United Educators

Prevention and Protection for Education™

- Education only
- 1,300+ nationally
- Member owned (97% retention rate)
- GL, ELL & LPL (no property/workers comp)
- Risk management focus
**United Educators Claims Study**

- **Time period:** 2012 – 2016 (5-years)
- **Total number of claims:** 13,923
- **Number of claims with a loss:** 3,449
- **Claims resulting in loss:** 24.77%
- **Total losses incurred:** $306,554,662
- **Average loss:** $88,882
Claims Frequency by Year

- 2012: 2,100
- 2013: 2,500
- 2014: 3,000
- 2015: 3,500
- 2016: 2,900
Claims Severity by Year

- 2012: $40,000,000
- 2013: $80,000,000
- 2014: $70,000,000
- 2015: $80,000,000
- 2016: $20,000,000
Indemnity vs. Defense Costs

![Bar chart showing Indemnity and Defense costs for 2012 to 2016. The chart shows a significant increase in defense costs compared to indemnity costs, with a notable decrease in 2016.](chart.png)
Claims Frequency vs. Severity by Year
Frequency by Role

- Faculty
- Staff
- Students
- Visitors/3rd Party
- Other
Severity by Role

- Faculty
- Staff
- Students
- Visitors/3rd Party
- Other

Severity values:
- $0
- $20,000,000
- $40,000,000
- $60,000,000
- $80,000,000
- $100,000,000
- $120,000,000
- $140,000,000
Role Frequency vs. Severity
Frequency by Cause

- Accident
- Assault
- Athletic
- Contracts
- Employment
- Medical
- Transportation
- Other
- Slips & Falls
- Crisis Mgt
Severity by Cause

- Accident
- Assault
- Athletic
- Contracts
- Employment
- Medical
- Transportation
- Other
- Slips & Falls
- Crisis Mgt
Cause Frequency vs. Severity
Frequency by Location

- Campus: non-residence
- Campus: outdoors
- Campus: residence
- International
- Non-campus: non-residence
- Non-campus: outdoors
- Non-campus: residence
- TBD or not determined
Severity by Location

- Campus: non-residence
- Campus: outdoors
- Campus: residence
- International
- Non-campus: non-residence
- Non-campus: outdoors
- Non-campus: residence
- TBD or not determined

Y-axis: $0, $10,000,000, $20,000,000, $30,000,000, $40,000,000, $50,000,000, $60,000,000, $70,000,000, $80,000,000, $90,000,000, $100,000,000, $110,000,000, $120,000,000, $130,000,000, $140,000,000
Location Frequency vs. Severity
Title IX: Frequency vs. Severity

Graphs showing the comparison of frequency and severity from 2013 to 2016.
Sexual Harassment: Frequency vs. Severity
TBI: Frequency vs. Severity

- Frequency
- Severity

- 2012: $0
- 2013: $50,000
- 2014: $100,000
- 2015: $150,000
- 2016: $200,000

- 2012: 2
- 2013: 4
- 2014: 8
- 2015: 12
- 2016: 16
Newsworthy Large Losses

- Major awards & settlements of $250,000 or more
- Common areas of legal focus in education
- Newsworthy = reputational damage
- Demonstrates trends requiring risk management
Discrimination

**Takeaways**
- Pregnancy discrimination can be vicious
- Being outside the classroom doesn’t equate to being outside the law
- Investigations matter especially in matters of Title IX

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**Pregnant-belly-rubbing advice costs WSU $850,000 payout to student**

A federal appeals court has upheld an $850,000 judgment for a former social work student at Wayne State University who was told to wear looser clothing and not to rub her pregnant belly because it might excite the male clients she was working with at a rehab center.

In April 2008, Varlesi was given a failing grade in the internship. That prevented her from fulfilling the requirements for graduation. Varlesi complained about the grade and filed a formal complaint with Wayne State. The university denied the claim, saying the School of Social Work already had investigated. However, social work school Dean Phyllis Vroom admitted during the trial that there had not been an investigation.
UNC agrees to $795,000 settlement in Jackson Boyer hazing case

Boyer was a non-scholarship wide receiver at UNC when on Aug. 4, 2014, he was involved in an altercation at the Aloft Hotel in Chapel Hill, where the football team stays during its weeks long preseason camp. The altercation didn’t become public until weeks later, when Yahoo! Sports reported that Boyer had suffered a concussion during a hazing incident.

Since then it had been unclear whether UNC agreed that the altercation met its official definition of hazing. The university’s settlement with Boyer provides clarity, though.

Boyer, who played in seven games during the 2014 season before transferring to the University of Southern California, where he’s now a junior walk-on receiver, has never discussed the incident publicly.

Takeaways
• Off-campus supervision
• Strong reporting requirements
• Does USC now contend with the concussion situation?
Chicago State University to finally pay whistleblower $4.3 million

Former School Attorney James Crowley was fired after he refused to withhold documents about President Wayne Watson's employment that had been requested under the Illinois open records law. He also said he was retaliated against after reporting questionable university contracts to the attorney general's office.

A jury in 2014 found in Crowley's favor and ordered Chicago State to pay him more than $3 million, including $1 million in back pay and $2 million in punitive damages, along with attorney fees. But the school had avoided payment while it challenged the jury verdict.

