

SERFF Tracking Number: BEAC-125543080 State: Arkansas
Filing Company: The Employers' Fire Insurance Company State Tracking Number: 38542
Company Tracking Number: 2008-DW-AR-TR0108
TOI: H21 Health - Other Sub-TOI: H21.000 Health - Other
Product Name: Tuition Reimbursement
Project Name/Number: TRIA 2008/

Filing at a Glance

Company: The Employers' Fire Insurance Company

Product Name: Tuition Reimbursement SERFF Tr Num: BEAC-125543080 State: ArkansasLH
TOI: H21 Health - Other SERFF Status: Closed State Tr Num: 38542
Sub-TOI: H21.000 Health - Other Co Tr Num: 2008-DW-AR-TR0108 State Status: Filed-Closed
Filing Type: Form Co Status: Reviewer(s): Rosalind Minor
Authors: Judith Carrasco, Alice Disposition Date: 03/31/2008
Goss
Date Submitted: 03/27/2008 Disposition Status: Accepted For
Informational Purposes
Implementation Date Requested: On Approval Implementation Date:

State Filing Description:

General Information

Project Name: TRIA 2008 Status of Filing in Domicile: Pending
Project Number: Date Approved in Domicile:
Requested Filing Mode: Domicile Status Comments:
Explanation for Combination/Other: Market Type: Group
Submission Type: New Submission Group Market Size: Small and Large
Overall Rate Impact: Group Market Type: Other
Filing Status Changed: 03/31/2008
State Status Changed: 03/31/2008 Deemer Date:
Corresponding Filing Tracking Number:
Filing Description:

We are filing revisions of previously approved endorsements related to Certified Acts of Terrorism. These revisions are reflective of the changes brought about by the 2007 Reauthorization of the Terrorism Risk Insurance Act.

The revisions will apply to all affected policies providing tuition refund coverage. In addition, the rule applicable to these endorsements has been amended to reflect the new definition of a Certified Act as well as the new additional disclosure requirements.

<i>SERFF Tracking Number:</i>	<i>BEAC-125543080</i>	<i>State:</i>	<i>Arkansas</i>
<i>Filing Company:</i>	<i>The Employers' Fire Insurance Company</i>	<i>State Tracking Number:</i>	<i>38542</i>
<i>Company Tracking Number:</i>	<i>2008-DW-AR-TR0108</i>		
<i>TOI:</i>	<i>H21 Health - Other</i>	<i>Sub-TOI:</i>	<i>H21.000 Health - Other</i>
<i>Product Name:</i>	<i>Tuition Reimbursement</i>		
<i>Project Name/Number:</i>	<i>TRIA 2008/</i>		

In addition, the rules applicable to these endorsements have been amended to reflect the above changes. There is no change to the rates.

The revisions in these independent forms track with the ISO language which has been filed and approved by the Arkansas Insurance Department. Copies of the endorsements are being provided in a 'markup' format showing where the revisions have been made, in addition to Final version format.

Please note, the programs affected by this submission were filed and approved as Group A&H in 1999 in Arkansas. A number of other insurance departments have reviewed the programs under some category of property and casualty. We recognize tht the Federal Backstop rules apply generally to commercial liens, however, as in the past, we rrespectfully request consideration of approval of the forms for our tuition reimbursement programs. The forms we are revising were filed with your department under State File # AR-PC-03-005844.

As with previous filings with the division, we request consideration

Should you have any questions regarding this submission, please contact me.

Company and Contact

Filing Contact Information

Alice Goss, Sr Product Management Specialist apgoss@onebeacon.com
 1 Beacon Lane (781) 333-9811 [Phone]
 Canton, MA 02021 (888) 605-8775[FAX]

Filing Company Information

The Employers' Fire Insurance Company	CoCode: 20648	State of Domicile: Massachusetts
One Beacon Lane	Group Code: 1129	Company Type:
Canton, MA 02021-1030	Group Name:	State ID Number:
(781) 332-7000 ext. [Phone]	FEIN Number: 04-1288420	

Filing Fees

SERFF Tracking Number: BEAC-125543080 State: Arkansas
Filing Company: The Employers' Fire Insurance Company State Tracking Number: 38542
Company Tracking Number: 2008-DW-AR-TR0108
TOI: H21 Health - Other Sub-TOI: H21.000 Health - Other
Product Name: Tuition Reimbursement
Project Name/Number: TRIA 2008/

