



August 24, 2021

Dave Ruggles

VIA EMAIL

Re: FOIA request dated and received on 8/19/2021

Subject: Any communication regarding liability insurance coverage for COVID 19 related issues originating from or being sent to any staff member or board member of SD308. Any correspondence from the District's insurance carrier(s) regarding coverage issues related to COVID 19. Any responses from district staff or board members relating to the District's liability coverage for COVID 19 related issues.

Dear Mr. Ruggles:

This letter will serve as Oswego Community Unit School District 308's response to your FOIA request received on August 16, 2021 under the Freedom of Information Act (5 ILCS 140/1 et seq.), in which you asked for the above referenced information. Attached are the records.

To promote district transparency and assist others who may have a similar question, this responsive document will be posted online on the district's website. To access it, go to [www.sd308.org](http://www.sd308.org) and select *Our District > Freedom of Information Act Request > FOIA Request Responses > FOIA Requests Responses -2021* then select FOIA ID #21-54.

Please be advised that to comply with your FOIA request, the district incurred an expense that comprised of the cost of labor and resources used to search for records responsive to your request. Let me know if you have additional questions. Thank you.

*John Petzke*

John Petzke, CFO  
Freedom of Information Officer



Carrie Szambelan &lt;cszambelan@sd308.org&gt;

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**Fwd: EMAIL from ICRMT - RE: COVID-19 Update**

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**Carrie Szambelan** <cszambelan@sd308.org>  
To: Carrie Szambelan <cszambelan@sd308.org>

Sun, Aug 15, 2021 at 7:37 AM

----- Forwarded message -----

From: **Koleno, Laura (MMA)** <Laura.Koleno@marshmma.com>  
Date: Fri, Jul 30, 2021 at 7:56 AM  
Subject: EMAIL from ICRMT - RE: COVID-19 Update  
To: Carrie Szambelan <cszambelan@sd308.org>  
CC: Davidson, Robert (MMA) <Robert.Davidson@marshmma.com>

Good morning Carrie,

ICRMT has advised that the email below has been sent to their insureds to clarify their position on Covid19 related claims under their policy. Forwarding to be certain you've received. I think this further clarifies from our correspondence earlier this week.

As always, please don't hesitate to reach out to any of us with questions or concerns.

Thank you,  
Laura

**LAURA KOLENO**, CSRM, Senior Account Manager  
Assurance, a Marsh & McLennan Agency LLC company

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o 847.463.7843 | m 815.347.6352  
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**EMAIL FROM ICRMT:**

With the latest resurgence of Covid 19 due to the Delta variant and the accompanying changes in policy direction from the CDC we wanted to reaffirm how liability coverage as provided by the ICRMT will respond in the event of Covid related suits.

The ICRMT does not have an exclusion for Virus or Bacteria (COVID) under the primary liability policies. We understand that other programs/carriers in Illinois do have this exclusion and are informing their insureds that they will 100% not have coverage for any COVID related claims. ICRMT will look at each claim individually and determine coverage. After legal review, the ICRMT would not base a decision to deny coverage solely because a district made the decision whether to require masks or not, or to implement other recommendations pertaining to COVID-19.

However, the ICRMT may have the right to issue a coverage denial on other grounds including but not limited to, the failure to adhere to the Governor's Executive Orders, legislative enactments or other regulations mandated by public health authorities at the CDC, Illinois Department of Public

Health, or local health departments. We are making the distinction between suggestions and recommendations vs requirements and mandates. If wearing a mask is suggested but non required or mandated by governmental authorities, coverage would not be impacted. Failure to comply with a requirement or mandate would result in a coverage denial as the policy does exclude willful and wonton actions that go against federal, state, or local laws and regulations.

For additional information and resources visit [www.icrmt.com](http://www.icrmt.com)

Thank you,

Your ICRMT Team

**Kristen Tracy**

VP of Public Entity Underwriting



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Please note that coverage cannot be bound or altered by sending an email. You must speak with or receive written confirmation from a licensed representative of our firm to put coverage in force or make changes to your existing program. Thank you.

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***Carrie M. Szambelan***

*Executive Administrative Assistant to the Chief Financial Officer/CSBO*

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