State Mandated Risk Management Training

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You personally cannot change everything in one night even though one night can change everything.

Clay R. Warren, an ambitious Texas Tech freshman, met his untimely end in an automobile accident while returning home from his fraternities’ event on September 21, 2002.

Warren’s story will be utilized in an arduous endeavor to educate and inform students and faculty alike about an array of risk management processes and concerns.
Clay’s Bill/House Bill 2639

- Sec. 51. 9361: Registered Student Organization (RSO) Members and Advisors are required to attend at least one annual Risk Management Training program.

- Officers are required to report information gathered to the entire organization’s membership after the event.

*House Bill 2639 went into effect September 1, 2007.*
Rep. John T. Smithee

“The goal is to make sure that everyone on campus knows there are some guidelines to follow before planning activities, such as parties and trips, and—just as important—to discourage hazing, boozing and other illegal activities.”
Learning Outcomes of Program

After today’s State Mandated Risk Management Training, you should:

- Understand the purpose of the training, specifically the state law component.
- Have a better understanding of risks associated with the topic areas.
- Recognize potential risks within your organization.
- Identify campus and community resources to address risks associated with the topic areas.
- Obtain tools to train your organization about potential risks and develop a risk management plan that is effective for your organization.
Mandatory Topics

- Alcohol
- Drugs
- Hazing
- Sexual Abuse/Harassment
- Fire and Other Safety Issues
- Behavior at Organization Sponsored Events
- Travel
**General Reminders**

- **Attendance:** your attendance from start to finish today is required for compliance.

- **Cell Phones:** please set your phones on silent to avoid disrupting the presentation.

- **Take Notes:** notes will help you report this information back to your organization.
ALCOHOL AND DRUGS
**What's the Big Deal?**

Over 1,400 students ages 19-24 die from alcohol-related injuries.

More than 70,000 students ages 18-24 are victims of a sexual assault or date rape that involved alcohol.

About 25% of college students report academic consequences of their drinking including missing class, falling behind, and doing poorly on exams.

More than 150,000 students develop an alcohol-related health problem and between 1.2 and 1.5% of students indicate they tried to commit suicide within the past year due to drinking and/or drugs.

2.1 million students between the ages of 18-24 drove under the influence of alcohol last year.
High Risk Drinking

High-risk college student drinking includes the following:

- Underage drinking
- Drinking and driving
  - Including other activities where the use of alcohol is dangerous
- Drinking when health conditions and/or medications make the use of alcohol dangerous
- Binge drinking
  - Men = 5 drinks concurrently
  - Women = 4 drinks concurrently
Standard Drink

One mixed drink with:
- 1.5 fl oz (44 mL) of 80-proof liquor (such as vodka, gin, scotch, bourbon, brandy, or rum)
- 5 fl oz (148 mL) of wine
- 12 fl oz (355 mL) of beer or wine cooler
Providing Alcohol to Minors

- Providing alcohol to a minor is a Class A misdemeanor.
  - Punishable by a fine up to $4,000, confinement in jail for up to a year, or both.

- Providing alcohol to a minor at a gathering that involves binge drinking and/or coerced drinking could also result in community service and enrollment in an alcohol awareness program.

- Providing alcohol to minors could prevent potential employment opportunities to students pursuing careers in education, law, criminal justice, and other fields.
DWI OFFENSES

- **Driving UNDER the Influence**
  Texas has a **ZERO Tolerance** law for minors (under 21) who operate a motor vehicle in a public place while having any amount of alcohol in their system.
  - Class C misdemeanor, punishable up to a $500 fine.
  - Community Service (approximately 8-40 hours required).
  - Driver’s license suspended for 30-180 days.
  - Required to be enrolled in an alcohol awareness course.

- **Driving WHILE Intoxicated**
  Defined as any person who is intoxicated while operating a motor vehicle in a public place. DWI is classified as a Class B misdemeanor which results in confinement in jail for a minimum of 72 hours.

- **Driving WHILE Intoxicated with an Open Container**
  Section 49.04 of the Texas Penal Code. Classified as a Class B misdemeanor, with a minimum term of confinement of 6 days.
The Texas Legislature passed a new law that enables a person under 21 to not be charged by the police for possessing and/or consuming alcohol if the person calls 911 in the case of someone having alcohol poisoning.