Fee Required? Yes
Fee Amount: \$40.00
Retaliatory? No
Fee Explanation: Two forms being filed at fee of \$20 per form. Total Fee is \$40.
Per Company: No

COMPANY	AMOUNT	DATE PROCESSED	TRANSACTION #
The Employers' Fire Insurance Company	\$40.00	03/27/2008	19026196

SERFF Tracking Number: BEAC-125543080 State: Arkansas
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Correspondence Summary

Dispositions

Status	Created By	Created On	Date Submitted
Accepted For Informational Purposes	Rosalind Minor	03/31/2008	03/31/2008

SERFF Tracking Number: *BEAC-125543080* *State:* *Arkansas*
Filing Company: *The Employers' Fire Insurance Company* *State Tracking Number:* *38542*
Company Tracking Number: *2008-DW-AR-TR0108*
TOI: *H21 Health - Other* *Sub-TOI:* *H21.000 Health - Other*
Product Name: *Tuition Reimbursement*
Project Name/Number: *TRIA 2008/*

Disposition

Disposition Date: 03/31/2008

Implementation Date:

Status: Accepted For Informational Purposes

Comment:

Rate data does NOT apply to filing.

SERFF Tracking Number: BEAC-125543080 State: Arkansas
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 Company Tracking Number: 2008-DW-AR-TR0108
 TOI: H21 Health - Other Sub-TOI: H21.000 Health - Other
 Product Name: Tuition Reimbursement
 Project Name/Number: TRIA 2008/

Item Type	Item Name	Item Status	Public Access
Supporting Document	Certification/Notice	Filed-Closed	Yes
Supporting Document	Application	Filed-Closed	Yes
Supporting Document	Health - Actuarial Justification	Filed-Closed	Yes
Supporting Document	Outline of Coverage	Filed-Closed	Yes
Supporting Document	Tuition Refund Terrorism Rule	Filed-Closed	Yes
Supporting Document	Side-By-Side Comparisons	Filed-Closed	Yes
Supporting Document	Disclosure Notice - TRIA	Filed-Closed	Yes
Supporting Document	Expedited Filing Transmittal	Filed-Closed	Yes
Form	Cap on Losses From Certified Acts of Terrorism	Filed-Closed	Yes
Form	Exclusion of Certified Acts of Terrorism	Filed-Closed	Yes

SERFF Tracking Number: BEAC-125543080 State: Arkansas
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Form Schedule

Lead Form Number:

Review Status	Form Number	Form Type Form Name	Action	Action Specific Data	Readability	Attachment
Filed-Closed	G78198 01 08	Policy/Cont ract/Fratern al Terrorism Certificate: Amendmen t, Insert Page, Endorseme nt or Rider	Revised	Replaced Form #: G78198 11 02 Previous Filing #: AR-PC-03-005844	0	Cap on Certified Acts_G78198_final.pdf
Filed-Closed	G78197 01 08	Policy/Cont ract/Fratern al Terrorism Certificate: Amendmen t, Insert Page, Endorseme nt or Rider	Revised	Replaced Form #: G78197 11 02 Previous Filing #: AR-PC-03-005844	0	Exclusion of Certified Acts_G78197_final.pdf

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

CAP ON LOSSES FROM CERTIFIED ACTS OF TERRORISM

This endorsement modifies insurance provided under the following:

TUITION PROTECTION INSURANCE

A. Cap on Certified Terrorism Losses

“Certified act of terrorism” means an act that is certified by the Secretary of the Treasury, in concurrence with the Secretary of State and the Attorney General of the United States, to be an act of terrorism pursuant to the federal Terrorism Risk Insurance Act. The criteria contained in the Terrorism Risk Insurance Act for a “certified act of terrorism” include the following:

1. The act resulted in insured losses in excess of \$5 million in the aggregate, attributable to all types of insurance subject to the Terrorism Risk Insurance Act; and
2. The act is a violent act or an act that is dangerous to human life, property or infrastructure and is committed by an individual or individuals as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.

If aggregate insured losses attributable to terrorist acts certified under the Terrorism Risk Insurance Act exceed \$100 billion in a Program Year (January 1 through December 31) and we have met our insurer deductible under the Terrorism Risk Insurance Act, we shall not be liable for the payment of any portion of the amount of such losses that exceeds \$100 billion, and in such case insured losses up to that amount are subject to pro rata allocation in accordance with procedures established by the Secretary of the Treasury.

