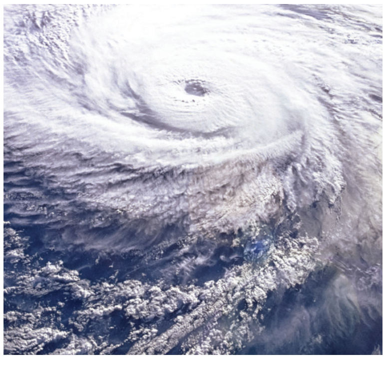
NEW YORK SCHOOLS INSURANCE RECIPROCAL
NYSIR News
NOVEMBER 2024
NYSIR.ORG

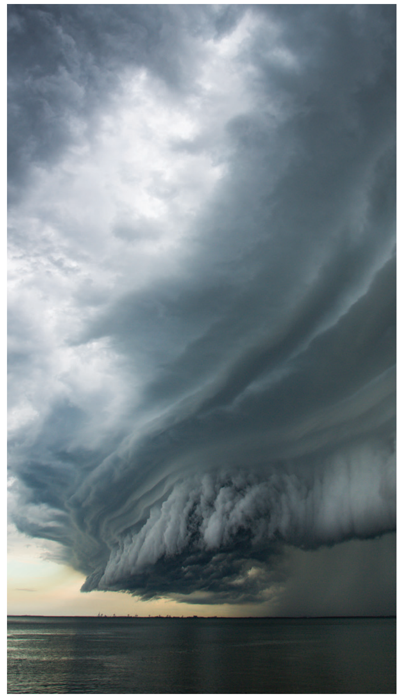
What's Climate Change Mean for New York Schools?

When a pair of uninvited guests named Helene and Milton finally took their respective leaves of the southeast U.S. in September and October, the devastation in their wake was catastrophic. As of late last month, the pair of hurricanes caused a combined 245 deaths and an estimated $100 billion in total losses. And according to CBS News, in the case of Helene, 95% of the losses were not insured.

In Florida, more than $2 billion in insured losses from Milton have been reported so far to the Florida Office of Insurance Regulation – double the reported insured losses from Helene. According to World Weather Attribution, an international group of climate experts, climate change increased Milton's destructive force. Without it, the organization estimated that the hurricane would have hit Florida as a category 2 storm, not a category 3; its accompanying rainfalls were increased anywhere between 10% and 50% due to human-caused climate change, based on observed trends and modeling.



CLIMATE CHANGE... CONTINUED



So, what's that mean for New York state, and by extension, its schools? While 2012's Superstorm Sandy wreaked havoc on New York City and Long Island, devastating storms of that nature are far more rare in the northeast than in the gulf coast and other southern coastal areas. But that doesn't mean New York hasn't already suffered increased losses, with more certainly on the way if climate change isn't addressed.

RAIN, RAIN WON'T GO AWAY

According to Kieran Bhatia, Ph.D., senior vice president of Global Peril Advisory for reinsurer Guy Carpenter, the hazards most affected by climate change for the northeast are extreme heat, flooding from severe rain events and, for coastal locations, sea-level rise. For instance, off the coastal hamlet of Montauk in Suffolk County, the sea level has risen by about a foot over the last 100 years, which has caused erosion and lost coastline. Bhatia added that some of the warmest months and days on record in the northeast, and New York in particular, have occurred in 2024.

Off the coastal hamlet of Montauk in Suffolk County, the sea level has risen by about a foot over the last 100 years, which has caused erosion and lost coastline.

"We hit 80 degrees on Nov. 6 in New York City, the warmest [for that day] on record," he noted.

Additionally, more maximum daytime temperature records have been broken in the northeast over the last decade than ever before. Wildfires also are a risk in the northeast, although smaller compared to other parts of the country.

As warmer air holds more moisture, climate change also has caused more extreme precipitation. That heavier rainfall has led to more flooding of rivers in the northeast, particularly in the southern part of New York.

The spike in hurricane severity also could increase the risk of loss in New York, when looked at alongside growth in population and wealth, both of which have been larger drivers of loss than climate events alone.

"More people are moving to the northeast into suburban areas and urban areas, and that's going to lead to larger losses even if the hazard doesn't change," says Bhatia. "However, we think some hazards are going to change in the future, but others have higher uncertainty. For example, severe thunderstorms, hail and tornados we

CLIMATE CHANGE... CONTINUED

don't really know to what extent climate change will affect those hazards."

WHAT ARE EDUCATORS SAYING?

According to a national survey of educators conducted in 2022 by the EdWeek Research Center, 25% of teachers, principals and district leaders said their district or school already has been impacted by climate change, with an additional 18% saying that despite their schools not yet experiencing any negative impacts, they believe climate change is an imminent threat.

Over 80% of principals and district leaders say they haven't done anything in the past five years to mitigate the impact of climate change on their schools.

While just under half of those surveyed say climate change already has posed, or soon will pose, a threat to their schools, most districts haven't taken action. Over 80% of principals and district leaders say they haven't done anything in the past five years to mitigate the impact of climate change on their schools.

When asked what is needed to help districts prepare for climate change effects, the top two answers for those surveyed were better efforts to educate stakeholders about climate change – and funding.

