



NAUSCH, HOGAN & MURRAY, INC.

77 WATER STREET, 8TH FLOOR
NEW YORK, N.Y. 10005
(212) 480-4200 • Fax: (212) 480-2920

May 21, 2020

Yonkers Public Schools
One Larkin Center
Yonkers, New York 10701
Attn: Mr. John Carr

Re: Yonkers Public Schools
Educators Legal Liability and Employment Practices Liability
Policy Period: July 1, 2020 – July 1, 2021

Dear Mr. Carr,

With respect to the upcoming renewal of Yonkers Public Schools' School Leaders' Educator's Management and Employment Practices Liability insurance, we have received favorable renewal terms from the incumbent, Greenwich Insurance Company (a member of AXA XL Group of Companies, A+, XV).

Greenwich Insurance Company has offered renewal terms at a cost of \$78,844. This represents an approximate increase of 4.5% from the expiring premium of \$75,485.

Greenwich has also provided the following alternative lower limit options, all subject to the same retentions:

\$1,000,000 Each Claim and in the Aggregate for a cost of \$52,562
\$2,000,000 Each Claim and in the Aggregate for a cost of \$66,579
\$3,000,000 Each Claim and in the Aggregate for a cost of \$73,588
\$4,000,000 Each Claim and in the Aggregate for a cost of \$77,092

Greenwich Insurance Company is an Admitted Insurer.

Please note, as with previous policies' terms and conditions, this quote is based on defense expenses being paid outside the limit of liability with respect to insuring agreement A.1.a. Educators Wrongful Act and A. 2 Employment Practices Liability and Third-Party Liability. This means that you theoretically could have \$5,000,000 in defense expense costs with the limit of liability for these two Insuring Agreements remaining intact. Insuring Agreement A.1.b Non-Monetary Relief for an Educators Wrongful Act has defense expenses inside the limit of liability. Insuring Agreement A. 3. Reimbursement of Defense Expenses with respect to a Claim alleging an IEP Act, Collective Bargaining Act or Student Program Act is subject to \$100,000 each claim and in the aggregate maximum reimbursement Defense Expenses. Of course, these limits are applicable to losses covered by the terms and conditions of this policy

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With respect to alternate market interest, we advise the following:

Western World/Validus has indicated that are not able to compete with Greenwich Insurance Company's terms due to class, state, size, loss history/activity.


PRU/QBE has indicated that they have looked at the account the past few years and given the limits and location, they cannot be competitive with Greenwich Insurance Company.

AIG who had aggressively pursued this policy previously, offered a ballpark estimated premium range of \$94,608. This quote includes a School Leaders and Employment Practices Liability shared \$5,000,000 limit and \$100,000 sublimit for IEP Hearing. This offer will require a complete underwriting submission, including but not limited to an application and any additional underwriting information that they may request, in order to evaluate whether a quotation can be offered.

When considering the information presented above, it seems that once again, the incumbent, Greenwich Insurance Company continues to provide the most favorable terms and conditions of coverage, with no pending subjectivities.

As always, if you have any questions, concerns or comments please do not hesitate to contact us.

Thanks and Best Regards,



Doreen McLoughlin

dm/ms
Encl.

INSURANCE BROKERS • AVERAGE ADJUSTERS
REINSURANCE INTERMEDIARIES

NEW YORK / ROTTERDAM / LONDON / ST. THOMAS / RIO DE JANEIRO

PROPOSAL OF INSURANCE

NAMED INSURED: Yonkers Public Schools

ADDRESS: One Larkin Center
Yonkers, New York 10701

COVERAGE: Educators Legal Liability & Employment Practices Liability
(Defense Expenses Outside the Limit of Liability with respect to insuring agreement
A.1.a. Educators Wrongful Act and A. 2 Employment Practices Liability and Third-Party Liability)

SECURITY: Greenwich Insurance Company,
A member of AXA XL Group of Companies (A, XV)
Admitted Insurer

POLICY TERM: 1st July 2020 – 1st July 2021
12:01 A.M. Standard Time at the Mailing Address shown above

POLICY FORM : PGU ELL 2001 (04/2017)-CLAIMS MADE

RETROACTIVE DATE: None; Full Prior Acts

PRIOR & PENDING LITIGATION: June 9, 1999

LIMIT OF LIABILITY: Each Claim: \$5,000,000
Aggregate: \$5,000,000

DEFENSE REIMBURSEMENT PAYMENTS LIMIT OF LIABILITY: Each Claim: \$100,000
Aggregate: \$100,000