B. Application Of Exclusions

The terms and limitations of any terrorism exclusion, or the inapplicability or omission of a terrorism exclusion, do not serve to create coverage for any loss which would otherwise be excluded under this Coverage Part or Policy, such as losses excluded by the Nuclear Hazard Exclusion or War and Military Action Exclusion.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

EXCLUSION OF CERTIFIED ACTS OF TERRORISM

This endorsement modifies insurance provided under the following:

TUITION PROTECTION INSURANCE

- A.** The following definitions are added with respect to the provisions of this endorsement:

“Certified act of terrorism” means an act that is certified by the Secretary of the Treasury, in concurrence with the Secretary of State and the Attorney General of the United States, to be an act of terrorism pursuant to the federal Terrorism Risk Insurance Act. The criteria contained in the Terrorism Risk Insurance Act for a “certified act of terrorism” include the following:

1. The act resulted in insured losses in excess of \$5 million in the aggregate, attributable to all types of insurance subject to the Terrorism Risk Insurance Act; and
2. The act is a violent act or an act that is dangerous to human life, property or infrastructure and is committed by an individual or individuals as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.

- B.** The following exclusion is added:

CERTIFIED ACT OF TERRORISM EXCLUSION

We will not pay for loss or damage caused directly or indirectly by a “certified act of terrorism”. Such loss or damage is excluded regardless of any other cause or event that contributes concurrently or in any sequence to the loss.

- C. Application Of Other Exclusions**

The terms and limitations of any terrorism exclusion or the inapplicability or omission of a terrorism exclusion, do not serve to create coverage for any loss which would otherwise be excluded under this Coverage Part or Policy, such as losses excluded by the Nuclear Hazard Exclusion or the War and Military Action Exclusion.

<i>SERFF Tracking Number:</i>	<i>BEAC-125543080</i>	<i>State:</i>	<i>Arkansas</i>
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<i>TOI:</i>	<i>H21 Health - Other</i>	<i>Sub-TOI:</i>	<i>H21.000 Health - Other</i>
<i>Product Name:</i>	<i>Tuition Reimbursement</i>		
<i>Project Name/Number:</i>	<i>TRIA 2008/</i>		

Rate Information

Rate data does NOT apply to filing.

SERFF Tracking Number: BEAC-125543080 State: Arkansas
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 TOI: H21 Health - Other Sub-TOI: H21.000 Health - Other
 Product Name: Tuition Reimbursement
 Project Name/Number: TRIA 2008/

Supporting Document Schedules

Satisfied -Name:	Certification/Notice	Review Status:	Filed-Closed	03/31/2008
Comments:	Rule and Regulation 19 Certification and Flesch Certification are attached			
Attachments:	Rule and Regulation 19 Certification.pdf Flesch Certification.pdf			
Bypassed -Name:	Application	Review Status:	Filed-Closed	03/31/2008
Bypass Reason:	Policy forms including application were previously approved on 7/16/99			
Comments:				
Bypassed -Name:	Health - Actuarial Justification	Review Status:	Filed-Closed	03/31/2008
Bypass Reason:	There is no change in the rate or rate impact			
Comments:				
Bypassed -Name:	Outline of Coverage	Review Status:	Filed-Closed	03/31/2008
Bypass Reason:	Does not apply, filing is not for an Individual Health Product nor is it Group and Individual Medicate Supplement and Long Term Care.			
Comments:				
Satisfied -Name:	Tuition Refund Terrorism Rule	Review Status:	Filed-Closed	03/31/2008
Comments:	A copy of the revised rule and a markup copy showing the changes are attached			
Attachments:	Tuition Refund-Terrorism Rule_MultiState_2008_final.pdf Tuition Refund-Terrorism Rule_MultiState_2008_markup.pdf			

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TOI: H21 Health - Other Sub-TOI: H21.000 Health - Other
Product Name: Tuition Reimbursement
Project Name/Number: TRIA 2008/

Satisfied -Name: Side-By-Side Comparisons **Review Status:** Filed-Closed 03/31/2008

Comments:

Attached are copies of marked up forms showing revisions to previously approved editions of endorsements G78197 and G78198