WHAT TO DO?

"A dialogue regarding climate change is most effective when it remains focused on evidence and mitigation," says Brett Carruthers, risk management director for NYSIR. "That's why the reciprocal's risk management team focuses on offering information in the spirit of our main goal, mitigating loss for New York school districts and BOCES."

Bhatia added that structures built to be more resilient to extreme weather are crucial, including roofs that can handle high velocity winds. And for schools especially, it's important to make sure expensive equipment such as electronics is not stored in an area that's vulnerable to flooding.

To help subscribers understand climate change data, NYSIR included a presentation on the topic in its latest symposium, which was presented in two locations over the summer. Additional symposium sessions offered information about ways to help mitigate loss in the face of climate change. For instance, sensor technology offered by The Hartford Steam Boiler Inspection and Insurance Company can detect problems such as water leaks, frozen pipes and large temperature fluctuations and send that data to the phones of school administrators.

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Three New Contestants… and One Returning Champion

NYSIR is pleased to welcome a new vice president of underwriting and two new members of the risk management team, and is fortunate, as well, that a past board president has agreed to reprise her role.

Deborah Heppes

DEBORAH HEPPES

Deborah Heppes recently returned as president of the NYSIR Board of Governors, a position she also held during the 2020-2021 year.

Heppes is chief operating officer of Orange-Ulster BOCES, president of the Orange-Ulster Health Plan and president of the Orange-Ulster Workers' Compensation Plan. She's served as a regular member of the NYSIR board since 2013, and before taking a leadership role for the first time, sat on the reciprocal's Executive Committee as the organization's first vice president.

"Deborah already has served the reciprocal for over a decade, and we're pleased to welcome her back to a role in which she already has distinguished herself," says NYSIR Executive Director Robert Lulley, Jr.

Heppes has served Orange-Ulster BOCES for 22 years. Before that, she worked for the Goshen Central School District and the Port Jervis City School District. In addition, she serves as an adjunct professor at SUNY New Paltz, where she teaches school finance courses in the graduate program. She also is a member of the New York State Council of School Superintendents and the New York State Association of School Business Officials.

Melissa Mann

MELISSA MANN

Melissa Mann recently began as NYSIR's vice president of underwriting. Some of her new duties include developing new school-specific coverage forms, preparing rate and forms filings, assisting in reinsurance placement and serving on the Operations Committee for the reciprocal's board of governors.

She has extensive experience in the insurance industry, working in various positions at Utica First Insurance Company over the past decade. Her most recent position there was senior vice president of strategic services; other roles included vice president of operations, vice president of underwriting operations and director of underwriting.

Mann says NYSIR's focus on putting its members first was a big reason she wanted to join the reciprocal.

"It was clear to me after getting the opportunity to talk to the team that the goal is to meet the needs of the subscribers while providing the best service possible," she says. "The organization's mission and values stood out. There is longevity and a sense of loyalty evident from the team that made the decision to join NYSIR an easy one."

It's already evident to her, she added, that NYSIR's underwriting team is heavily

THREE NEW CONTESTANTS... CONTINUED

focused on providing excellent coverage and service.

“They are very knowledgeable about the policy and are continually looking for ways to help our subscribers,” she noted. “They work as a team and are not afraid to pick up any task, and I’m excited to join them and find new ways to help them continue being great at what they do.”

Sam Gurbuzer

Sam Gurbuzer is a senior risk control specialist for the mid- and lower-Hudson area, where he’s responsible for performing inspections, risk assessments and evaluations, arranging regional seminars and conducting member training, among other duties.

SAM GURBUZER

“I’m very excited to be a part of NYSIR’s risk management team,” says Gurbuzer. “Creating a safe environment for students and faculty in the reciprocal’s subscriber districts and BOCES is both an honor and a privilege.”

His past professional experience includes a decade as senior loss control consultant for Preferred Reports, where he evaluated risks and hazards for varying insurance policies, assisted with facilities inspections and acted as field assistant for other onsite inspections. Gurbuzer also was a senior consultant for loss control services firms NEIS, Cox and Smith Risk Management and CBM Enterprises.

“I have extensive experience in property, liability, casualty and workers’ compensation risk management,” he says. “And I’m sure that will contribute to the perspective I’m able to bring when assessing risks in a school setting.”

Gurbuzer said that upon joining the reciprocal, he was immediately impressed with his fellow risk management professionals.

“Not only has everyone I’ve worked with so far been very welcoming, but they’re extremely knowledgeable,” he said. “I’m confident that NYSIR has assembled a talented team that consistently exceeds expectations in the insurance industry.”

Rebecca Lujan

NYSIR’s newest risk transfer coordinator has extensive experience creating relationships with education professionals, a capability that will undoubtedly serve her well in her new position with the reciprocal.

Just before joining NYSIR, Rebecca Lujan was a learning and engagement coordinator for the Storm King Art Center, where she communicated regularly with school administrative staff and teachers to coordinate onsite and in-class visits, arranged for student transportation and planned event itineraries.

“I worked a lot with people to provide information about exhibitions, and

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Education.