ENHANCEMENTS: Personal Injury (See Retentions Below)
Third Party Wrongful Acts (See Retentions Below)
Back Pay/Front Pay (See Retentions Below)
Non-Monetary Relief (See Retentions Below)
Loss of Earnings (See Retentions Below)
Act of School Violence Crisis Management (Sub-Limit \$1,000,000/\$1,000,000) (See Retentions Below)
Network Security-Identity Theft Event Coverage (Sub-Limit \$100,000/Retention \$500)

RETENTION EACH CLAIM INCLUDING LOSS ADJUSTMENT EXPENSES: \$100,000 each Educators Legal Liability Claim
\$100,000 each Employment Practices Liability Claim
\$ 35,000 each Defense Reimbursement Liability Payment

FORMS: PGU ELL 2000 08 19 Educators Liability & Employment Practices Liability-Declarations
(Other forms may apply) IL MP 9104 0314 GIC 03 14 In Witness
PGU 2002 04 17 Schedule of Policy Forms & Endorsements
PGU ELL 2001 04 17 Educators Errors and Omissions and EPL Insurance Policy
PGU ELL 1158 04 17 New York Amendatory Endorsement
PGU 1008 (ELL) 04 17 Amend Prior and Pending Litigation Exclusion
PGU ELL 1048 04 17 Act of School Violence Crisis Management Coverage
PGU 1052 (ELL) 04 17 Minimum Earned Premium
PGU 1087 04 17 Network Security-Identity Theft Coverage
PGU ELL 1120 04 17 Harassment/Bullying Coverage

NAUSCH, HOGAN & MURRAY, INC.*Insurance Brokers •**Reinsurance Intermediaries*

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NEW YORK, N.Y. 10005

(212) 480-4200 • FAX: (212) 480-2920

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May 21, 2020

FORMS:
(Other forms
may apply

PGU ELL 1133 04 17 Corporal Punishment Coverage
PGU 1137 04 17 Federal Immigration and Nationality Act Coverage
PGU 1138 (ELL) 04 17 Defense Only Reimbursement Coverage for Breach of Contract
MANU 10 07 17 Amend Definition of Insured
MANU 11 07 17 Terrorism Limit
MANU 92 07 18 New York Punitive Damages Amendatory Endorsement
PGU 1170 NY 04 07 New York Regulation 121 Addendum to Declaration and Application
PGU 1171 NY 04 07 New York Changes- Transfer of Duties When a Limit is Used Up
MANU 109 07 19 Crisis Fund Coverage
PN CW 01 09 15 Notice to Policyholders- Fraud Notice
PN CW 02 10 15 Notice to Policyholders- Privacy Policy
PN CW 05 09 14 Notice to Policyholders- U.S. Treasury Department's Office of Foreign Assets Control ("OFAC")

SUBJECTIVITY:

Written request to bind coverage is required
Backdating of coverage is not allowed
See attached Coverage Features attachment for additional information
Limits, retentions, terms and conditions quoted do not necessarily match those requested
Proposals contain a brief outline of coverages to be included in any policy that may be issued in the future.
Terms and conditions of the policy take precedence over any proposal
Minimum Earned Premium is the greater of \$1,500 or 25% of annual premium
Flat cancellation is not allowed after inception date
Fee is non-refundable

NOTES:

By purchasing this coverage, you will have the opportunity to register for PGU Employer Resource Center that provides unlimited, specific, documented, and confidential advice from employment law attorneys. It also provides on-line training courses, including sexual harassment prevention, available for both supervisors and employees. As well as, on-line tools; a state-specific employee handbook builder, forms, posters, news and more.

PREMIUM:

USD \$78,844 (Includes Terrorism, Taxes and Fees)
25% Minimum Earned
No Flat Cancellation

**SPECIAL
NOTE:**

Deadly weapon coverage is also available as a separate coverage.

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Insurance Brokers •

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NEW YORK / ROTTERDAM / LONDON / ST. THOMAS / RIO DE JANEIRO



**Professional
Governmental
Underwriters, Inc.**
The Authority.

Deadly Weapon Protection for U.S. Education Providers

Overview of Key Product features:

- Deadly Weapon Protection provides 3rd Party Liability Insurance with built in Crisis Management Services.
- Policy is primary coverage for both indemnity and expense – coverage is clearly stated & clarified within the ‘Other Insurance’ condition.
- Cover basis: ‘pay on behalf’ of the **Named Insured**.
- **Maximum Limits Of Liability:** Up to \$20,000,000 each and every Deadly Weapon Event and \$50,000,000 in the policy aggregate.
- The policy provides 1st party property damage / restoration provision via the **Property Damage Extension – \$500,000 sub-limit as standard**.
- The policy can provide Business Interruption coverage via the **Business Interruption Extension Sub-Limit**.
- Policy has a built in event responder provision to provide risk management services – post binding coverage, members of the event responder team will visit the insured’s location and undertake a physical **Deadly Weapon and Security Vulnerability Assessment**
- While on site the risk management team will undertake an **Deadly Weapon Safety Action Plan Seminar**.
- Crisis Management Response Team - 24/7/365 telephone line. CrisisRisk - **<https://www.crisisrisk.com/>**
- The policy gives dedicated risk management via specific sub-limit endorsements - Crisis Management Services Endorsement, Counselling Services Sub-Limit Endorsement & Funeral Expenses Sub-Limit Endorsement.
- Broad definition/coverage of “weapon” and as such does not limit the coverage to solely that of a firearm.
- The Deadly Weapon policy provides cover if the incident was a terrorist shooting (there is **no terrorism exclusion** within the form) or if an employee undertook the shooting (no named insured exclusion as per most GL policies).
- **Application/Eligibility** – Designed for educational entities of all types and sizes, including public and private schools, charter schools, colleges and universities and day-care facilities. Easy one page application and quick quote turnaround.

Please contact PGU today if you are interested in a Deadly Weapon Protection quote for your clients!



**Professional
Governmental
Underwriters, Inc.**
The Authority.

9020 Stony Point Parkway
Suite 455
Richmond, VA 23235

Educators Legal Liability and Employment Practices Liability

Coverage Features	We welcome a comparison!	
	PGU - The Authority	The Others
Defense in Addition to Limit	Yes, unless endorsed otherwise	
Covers D&O, E&O and EPL	X	
Covers Loss and Defense for Non-Monetary claims	X	
Modified Consent to Settle Clause with only 40% co-insurance requirement for insured	X	
Business Invitee (Third Party) Liability covering Harrassment, Discrimination and Invasion of Privacy	X	
Broad definition of Loss including Back and Front Pay and Punitive Damages with a most favorable venue	X	
Broad definition of Wrongful Act including Personal Injury	X	
Broad definition of Claim including coverage for regulatory proceedings, arbitration hearings and EEOC hearings, subject to exclusions	X	
Severability of the Application for all individual insureds for all exclusions (not just personal profit and fraud exclusions)	X	
75-day free mini-tail	X	
Bi-Lateral ERP options of 1, 2 and 3 years	X	
Policy Non-Cancelable mid-term by carrier, except for non-payment of premium	X	
True Worldwide Coverage	X	
Sub-limit for Wage & Hour (FLSA)	Optional	
Sub-limit for Crisis Management	Optional	
PGU Employer Resource Center for employment law attorneys access and on-line tools	X	

This document is intended to summarize key coverage features generally available.

It does not summarize your quotation / indication.

Please review the entire quotation / indication and policy form and endorsements for specific details.

Doreen McLoughlin

From: Doreen McLoughlin
Sent: Wednesday, April 15, 2020 2:06 PM
To: Doreen McLoughlin
Subject: FW: Yonkers Public Schools - ELL - X Date: 7/1/20 - NEED BY 4/17

From: J Spencer Burnam <sburnam@pru-tx.com>
Sent: Wednesday, April 15, 2020 10:54 AM
To: Julie Kilts <Julie.Kilts@amwins.com>
Cc: Mark Dillard <mdillard@pru-tx.com>; Elaine Perez <eperez@pru-tx.com>
Subject: RE: Yonkers Public Schools - ELL - X Date: 7/1/20 - NEED BY 4/17

Julie,

Thanks for your submission of the above referenced account. Looking at the expiring premium, I would have to say that they have a pretty good deal where they are at now. We have looked at this account the past few years and given the limits and location, we can't get to where you would need for us to be. I am sorry but I am not going to be able to help you with this one.

Thanks again for the submission and I look forward to working with you in the future.

J. Spencer Burnam
Sr. Underwriter
Public Risk Underwriters of Texas
Sburnam@pru-tx.com
Direct: 210-394-3890
Mobile: 210-394-3890
Other: 469-449-1525

REMINDER: Insurance coverage cannot be bound, amended or cancelled via an e-mail message without confirmation from an authorized representative of Public Risk Underwriters of Texas.

CONFIDENTIALITY NOTICE: The information contained in this communication, including attachments, may contain privileged and confidential information that is intended only for the exclusive use of the addressee. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error please notify us by telephone immediately.