Attachments:

Exclusion of Certified Acts_G78197_markup.pdf
Cap on Certified Acts_G78198_markup.pdf

Satisfied -Name: Disclosure Notice - TRIA **Review Status:** Filed-Closed 03/31/2008

Comments:

Disclosure Notice attached for informational purposes

Attachment:

CTA - Disclosure Notice.pdf

Satisfied -Name: Expedited Filing Transmittal **Review Status:** Filed-Closed 03/31/2008

Comments:

Expedited Filing Transmittal - TRIA attached

Attachment:

TRIA Expedited Filing Form_AR.pdf



TO: Commissioner of Insurance
Arkansas Insurance Department

RE: Cap on Certified Acts of Terrorism endorsement G78198 01 08
Exclusion of Certified Acts of Terrorism endorsement G78197 01 08

RULE AND REGULATION 19 CERTIFICATION

This is to certify that the referenced certificate of coverage form complies with the provisions of Rule and Regulation 19 as well as all applicable requirements of the Arkansas Insurance Department.

Signed for EMPLOYERS' FIRE INSURANCE COMPANY by:

March 27, 2008
Date

Cheryl R. Turner
Signature

Cheryl R. Turner, Assistant Vice President
Typed Name and Title

Employers' Fire Insurance Company
One Beacon Lane, Canton, MA



EMPLOYERS' FIRE INSURANCE COMPANY

One Beacon Lane, Canton, MA 02021

I, Cheryl R. Turner, Assistant Vice President for Employers' Fire Insurance Company, certify that the form listed below satisfy the standards of policy language simplification legislation. The form was scored in its entirety.

Form Number	Flesch Score
G78197 01 08	30.4
G78198 01 08	14.6

Signature: Cheryl R. Turner

Date: March 27, 2008



Division: Tuition Refund Insurance

State & Code: Multi-State

ADDITIONAL RULE – TERRORISM PRICING – FEDERAL BACKSTOP

A. Introduction

The “Terrorism Risk Insurance Act (TRIA), establishes a program within the Department of the Treasury in which the Federal Government will share the risk of loss from terrorist attacks with the insurance industry. Federal participation will be triggered when the Secretary of the Treasury certifies an act of terrorism, in concurrence with the Secretary of State and the Attorney General of the United States, to be an act of terrorism, provided the terrorist act results in aggregate losses in excess of an amount stated in the Act. With respect to insured losses resulting from a certified act of terrorism, the Federal Government will reimburse individual insurers for a percentage of losses (as stated in the Act) in excess of the insurer’s retention, which is based on a percentage of the insurer’s earned premium for the year preceding the loss. Insured losses covered by the program are capped at \$100 billion per year; this provision serves to limit insurers’ liability for losses. If a terrorism event pierces the cap of a given year, insured losses paid (amounts below the cap) under the federal program may be subject to pro-rata allocation in accordance with procedures established by the Treasury.

For all new and renewal business, an insurer must make available to insureds coverage for losses caused by certified acts of terrorism.

B. Forms

1. For Policies that become effective while the Terrorism Risk Insurance Program is in effect:

- a. If the insured **rejects** coverage for “certified acts of terrorism”, attach form G78197.
- b. If the insured **accepts** coverage for “certified acts of terrorism” attach form G78198.

C. Certified Acts of Terrorism

1. Premium Determination

To develop the “Certified Acts of Terrorism” premium, multiply the final policy premium by a percentage factor as shown below. (The final policy premium is the premium after all modifications, but not including any premium taxes or surcharges.) Apply no further pricing modifications to the “Certified Acts of Terrorism” premium.

- 30% for risks within a 25 mile radius of the center of Manhattan
- 20% for risks within a 12 mile radius of west suburban Boston
- 20% for risks within a 12 mile radius of the center of Philadelphia
- 5% for all other areas in NY, MA, PA, as well as TN, SC, MD, AR, and UT

2. Disclosure of Premium

Disclosure of premium attributable to coverage for certified acts of terrorism, the federal share of compensation for such losses under the program and the existence of the \$100 billion cap, at the time of offer, purchase and renewal, is a condition for reimbursement under the federal program. The following endorsement, which responds to the Treasury Guidance on line item disclosure, may be used:

Disclosure Pursuant To Terrorism Risk Insurance Act Endorsement IL 09 85

D. Individual Risk Situations

Rule 2. Referrals to Company may be used for rating any risk or exposure for which the premium that would be developed in B.2. would be inappropriate because of the nature of the exposure to terrorist acts, whether higher or lower, relative to other risks within the same territory.