It's a complicated enterprise. Faculty. Staff. Students. Supplies. Transportation. Buildings and grounds. With seemingly a thousand things demanding attention all at once, risk management is bound to slip to the bottom of the list every once in a while, right? Here's why it shouldn't, and why it's important to remember…

It Could Happen to You.

It's not uncommon for two baseball players to chase down the same pop-up during a practice or game. But when a third baseman and shortstop for a high school team collide going after a ball, causing injuries to one of the students, will a subsequent lawsuit result in one NYSIR district being found to have committed an error?

During practice for a subscriber's varsity baseball team, the coaching staff was using a pitching machine for a fly-ball drill that required fielders to catch 21 balls in a row, collectively. When an infield fly drifted into foul territory, the third baseman moved over and planted himself under the ball and was ready to haul it in when the shortstop, also attempting to make the grab, bumped into the third baseman, causing his glove to move. The result? The ball hit him in the mouth.

The student suffered lost and broken teeth as well as lip and gum lacerations and had to undergo multiple dental procedures such as a root canal, tooth replacement and tooth repositioning.

The student suffered lost and broken teeth as well as lip and gum lacerations and had to undergo multiple dental procedures such as a root canal, tooth replacement and tooth repositioning. A few months after the incident, the student's father brought a claim against the district, alleging negligence on the part of the school in both hiring the baseball coaches and supervising the fly-ball drill. The plaintiffs' pitch for damages? Two-and-a-quarter million dollars.

BRINGING THE HEAT

Specifically, attorneys for the student said the district was responsible for his injuries because it improperly utilized a pitching machine for the drill, failed to properly train the players in on-field communication, negligently hired the coaches and didn't adequately supervise the practice, among other allegations.

The defense, citing pre-trial testimony from the plaintiff, took a few good swings at the charges. The student testified that he not only had seen others get injured when playing baseball in the past, but that he sustained an injury on at least one other occasion, which attorneys for the district said showed

awareness of potential risk. Additionally, the student's mother had signed a form acknowledging the chance of injury from playing baseball.

The claimant also testified that he had played baseball not only throughout high school on both the varsity and junior varsity teams, but on other teams, too – showing he was very familiar with the sport. The plaintiff also acknowledged that baseball players were taught from a young age to call for the ball, and that his high school coaches had used the pitching machine for defensive drills before.

CALLED OUT?

Based on the circumstances surrounding the injury, and the pretrial testimony that appeared to show the plaintiff was aware of harm that could come to baseball players, the defense moved for summary judgment, claiming the assumption of risk doctrine was applicable to the case. In other words, attorneys for the district stated that by participating in activities where injury-causing events are known or reasonably foreseeable, the student consented to relieve the district of any legal obligation.

The plaintiff countered with an affidavit from a purported sports safety expert who, after reviewing depositions and case materials, stated that the pitching machine was inappropriate for the skill level of the varsity baseball team and unreasonably increased the risk of a collision.

A SWING ... AND A MISS

After reviewing the affidavit, the judge in the case stated that the plaintiff's expert did not seem to have any specialized knowledge, experience or training in baseball, and was not able to cite any industry standards, regulations or studies that supported her opinion. The judge accepted the assumption-of-risk doctrine and granted the defense's motion for summary judgment.

THE LESSON?

It might be tempting for a claimant to swing for the fences with a lawsuit and grand-slam damages, but an experienced umpire can quickly call the foul.

It could happen to you.

CLIMATE CHANGE... CONTINUED

Another tool to help subscribers mitigate weather-related losses was launched last fall. *Facility Focus* is a publication sent to facility managers and other school administrators that offers strategies to help prevent damage to buildings and grounds. The latest issue, delivered in October, shared tips to assist schools in preparing for the winter months.

"Addressing the current insurance and risk management needs of New York schools and anticipating what those needs may be in the future is what NYSIR does," says Robert Lulley, Jr., NYSIR executive director. "And with climate change already impacting New York state, with more severe effects likely to come, it just makes economic sense for the reciprocal to incorporate climate change risk into its strategy for protecting our members."

While the exact effect of climate change on New York schools is difficult to predict, one thing is sure: NYSIR will be there to provide its subscribers with strong policies and the most up-to-date risk management information to help them weather the storm.

THREE NEW CONTESTANTS... CONTINUED

I have experience visiting schools to conduct presentations for teachers and administrators, as well as facilitating educational programs for students," Lujan says.

REBECCA LUJAN

Additionally, she has professional experience working directly for education institutions. Lujan served as a substitute teacher at Cornwall Central High School, where she assisted in delivering lesson plans, supporting student comprehension and addressing student learning needs. She also worked as an assistant in the Office of Community and Residential Life at SUNY Purchase, where she successfully addressed student inquiries, provided information about campus resources and residence life programs, and assisted in planning and executing residence life events.

Lujan said she's excited to join an organization that has a supportive, team-oriented environment.

"I think the culture in risk management services at NYSIR sets us apart from other companies. Not only is the team always ready to assist subscribers, but we're able to do so swiftly and professionally," she noted. "I also appreciate the streamlined processes and clear communications, both internally and externally."