That decision was upheld by the Illinois Appellate Court last year, and the judgment amount grew with the addition of 6 percent interest earned since the verdict and "front pay" — money Crowley would have earned if he had worked between the time of the jury decision and the final order.

Takeaways
• Stronger awareness of what retaliation looks like
• Court delays can accrue interest on the award
Officer Ledoux complained to her Chief of Police that when she was put in charge of duty assignments, two male officers refused to take orders from her. The victim endured years of harassment including spreading a rumor that she was having an affair with the Chief and thus was getting special treatment.

The suit states Ledoux went to the Massachusetts Commission Against Discrimination, which ruled a hostile work environment existed due to sex/gender discrimination. She also alleged that VP of HR and Affirmative Action advised Ledoux to drop the MCAD action or will lose her job. That same day she claims while working her shift, a BCC student approached her and asked whether she was sleeping with the Chief Wood. Ledoux then went into a bathroom at BCC and collapsed.

She was diagnosed as experiencing a stress-induced seizure, took a medical leave during which she was treated with counseling and medication. Later, when she tried to return to work, BCC officials told her she hadn't provided medical proof that she could do all the tasks of her job, and so terminated her employment.

Takeaways
• Global training on harassment/discrimination prevention
• Bystander training
• Leadership direction of the culture
Florida State has agreed to pay $950,000 to settle a lawsuit with the former student who accused former Seminoles quarterback Jameis Winston of raping her in December 2012. The student, Erica Kinsman, sued Florida State over what she viewed as an indifferent and insufficient response to her accusation. She sued under Title IX, the federal statute that regulates public universities' handling of sexual assault and other sexually discriminant charges.

Winston was not charged criminally, and he was cleared in a university Title IX hearing.
Jury awards $900,000 verdict to former Morgan football player injured in campus shooting

Baltimore city jury awarded $900,000 to a former Morgan State University football player who was injured in a shooting on campus in 2012, and later sued the school, contending that it did not provide a safe environment for students.

The victim’s attorney said, Morgan had a responsibility to keep its students safe, and failed his client who had lasting impacts from the shooting.

MSU spokesman said, “we were disappointed in the jury’s verdict, given that the student was injured by someone who was not known to the University and whose actions we could not control.”
After fighting a property tax lawsuit for five years, Princeton University, the third-wealthiest endowed university in the country, has agreed to an $18 million settlement with neighbors who claimed the university’s tax-exempt status unfairly made their property taxes higher.

Under the agreement, the university will pay 869 homeowners in the neighborhood $10 million from 2017 to 2022. It will pay nearly $7 million to the Borough of Princeton and $1.25 million to the Witherspoon Jackson Development Corp., a nonprofit group, to meet the housing needs of poorer residents.

Princeton neighbors filed suit, maintaining that their property taxes were kept artificially high by the fact that most of Princeton University’s property is nonprofit and therefore, tax exempt.
Thieves allegedly steal over $1 million from Coastal Carolina University

Coastal Carolina University was scammed out of approximately $1.1 million and is working with multiple law enforcement agencies to investigate the phishing scams that happened in December, according to a news release.

The fraudsters provided “what appeared to be official documents that included the company’s logo, tax ID numbers and names of company officials,” the release stated. CCU says the employee checked the information then fulfilled the request.

Takeaways
• Audience Thoughts
In 2006, Sandpebble claimed the district wrongfully terminated its $80M contract, then signed a contract with a different construction firm for a larger, three-school renovation. In turn, the school district claimed Sandpebble Builders abandoned the contract.

Sandpebble was seeking $3.7 million plus accrued interest in total damages against the school district. But the jury awarded damages of $750,750, plus accrued interest for work the construction company performed.

That award could nearly double with interest, to almost $1.4 million.

Takeaways

• Air-tight contract language
• Good internal project managers
• Court delays can accrue interest on the award
What does it all mean?

Will we all become more concerned with accountability?

**In Spanier Case, College Leadership Goes on Trial**

*By Jack Stripling | March 20, 2017*

The prosecution of Penn State’s former president, charged with covering up Jerry Sandusky’s abuse, will scrutinize administrative decision-making and feed on a growing culture of accountability.
What does it all mean?

Will there ever come a time when a list like this will become too big...and the risk too much to continue international programs?

Ranking the Most Dangerous Countries for Americans To Visit

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<th>Rank</th>
<th>Country</th>
<th>Travel Warnings</th>
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<td>12 (tie)</td>
<td>North Korea</td>
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Travel warnings issued between October 2009 and June 2016. Excludes natural disaster warnings.
Harassment Allegations Against a Star Scholar Put a Familiar Spotlight Back on Berkeley

By Sarah Brown | March 24, 2017

Costs of UNC Athletics Scandal Near $18M

By Emily Tate | March 27, 2017

The University of North Carolina at Chapel Hill has accrued nearly $18 million in legal costs stemming from the decades-long scandal involving fake classes that appeared to benefit athletes disproportionately, according to The News & Observer.

3 Vernon Rodeo Team Members Killed by Crash

By Scott Jaschik | March 27, 2017

Three students at Vernon College, members of the school's rodeo team, have died from injuries in a car crash last week, according to The Times Record News. Two were killed initially, and a third died Sunday. The college has created funds to help the families of the students.
Questions & Comments