Division: Tuition Refund Insurance

State & Code: Multi-State

ADDITIONAL RULE – TERRORISM PRICING – FEDERAL BACKSTOP

A. Introduction

The "Terrorism Risk Insurance Act (TRIA), establishes a program within the Department of the Treasury in which the Federal Government will share the risk of loss from terrorist attacks with the insurance industry. Federal participation will be triggered when the Secretary of the Treasury certifies an act of terrorism, in concurrence with the Secretary of State and the Attorney General of the United States, to be an act of terrorism ~~committed by an individual(s) acting on behalf of any foreign interest~~, provided the terrorist act results in aggregate losses in excess of an amount stated in the Act. With respect to insured losses resulting from a certified act of terrorism, the Federal Government will reimburse individual insurers for a percentage of losses (as stated in the Act) in excess of the insurer's retention, which is based on a percentage of the insurer's earned premium for the year preceding the loss. Insured losses covered by the program are capped at \$100 billion per year ~~unless subsequent action of Congress changes that amount~~; this provision serves to limit insurers' liability for losses. If a terrorism event pierces the cap of a given year, insured losses paid (amounts below the cap) under the federal program may be subject to pro-rata allocation in accordance with procedures established by the Treasury.

For all new and renewal business, an insurer must make available to insureds coverage for losses caused by certified acts of terrorism.

B. Forms

1. For Policies that become effective while the Terrorism Risk Insurance Program is in effect:

- a. If the insured **rejects** coverage for "certified acts of terrorism", attach form G78197.
- b. If the insured **accepts** coverage for "certified acts of terrorism" attach form G78198.

B.C. Certified Acts of Terrorism

1. Premium Determination

To develop the "Certified Acts of Terrorism" premium, multiply the final policy premium by a percentage factor as shown below. (The final policy premium is the premium after all modifications, but not including any premium taxes or surcharges.) Apply no further pricing modifications to the "Certified Acts of Terrorism" premium.

- 30% for risks within a 25 mile radius of the center of Manhattan
- 20% for risks within a 12 mile radius of west suburban Boston
- 20% for risks within a 12 mile radius of the center of Philadelphia
- 5% for all other areas in NY, MA, PA, as well as TN, SC, MD, AR, and UT

2. Disclosure of Premium

Disclosure of premium attributable to coverage for certified acts of terrorism, ~~and disclosure of federal participation in payment of potential terrorism losses~~ the federal share of compensation for such losses under the program and the existence of the \$100 billion cap, at the time of offer, purchase and renewal, is a condition for reimbursement under the federal program. The following endorsement, which responds to the Treasury Guidance on line item disclosure, may be used:

~~Use~~ Disclosure Pursuant To Terrorism Risk Insurance Act Endorsement IL 09 85-

| **G.D. Individual Risk Situations**

Rule 2. Referrals to Company may be used for rating any risk or exposure for which the premium that would be developed in B.2. would be inappropriate because of the nature of the exposure to terrorist acts, whether higher or lower, relative to other risks within the same territory.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

EXCLUSION OF CERTIFIED ACTS AND OTHER ACTS OF TERRORISM

This endorsement modifies insurance provided under the following:

TUITION PROTECTION INSURANCE

A. The following definitions are added with respect to the provisions of this endorsement:

~~1.~~ "Certified act of terrorism" means an act that is certified by the Secretary of the Treasury, in concurrence with the Secretary of State and the Attorney General of the United States, to be an act of terrorism pursuant to the federal Terrorism Risk Insurance Act of 2002. The criteria contained in ~~that the Terrorism Risk Insurance Act~~ for a "certified act of terrorism" include the following:

~~a.1.~~ The act resulted in ~~aggregate insured~~ losses in excess of \$5 million ~~in the aggregate, attributable to all types of insurance subject to the Terrorism Risk Insurance Act;~~ and

~~b.2.~~ The act is a violent act or an act that is dangerous to human life, property or infrastructure and is committed by an individual or individuals ~~acting on behalf of any foreign person or foreign interest,~~ as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.

