingling of funds; deductible applicability; and when benefit plans are jointly insured with other entities, where applicable (Use CR 1027 or equivalent form(s)).
- The Board and the State of Maryland as their interest may appear are to be named as loss payees under the employee dishonesty coverage as respects property in which the Board or the State of Maryland has a financial interest.

Catastrophic Student Accident Insurance to cover injury to all enrolled students who participate in intramural or interscholastic sports, gym classes, and non-sport extra-curricular activities including band members, cheerleaders, majorettes, student coaches, student trainers and student.
managers with a maximum deductible of $25,000 and minimum limits of: $1,000,000 for accident medical expense, $250,000 catastrophic cash, $25,000 accidental death and $25,000 accidental dismemberment.

Any and all policies of insurance maintained by the Charter School pursuant to this Section shall be deemed primary to any potentially applicable policy or policies of insurance maintained by the Board of Education of Baltimore County and/or their respective officers, agents, employees and representatives. The Board and Board's elected and appointed officials, officers, directors, trustees, consultants, agents and employees shall be named as additional insureds under the commercial general liability and umbrella excess (or excess liability) coverages, and each certificate of insurance, or each certified policy if requested, must so state this.

The Charter School shall provide copies of all required policies of insurance and certificates of coverage to Patrick Hancock, Risk Manager, Baltimore County Public Schools, 9610 Pulaski Park Drive, Suite 219, Middle River, MD 21220 by the date set out in the Pre-Opening Requirements and shall provide updated copies annually prior to the first day of school. Any deductibles or retentions in excess of $10,000 shall be disclosed by the Charter School, and are subject to Board’s written approval. Any deductible or retention amounts elected by the Charter School or imposed by the Charter School's insurer(s) shall be the sole responsibility of the Charter School.

The Charter School shall also purchase business income and extra expense insurance satisfactory to protect its interests in the event of and resulting from direct physical loss of or damage to the Board's or Charter School's real or personal property, fixtures and equipment, while such property is located in or on the premises of the Charter School.

If the Charter School does not meet the insurance requirements herein, the Charter School shall forward a written request to the Office of Risk Management for a waiver in writing of the insurance requirement(s) not met or approval in writing of alternate insurance coverage, self-insurance, or group self-insurance arrangements. If the Office of Risk Management denies the request, the Charter School must comply with the insurance requirements as specified herein.