

Claim Case Studies & Legislation

Sexual Abuse on College Campuses An Expensive Risk Exposure

Our understanding of sexual abuse is often clouded by myths. Most tend to think that the majority of abuse cases are against vulnerable populations, such as children, the elderly and the disabled. Since their institution does not work with these populations, they have a very minor exposure to this horrific crime.

Yet, Canadian statistics indicate otherwise. Consider the following:

1. April 2013, The Canadian Federation of Students – Ontario (cfsontario.ca) released a fact sheet titled “Sexual Violence on Campuses” that states women aged 18 years to 24 years of age experience the highest rate of sexual violence in Canada according to Statistics Canada.
2. In February, 2015, CBC news released their study of sexual assaults on Canadian university and major college campuses. The study was conducted over a six month period and revealed that in the last five years over 700 sexual assaults were reported to 87 Canadian universities and colleges. For full details of the study, please go to cbc.ca/news and search sexual assault on campus.

Sexual abuse is also not limited to sexual assault on campus. It includes cyber harassment, sexual harassment, stalking and assaults committed off campus. Remember these head-line grabbing stories:

1. “The “shock” expressed following St. Mary’s rape chant” (Huffington Post, Nov. 22, 2013)
2. “UBC Frosh Students Sing Pro-Rape Chant” (Huffington Post, Nov. 7, 2013)

3. “University of Ottawa men’s hockey team suspended over alleged sex assault” (theglobeandmail.com March 3, 2014)
4. “Dalhousie investigating ‘deeply disturbing’ Facebook page about female dentistry students” (nationalpost.com, Dec. 16, 2014)

Sexual abuse is not unique to one college campus in Canada. All Canadian Colleges face the same risks:

1. Age vulnerable population
2. Premises made up of many acreages of land and multiple buildings that are not easy to secure
3. Faculty developing relationships with students outside of the classroom
4. Cyber harassment
5. Alcohol served at campus pubs

Colleges can be held vicariously liable for the sexual abuse of their student population, employees or visitors. If you fail to properly secure the safety of the population within your care, you can be held accountable by our legal system. You will be faced with expensive litigation, media attention and reputational damage. Because it’s under-reported doesn’t mean it’s not happening on your campus.

Colleges can protect themselves by adopting and implementing risk management practices to help guard against abuse on their campuses. There are a myriad of resources available to Colleges to develop policies, procedures and protocols such as A Resource Guide for Ontario’s Colleges and Universities found at women.gov.on.ca

Policies and procedures can go a long way in preventing sexual assaults on your campus. But every risk exposure still requires a financing vehicle. Don't fall into the trap of assuming that your Commercial General Liability Policy provides you with the financing you require in the event you are named in an abuse suit. Most CGL policies exclude sexual abuse. These policies provide coverage for unintentional not intentional acts.

Also don't assume your sexual abuse coverage equals your CGL limit of liability. Some insurers offer much lower limits for sexual abuse coverage endorsements.

At Intact Public Entities we understand the risk exposures faced by Canadian colleges. We've manuscripted our policy to meet your needs. For more information on our Sexual Abuse coverage, contact your Intact Public Entities representative.

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