~~3.~~ "Other act of terrorism" means ~~a violent act or an act that is dangerous to human life, property or infrastructure that is committed by an individual or individuals and that appears to be part of an effort to coerce a civilian population or to influence the policy or affect the conduct of any government by coercion, and the act is not certified as a terrorist act pursuant to the federal Terrorism Risk Insurance Act of 2002.~~

B. The following exclusion is added:

~~Exclusion Of Certified Acts And Other Acts Of Terrorism~~ **CERTIFIED ACT OF TERRORISM EXCLUSION**

We will not pay for loss or damage caused directly or indirectly by a "certified act of terrorism" ~~or an "other act of terrorism"~~. Such loss or damage is excluded regardless of any other cause or event that contributes concurrently or in any sequence to the loss. **But with respect to an "other act of terrorism", this exclusion applies only when one or more of the following are attributed to such act:**

~~1. The terrorism is carried out by means of the dispersal or application of pathogenic or poisonous biological or chemical materials; or~~

~~2. Pathogenic or poisonous biological or chemical materials are released, and it appears that one purpose of the terrorism was to release such materials; or~~

~~3. The total of insured damage to all types of property in the United States, its territories and possessions, Puerto Rico and Canada exceeds \$25,000,000. In determining whether the \$25,000,000 threshold is exceeded, we will include all insured damage sustained by property of all persons and entities affected by the terrorism and business interruption losses sustained by owners or occupants of the damage property. For the purpose of this provision, insured damage means damage that is covered by any~~

~~insurance plus damage that would be covered by any insurance but for the application of any terrorism exclusions. Multiple incidents of "other acts of terrorism" which occur within a 72 hour period and appear to be carried out in concert or to have a related purpose or common leadership will be deemed to be one incident.~~

~~With respect to this item B.3., the immediately preceding paragraph describes the threshold used to measure the magnitude of an "other act of terrorism" and the circumstances in which the threshold will apply, for the purpose of determining whether this Exclusion will apply to that incident. When the Exclusion applies to an "other act of terrorism", there is no coverage under this Coverage Part or Policy.~~

C. Application Of Other Exclusions

The terms and limitations of any terrorism exclusion or the inapplicability or omission of a terrorism exclusion, do not serve to create coverage for any loss which would otherwise be excluded under this Coverage Part or Policy, such as losses excluded by the Nuclear Hazard Exclusion or the War and Military Action Exclusion.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

~~LIMITED EXCLUSION OF ACTS OF TERRORISM (OTHER THAN CERTIFIED ACTS OF TERRORISM); CAP ON LOSSES FROM CERTIFIED ACTS OF TERRORISM~~

This endorsement modifies insurance provided under the following:

TUITION PROTECTION INSURANCE

A. ~~The following definitions are added with respect to the provisions of this endorsement:~~ Cap on Certified Terrorism Losses

~~1. "Certified act of terrorism" means an act that is certified by the Secretary of the Treasury, in concurrence with the Secretary of State and the Attorney General of the United States, to be an act of terrorism pursuant to the federal Terrorism Risk Insurance Act of 2002. The criteria contained in that the Terrorism Risk Insurance Act for a "certified act of terrorism" include the following:~~

~~a.1. _____ The act resulted in aggregate insured losses in excess of \$5 million in the aggregate, attributable to all types of insurance subject to the Terrorism Risk Insurance Act; and~~

~~b.2. _____ The act is a violent act or an act that is dangerous to human life, property or infrastructure and is committed by an individual or individuals acting on behalf of any foreign person or foreign interest, as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.~~

~~3. "Other act of terrorism" means a violent act or an act that is dangerous to human life, property or infrastructure that is committed by an individual or individuals and that appears to be or to influence the policy or affect the conduct of any government by coercion, and the act is not certified as a terrorist act pursuant to the federal Terrorism Risk Insurance Act of 2002. However, "other act of terrorism" does not include an act which meets the criteria set forth in Paragraph b. of the definition of "certified act of terrorism", when such act resulted in aggregate losses of \$5 million or less.~~

~~If aggregate insured losses attributable to terrorist acts certified under the Terrorism Risk Insurance Act exceed \$100 billion in a Program Year (January 1 through December 31) and we have met our insurer deductible under the Terrorism Risk Insurance Act, we shall not be liable for the payment of any portion of the amount of such losses that exceeds \$100 billion, and in such case insured losses up to that amount are subject to pro rata allocation in accordance with procedures established by the Secretary of the Treasury.~~