This limited immunity applies only to the first person to call for medical assistance and requires the caller to remain at the scene until medical assistance arrives and cooperates with EMS and law enforcement officers.
Drug Use

It is illegal to use, manufacture, own, sell, and/or distribute substances defined and regulated under Chapters 481, 484, and 485 of the Texas Health and Safety Code.
NEW TRENDS ON DRUGS

- People ages 12 and older are trying pain relievers (without prescription) than any other drug.
- The number of first time marijuana users has been reduced from three million in 2000 to two million in 2006.
- Increase in first time users for prescription-type stimulants and ecstasy.
- More people are entering rehab with addictions to marijuana, methamphetamine, and other opiates.

Center for Substance Abuse Research
Signs of a Problem

- Failure to fulfill classwork and/or late for class
- Sudden changes in attitude or behavior
- Use of drug culture jargon
- Secretive behavior (paranoia)
- Poor hygiene
- Financial problems
- Changes in weight
- Dilated pupils
- Slurred speech
- Trouble making eye contact
- Vomiting
- Unconsciousness
Hazing
Hazing is defined as any intentional, knowing, or reckless act occurring on or off the campus of an educational institution, by one person alone or action with others, directed against a student, that endangers the mental or physical health or safety for the purpose of pledging, being initiated into, affiliating with, holding office in, or maintaining membership in any organization whose members are or include students as an educational institution.
Hazing Laws

The term includes, but is not limited to:

- Any type of physical brutality, such as whipping, beating, striking, branding, electronic shocking, placing of a harmful substance on the body, or similar activity.
- Any type of physical activity, such as sleep deprivation, exposure to the elements, confinement in a small space, calisthenics, or other activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student;
- Any activity involving consumption of a food, liquid, alcoholic beverage, liquor, drug, or other substance which subjects the student to an unreasonable risk of harm or which adversely affects the mental or physical health or safety of the student;
- Any activity that intimates or threatens the student with ostracism, that subjects the student to extreme mental stress, shame, or humiliation, or that adversely affects the mental health or dignity of the student or discourages the student from entering or remaining registered in an educational institution, or that may reasonably be expected to cause a student to leave the organization or the institution rather than submit to acts described in this subsection;
- Any activity that induces, causes, or requires the student to perform a duty or task that involves a violation of the Penal Code.
Hazing Laws

PERSONAL HAZING OFFENSE: A person commits an offense if the person:
Engages in hazing; solicits, encourages, directs, aids or attempts to aid another in
engaging in hazing; intentionally, knowingly, or recklessly permits hazing to occur;
or has firsthand knowledge of the planning of a specific hazing incident that has
occurred, and knowingly fails to report said knowledge in writing to the Center for
Student Life or other appropriate official(s) of the institution.

ORGANIZATIONAL HAZING OFFENSE: An organization commits an offense if the
organization condones or encourages hazing or if an officer or any combination of
member(s), pledge(s), or alumni of the organization commit(s) or assist(s) in the
commission of hazing.
HAZING LAWS

CONSENT IS NOT A DEFENSE: The fact that a person consented to or acquiesced in a hazing activity is not a defense to prosecution for hazing under the law.

IMMUNITY FROM PROSECUTION AVAILABLE: In the prosecution of an offense under this subchapter, the court may grant immunity from prosecution for the offense to each person who is subpoenaed to testify for the prosecution and who does testify for the prosecution. Any person reporting a specific hazing incident involving a student in an educational institution to the Center for Student Life or other appropriate official of the institution may be immune from liability, civil or criminal, that might otherwise be incurred or imposed as a result of the report. Immunity extends to participating in any judicial proceeding resulting from the report. A person reporting in bad faith or with malice is not protected by this section.
Reporting Hazing

Bring a written report into the Center for Student Life with firsthand knowledge that a hazing incident is being planned or has occurred.

The fact that a person consented to or acquiesced in a hazing activity is not a defense to prosecution for hazing under the law. The penalty for failure to report hazing activities is a fine not to exceed $2,000 and/or up to 180 days of confinement in jail.
Common Barriers to Change

In order to make meaningful change, it is important to identify the key barriers to change and work on dismantling them. Common barriers to eliminating hazing include, but not limited to, the following:

- Denial of the problem
- Dismissing hazing as harmless
- Silence
- Fear
- Insufficient support for victims of hazing
- Cultural norms that promote hazing as acceptable behavior

Information adapted from www.stophazing.org
Making Change

Help others by:
- Noticing hazing and reporting it to Center for Student Life immediately
- Interpret hazing as a problem
- Recognize the responsibility to change it
- TAKE ACTION!
- Realize that the most effective way to be educated about hazing is to begin by drawing attention to hazing and helping others interpret hazing as a problem
- Analyze organizational events for policy compliance and safety
- Share with members the consequences of hazing
- Publicize hazing policies to your membership