Doreen McLoughlin

From: Doreen McLoughlin
Sent: Wednesday, April 15, 2020 4:30 PM
To: Doreen McLoughlin
Subject: FW: [EXTERNAL] Yonkers Public Schools - ELL - X Date: 7/1/20 - NEED BY 4/17

From: Christina Panaro <christina.panaro@validusuw.com>
Sent: Wednesday, April 15, 2020 2:43 PM
To: Julie Kilts <Julie.Kilts@amwins.com>
Subject: RE: [EXTERNAL] Yonkers Public Schools - ELL - X Date: 7/1/20 - NEED BY 4/17

Hi Julie,

I was able to review the submitted information, and unfortunately I wouldn't be able to compete with Greenwich's terms due to the class, state, size, loss history/activity.

If excess terms are needed, I would be able to consider!

Regards,

Christina Panaro
Validus Specialty Underwriting Services, Inc.
Senior Underwriter
Tel +201-847-2767 | christina.panaro@validusuw.com

**Risk Specialists Companies Insurance
Agency, Inc. d/b/a RSCIA in NH, UT & VT**
2929 Allen Parkway
Suite 1300
Houston, TX 77019-2128



May 18, 2020

Insured: YONKERS PUBLIC SCHOOLS
1 LARKIN CTR
YONKERS, NEW YORK 10701-7044

Insurance Carrier: NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA.
175 WATER STREET, NEW YORK, NY, 10038-4969

Policy: LEADERS RISK PROTECTOR
TAB #: 1749532, SUBMISSION #: 59736411
NEW LINE - POLICY PERIOD OF 12 MONTHS

Per your request for a Leaders Risk Protector indication, and based upon the information submitted, we are pleased to indicate the following subject to receipt, review and acceptance of the following information:

1. Completed signed and dated AIG LRP Mainform Application

Limit of Liability	\$5,100,000
Total Premium	\$94,608

School Entity Errors and Omissions Insurance	
Sublimit of Liability	\$5,000,000
IEP Hearing Sublimit of Liability	\$100,000
Retention	\$100,000
IEP Hearing Retention	\$35,000 For each IEP Hearing
Continuity Date	07/01/2020
Retroactive Date	Full Prior Acts

School Entity Employment Practices Liability Insurance	
Sublimit of Liability	\$5,000,000
Retention	\$100,000

Continuity Date	07/01/2020
Retroactive Date	Full Prior Acts

CyberEdge Security and Privacy Liability	
Sublimit of Liability	\$100,000
Regulatory Action Sublimit of Liability	\$100,000
Retention	\$25,000
Continuity Date	07/01/2020
Retroactive Date	Full Prior Acts

CyberEdge Event Management Insurance	
Sublimit of Liability	\$100,000
Retention	\$25,000
Continuity Date	Not Applicable
Retroactive Date	Not Applicable

CrisisFund	
Sublimit of Liability	\$25,000
Retention	\$0
Continuity Date	07/01/2020
Retroactive Date	Not Applicable

Covered Entities	
Full Legal Name of Entity:	Type of Entity:
YONKERS PUBLIC SCHOOLS	School Entity

Premium for Certified Acts of Terrorism Coverage under Terrorism Risk Insurance Act, as amended (TRIA): \$0 included in policy premium stated above. Any coverage provided for losses caused by an act of terrorism as defined by TRIA (TRIA Losses) may be partially reimbursed by the United States under a formula established by TRIA as follows: 81% of TRIA Losses in excess of the insurer deductible mandated by TRIA, the deductible to be based on a percentage of the insurer's direct earned premiums for the year preceding the act of terrorism.

The TRIA disclosure is attached hereto.

Leaders Risk Protector 108335 (03/12) will provide the basic contract. If you have not been previously provided with a copy of this policy form, a specimen is enclosed or will be provided at your request. Please read it carefully.

The following will be added to the basic policy:

#	Form #	Ed Dt	Title
1	108335	03/12	LRP Admitted GTC

2	108339	03/12	LRP - S&P Coverage Section
3	108340	03/12	LRP - Event Management Coverage
4	108341	03/12	LRP - Crisis Fund Coverage Section
5	109223	03/12	SCHOOL ENTITY COVERAGE SECTION
6	109224	03/12	SCHOOL ENTITY EPL COVERAGE SECTION

The following endorsements will be added to the basic policy:

#	Form #	Ed Dt	Title
1	119679	09/15	ECONOMIC SANCTIONS ENDORSEMENT
2	69898	09/06	NEW YORK AMENDATORY - CANCELLATION/NONRENEWAL
3	81109	10/03	NEW YORK AMENDATORY ENDORSEMENT - DISCOVERY CLAUSE
4	57750	10/03	NEW YORK AMENDATORY ENDORSEMENT - TRANSFER OF DUTIES WHEN A LIMIT OF INSURANCE IS USED UP
5	83231	01/09	NEW YORK LAW 3420 AMENDATORY ENDORSEMENT
6	127071	09/17	NEW YORK PUNITIVE DAMAGES AMENDATORY ENDORSEMENT
7	111736	10/12	FRONT/BACK PAY COINSURANCE ENDORSEMENT (SCHOOL ENTITY - EPL) 50%
8	109235	08/11	PREVAILING PARTY FEES COINSURANCE ENDORSEMENT (SCL) 50%
9	111757	10/12	BULLYING COVERAGE ENDORSEMENT (SUBLIMIT) \$500,000
10	108368	02/11	OPTIONAL DISCOVERY PERIOD AMENDATORY ENDORSEMENT (THREE YEAR OPTION) 1/2/3 years at 100/150/200%
11	109238	08/11	CORPORAL PUNISHMENT ENDORSEMENT (SCL)
12	108360	02/11	CHOICE OF PANEL COUNSEL ENDORSEMENT
13	115879	09/13	FINES AND PENALTIES COVERAGE ENDORSEMENT
14	124371	06/17	CYBEREDGE LOSS PREVENTION SERVICES ENDORSEMENT
15	109233	08/11	ADDITIONAL INSURED ENDORSEMENT (FOR WRONGFUL ACTS OF SCHOOL ENTITY) (EPL (SCHOOL ENTITY)) City of Yonkers
16	109232	08/11	ADDITIONAL INSURED ENDORSEMENT (FOR WRONGFUL ACTS OF SCHOOL ENTITY) (SCL) City of Yonkers
17	124010	04/17	EPL PAK PREMIER ENDORSEMENT (EMPLOYMENT PRACTICES, LOSS PREVENTION AND RISK MANAGEMENT TOOLS)
18	125595	03/17	FEDERAL SHARE OF COMPENSATION UNDER TRIA AND CAP ON LOSSES ENDORSEMENT

19	MNSCPT		DEFENSE AND SETTLEMENT PROVISION AMENDATORY ENDORSEMENT (SCL) wording pending AIG legal approval - 60% of defense costs
20	132591	04/19	ENHANCED ASSAULT EXTENSION ENDORSEMENT
21	78859	10/01	FORMS INDEX ENDORSEMENT
22	111751	10/12	TERRITORY PROVISION AMENDED ENDORSEMENT (WORLDWIDE EVENTS - SCHOOL ENTITIES)
23	MNSCPT		CONTINUITY DATE EXCLUSION AMENDATORY ENDORSEMENT (NON-ADMINISTRATIVE PERSONNEL IN OFFICES OF THE CONTROL GROUP) - wording pending AIG legal approval
24	136088	03/20	CONFIDENTIAL INFORMATION EXCLUSION ENDORSEMENT

IMPORTANT: READ CAREFULLY

If the above policy is bound, it will be recorded in the **Free Trade Zone** and is not subject to the filing and/or approval requirements of the New York Insurance Law and Regulations with respect to policy and/or contract form and rates.

In order to complete the underwriting process, we require that you send us the additional information requested at the beginning of the letter. We are not required to bind coverage prior to our receipt, review and underwriting approval of the above information. However, if we do bind coverage prior to such approval, we will issue a CONDITIONAL BINDER that is conditioned upon receipt, review and written underwriting approval of the above information. Such temporary binding of coverage shall be void ab initio ("from the beginning") if such information is not received, reviewed and approved in writing by the Insurer. Payment of premium shall not operate to extend the binding period or nullify the automatic voiding as described above.

This indication is strictly conditioned upon no material change in the risk occurring between the date of this letter and the inception date of the proposed policy. In the event of such change in risk, the Insurer may in its sole discretion, whether or not this indication has been already accepted by the Insured, modify and/or withdraw this indication.

This quote will remain open until 07/01/2020.

Before this account can be bound, your broker's license number and expiration date for the state of New York will be required.

Thank you for the opportunity to provide an indication for this account. Policy highlights are attached for your review. Please note that this indication contains only a general description of coverages provided. For a detailed description of the terms of the policy, you must refer to the policy itself and any endorsements indicated. If you have any questions about this indication, please do not hesitate to call. We would also be pleased to meet with you and your client to answer any questions they may have.