B. ~~The following exclusion is added:~~

~~Exclusion Of An "Other Act Of Terrorism"~~

~~We will not pay for loss or damage caused directly or indirectly by an "other act of terrorism". Such loss or damage is excluded regardless of any other cause or event that contributes concurrently or in any sequence to the loss. But this exclusion applies only when one or more of the following are attributed to such act:~~

~~1. The terrorism is carried out by means of the dispersal or application of pathogenic or poisonous biological or chemical materials; or~~

~~2. Pathogenic or poisonous biological or chemical materials are released, and it appears that one purpose of the terrorism was to release such materials; or~~

~~3. The total of insured damage to all types of property in the United States, its territories and possessions, Puerto Rico and Canada exceeds \$25,000,000. In determining whether the \$25,000,000 threshold is exceeded, we will include all insured damage sustained by property of all persons and entities affected by the terrorism and business interruption losses sustained by owners or occupants of the damaged property. For the purpose of this provision, insured damage means damage that is covered by any insurance plus damage that would be covered by any insurance but for the application of any terrorism exclusions. Multiple incidents of "other acts of terrorism" which occur within a 72 hour period and appear to be carried out in concert or to have a related purpose or common leadership will be deemed to be one incident.~~

~~With respect to this item B.3, the immediately preceding paragraph describes the threshold used to measure the magnitude of an "other act of terrorism" and the circumstances in which the threshold will apply, for the purpose of determining whether this Exclusion applies to an "other act of terrorism", there is no coverage under this Coverage Part of Policy.~~

~~C. Cap On Certified Terrorism Losses~~

~~With respect to any one or more "certified acts of terrorism" under the federal Terrorism Risk Insurance Act of 2002, we will not pay any amounts for which we are not responsible under the terms of that Act (including subsequent action of Congress pursuant to the Act) due to the application of any clause which results in a cap on our liability for payments for terrorism losses.~~

~~**D.B.** Application Of Other Exclusions~~

The terms and limitations of any terrorism exclusion, or the inapplicability or omission of a terrorism exclusion, do not serve to create coverage for any loss which would otherwise be excluded under this Coverage Part or Policy, such as losses excluded by the Nuclear Hazard Exclusion or War and Military Action Exclusion.



DATE

«SchoolName»
«Address1»
«City», «State» «Zip»

RE: Tuition Refund Plan

Dear Policyholder:

Under the Terrorism Insurance Risk Act (Act), as amended, you have a right to purchase insurance coverage for losses resulting from acts of terrorism, as defined in Section 102(l) if the Act. The term "act of terrorism" means any act that is certified by the Secretary of the Treasury – in concurrence with the Secretary of State, and the Attorney General of the United States – to be an act of terrorism: to be a violent act or an act that is dangerous to human life, property, or infrastructure; to have resulted in damage within the United States, or outside the United States in the case of certain air carriers or vessels or the premises of a United States mission; and to have been committed by an individual or individuals as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.

YOU SHOULD KNOW THAT WHERE COVERAGE IS PROVIDED BY THIS POLICY FOR LOSSES RESULTING FROM CERTIFIED ACTS OF TERRORISM, SUCH LOSSES MAY BE PARTIALLY REIMBURSED BY THE UNITED STATES UNDER A FORMULA ESTABLISHED BY FEDERAL LAW. HOWEVER, YOUR POLICY MAY CONTAIN OTHER EXCLUSIONS WHICH MIGHT AFFECT YOUR COVERAGE, SUCH AS AN EXCLUSION FOR NUCLEAR EVENTS. UNDER THE FORMULA, THE UNITED STATES GOVERNMENT GENERALLY REIMBURSES 85% OF COVERED TERRORISM LOSSES EXCEEDING THE STATUTORILY ESTABLISHED DEDUCTIBLE PAID BY THE INSURANCE COMPANY PROVIDING THE COVERAGE. THE PREMIUM CHARGED FOR THIS COVERAGE IS PROVIDED BELOW AND DOES NOT INCLUDE ANY CHARGES FOR THE PORTION OF LOSS THAT MAY BE COVERED BY THE FEDERAL GOVERNMENT UNDER THE ACT.