Adapted from Elizabeth J. Allen, www.stophazing.org
Transforming our Practices

- Don’t divide your membership into categories
- Review planned activities with a trusted RSO advisor
- Tell people outside your group what you will be doing and where
- Have retreats and activities that don’t divide and/or humiliate
Setting Expectations

- Be concise
- Be clear
- Develop a FIRM vision for your RSO
- Gain cooperation or understanding
- Address hot topics with a structured process
SEXUAL HARASSMENT AND ASSAULT
**Terms and Definitions**

- **Sexual Abuse**
  The forcing of undesired sexual acts by one person upon another.

- **Sexual Assault**
  A statutory offense that makes it a crime to knowingly cause another person to engage in an unwanted sexual act by force or threat.
**Terms and Definitions**

- **Stalking:**
  A person commits an offense if the person, on more than one occasion and pursuant to the same scheme or course of conduct that is directed specifically at another person, knowingly or responsibly believes the other person will cause:
  - bodily injury or death of the other person; bodily injury or death for a member of the other person’s family or household; or that an offense will be committed against the other person’s property.
**Terms and Definitions**

- **Harassment:**
  A person commits an offense if, with intent to harass, annoy, alarm, abuse, torment, or embarrass another, he/she:
  - Initiates communication by telephone, in writing, or by electronic communication and in the course of the communication makes a comment, request, suggestion, or proposal that is obscene;
  - Threatens, by telephone, in writing, or by electronic communication in a manner reasonably likely to alarm the person receiving the threat, to inflict bodily injury on the person or to commit a felony against the person, a member of his family or household, or his property;
  - Conveys, in a manner reasonably likely to alarm the person receiving the report, a false report, which is known by the conveyor to be false, that another person has suffered death or serious bodily injury.
FACTS

- **Sexual Assault:**
  - Can occur for both Men and Women
  - Is about power, control...usually not because of sex
  - May involve the use of alcohol
  - Focus on their own wants and needs, disregarding and disrespecting the wants and needs of their victims
  - Only 6% of sexual assaults are reported to the police

- **Stalking:**
  - Usually occurs by a known person or by a current/former partner
  - Might start out as annoying, but can escalate quickly
  - All threats should be taken seriously
  - 4 out of 5 victims are women
  - Often display high aggression, impulsivity, low level of empathy, low self esteem, and a limited ability to work cooperatively with others
When confronted with sexual harassment

- Report to the Police
- Written documentation
- Seek a network of support
- Seek professional counseling
- Utilize campus resources/advocates
- Implement protective/restraining order

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<tr>
<th>Houston Area Women’s Center</th>
<th>Phone</th>
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<tbody>
<tr>
<td>Domestic Violence Hotline</td>
<td>713.528.2121</td>
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<tr>
<td>Sexual Assault Hotline</td>
<td>712.528.7273</td>
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<tr>
<td>Sexual Assault Legal Services</td>
<td>1.888.343.4414</td>
</tr>
<tr>
<td>Counseling Offices</td>
<td>713.528.6798</td>
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FIREARMS, WEAPONS, AND GENERAL SAFETY
In the event of a fire

- Always have a plan
- Fire alarm = evacuate building immediately
- Help others if necessary/possible
- Have a meeting place
- Call in the exact location of the fire (911)
A person commits an offense if the person intentionally, knowingly, or recklessly possesses, manufactures, transports, repairs, or sells any weapon listed in Section 46.05(a):

1. An explosive weapon;
2. A machine gun;
3. A short-barrel firearm;
4. A firearm silencer;
5. A switchblade knife;
6. Knuckles;
7. Armor-piercing ammunition;
8. A chemical dispensing device; or
9. A zip gun

Please see: [http://law.onecle.com/texas/penal/46.05.00.html](http://law.onecle.com/texas/penal/46.05.00.html) for a copy of the entire section.
**Bomb Threat**

- If you receive a telephoned bomb threat, you should do the following:
  - Get as much information from the caller as possible.

Try to ask the following questions:

- When is the bomb going to explode?
- Where is it right now?
- What does it look like?
- What kind of bomb is it?
- What will cause it to explode?
- What is your address?
- What is your name?

- Keep the caller on the line and record everything that is said.

**Notify the police when able.**
Behavior at School
Sponsored Events and Travel