YOU SHOULD ALSO KNOW THAT THE TERRORISM RISK INSURANCE ACT, AS AMENDED, CONTAINS A \$100 BILLION CAP THAT LIMITS U.S. GOVERNMENT REIMBURSEMENT AS WELL AS INSURERS' LIABILITY FOR LOSSES RESULTING FROM CERTIFIED ACTS OF TERRORISM WHEN THE AMOUNT OF SUCH LOSSES IN ANY ONE CALENDAR YEAR EXCEEDS \$100 BILLION. IF THE AGGREGATE INSURED LOSSES FOR ALL INSURERS EXCEED \$100 BILLION, YOUR COVERAGE MAY BE REDUCED.

We are offering coverage for certified acts of terrorism for the 2008/2009 academic year for a surcharge of _____ % to your 2008/2009 cost rate (example: _____ % on a 2.0% rate). The premium charge for this coverage does not include any charges for the portion of loss covered by the Federal Government under the Act.

Please indicate your election below by *checking the box*, signing this letter and returning it to A.W.G. Dewar as soon as possible.

PLEASE INDICATE YOUR SELECTION

Add certified acts of terrorism coverage to the referenced policy.

Certified acts of terrorism coverage as offered by the insurance company, is hereby rejected. Do not include certified acts of terrorism coverage under the referenced policy. I understand that no coverage will be provided for losses arising from certified acts of terrorism.

Signature of School Official

Date

We are advising you directly because the Act legally requires us to do so each year. A.W.G. Dewar is aware that you are receiving this notification and is prepared to answer any questions you may have regarding this notice.

Thank you for the opportunity to be your insurance carrier for the Tuition Refund Plan.

Sincerely,
OneBeacon Insurance Group

**EXPEDITED FILING TRANSMITTAL DOCUMENT
FOR TERRORISM RISK INSURANCE FORMS AND PRICING**

This page applies to the following state(s) _____

Indicate Type of Filing
X Filing Related to <i>Certified Losses</i>
ف Filing Related to <i>Non-Certified Losses</i>
ف Filing Applicable to Both Certified and Non-Certified Losses

Department Use only

Company Name(s)	Domicile	NAIC #	FEIN #
The Employers' Fire Insurance Company	MA	1129-20648	04-1288420

Contact Info for Filer

Name and address of Filer(s)	Telephone #	FAX #	e-mail
Alice Goss, One Beacon Lane, Canton, MA 02021-1030	781-332-9811	888-605-8775	apgoss@onebeacon.com

Filing information

Line of Insurance (see attachment)	21.0
Company Program Title (Marketing title) (if applicable)	Tuition Reimbursement Program
Filing Type ** see note below	Form
This application is used with:	
Effective Date Requested	4/1/08
Filing date	3/27/08
Company Tracking Number	2008-DW-AR-TR0108
Date filing approved in domiciliary state, if applicable	Pending

	<u>Component/Form Name /Description/Synopsis</u>	<u>Form # or Rate Page Include edition date</u>	<u>Replacement Or withdrawn?</u>	<u>If replacement, give form # or rate page(s) it replaces</u>	<u>Previous State Filing Number, if required by state</u>
01	Cap on Losses from Certified Acts of Terrorism	G78198 01 08	<input checked="" type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn <input type="checkbox"/> Neither	G78198 11 02	AR-PC-03-005844
02	Exclusion of Certified Acts of Terrorism	G78197 01 08	<input checked="" type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn <input type="checkbox"/> Neither	G78197 11 02	AR-PC-03-005844

To be complete, a filing must include the following:

- A completed Expedited Filing Transmittal Document for each insurer or advisory organization.
- One copy of each endorsement, disclosure form or other policy language, unless the insurer has given an advisory organization authorization to file them on its behalf.
- A copy of the rates, rating systems and supporting documentation.
- The appropriate filing fees, if required
- A postage-paid, self-addressed envelope **large enough to accommodate the return.**

The insurer(s) submitting this filing certifies that it:

- Is in compliance with the terms of the Terrorism Risk Insurance Act, as amended, and the laws of this state; and
- Is in compliance with the requirements of the bulletin containing the voluntary expedited filing procedures.

Alice P Goss

Signature

Alice P. Goss
Print Name:

Sr. Product Management Specialist
Title: