State Mandated Risk Management Program
Clay Warren

“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.

*Adapted from UTSA with permission from Dr. Berry McKenney*
Clay’s Bill/House Bill 2639

- Effective September 1, 2007, the 80th Texas Legislature enacted HB 2639/SB 1138 (Texas Education Code Section 51.9361) regarding risk management education for members and advisors of student organizations registered at postsecondary educational institutions.

- Under the law, Registered Student Organization (RSO) Members and Advisors are required to attend an annual Risk Management Program program.

- Advisors and Officers are required to report all of the information gathered here to the entire organization’s membership after the event.
Program Learning Outcomes

1. Understand the purpose of the Program, specifically the state law component;

2. Have a better understanding of risks associated with the topic areas;

3. Recognize potential risks within your organization;

4. Identify campus and community resources to address risks associated with the topic areas; and

5. Obtain tools to train your organization about potential risks and develop a risk management plan that is effective for your organization.
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 take this information back to your organization.
RISK MANAGEMENT OVERVIEW
What is Risk Management?

• Risk Management is the process of advising organizations of the potential and perceived risks involved in their activities, providing education about the guiding boundaries established for organizations, and taking corrective actions and proactive steps to minimize accidental injury and/or loss.

• The goal of our proactive risk management guidelines is to ensure that student organizations plan and host events where everyone involved has a safe and fun experience!
WHAT ARE TYPES OF RISK?

- Physical – injury, illness, death, hazing, sexual assault, binge/excessive drinking
- Psychological – hazing, sexual assault, eating disorders, alcohol and drug abuse
- Financial – money handling, fundraising, budgets
- Reputational – the media, views from other members of the community
- Environmental/physical space – fire safety, property damage, exceeding room capacity, crowd control, driving
- Other potential harm – underage drinking, violating the law or University rules
HIGH-RISK TOPICS

- Alcoholic Beverages and Illegal Drugs
- Hazing
- Sexual Abuse and Harassment
- Fire and Other Safety Issues
- Travel
- Behavior at Organization Sponsored Events/Parties
- Risk Management Policies
Prioritize organizational initiatives

Identify and align risk

Anticipate and communicate with all responsible parties

Rate and prioritize risks

Implement strategies to avoid the risks

Supervise, respond and report your assessment to the Center for Student Life

Eliminate any redundant activities

Update and review risk management procedures

Protect and Enhance the LSC Mission
Alcohol and Drugs
What’s the Big Deal?

- Four out of five college students drink alcohol.
- Half of college students who drink, consume alcohol through binge drinking.
- Each year, drinking affects college students, as well as college communities, and families. The consequences of drinking include:
  - **Death:** 1,825 college students between the ages of 18 and 24 die each year from alcohol-related unintentional injuries.
  - **Assault:** More than 690,000 students between the ages of 18 and 24 are assaulted by another student who has been drinking.

Source: National Institute on Alcohol Abuse and Alcoholism.
**What's the Big Deal?**

**Sexual Abuse:** More than 97,000 students between the ages of 18 and 24 are victims of alcohol-related sexual assault or date rape.

**Injury:** 599,000 students between the ages of 18 and 24 receive unintentional injuries while under the influence of alcohol.

**Academic Problems:** About 25 percent of college students report academic consequences of their drinking including missing class, falling behind, doing poorly on exams or papers, and receiving lower grades overall.

**Health Problems/Suicide Attempts:** More than 150,000 students develop an alcohol-related health problem and between 1.2 and 1.5 percent of students indicate that they tried to commit suicide within the past year due to drinking or drug use.

**Drunk Driving:** 3,360,000 students between the ages of 18 and 24 drive under the influence of alcohol.

High Risk Drinking

High-risk college student drinking includes the following:

- Underage drinking
- Drinking and driving
- 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 (DUI)**
  - 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 by a fine up to $500
  - Attendance at an alcohol awareness class
  - 20 to 40 hours of mandatory community service
  - 60 days driver’s license suspension. The minor would not be eligible for an occupational license for the first 30 days.

- **Driving WHILE Intoxicated (DWI):** 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.

Source: Texas Alcohol Beverage Commission
Texas Senate Bill 1331—82nd Session

Effective: September 1, 2011

• The Texas Legislature passed a 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.
Signs of a Drug 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 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:
1. engages in hazing;
2. solicits, encourages, directs, aids or attempts to aid another in engaging in hazing;
3. intentionally, knowingly, or recklessly permits hazing to occur; or
4. 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.
BARRIDERS TO HAZING

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
Eliminate Hazing

Help others by:

1. Noticing hazing and reporting it to Center for Student Life immediately.
2. Interpret hazing as a problem.
3. Recognize the responsibility to eliminate it.
4. TAKE ACTION!
5. 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.
6. Analyze organizational events for policy compliance and safety.
7. Share with members the consequences of hazing.
8. 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 to ensure that all activities are in full compliance with hazing laws.
- 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

1. Be concise;
2. Be clear;
3. Develop a FIRM vision for your RSO;
4. Gain cooperation or understanding; and
5. 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
- 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
- Perpetrators often display high aggression, impulsivity, low level of empathy, low self esteem, and a limited ability to work cooperatively with others
What To Do?

When confronted with sexual harassment:

1. Report to the Police
2. Written documentation
3. Seek a network of support
4. Seek professional counseling
5. Utilize campus resources/advocates
6. Implement protective/restraining order

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<thead>
<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>
</tr>
<tr>
<td>Sexual Assault Legal Services</td>
<td>888.343.4414</td>
</tr>
<tr>
<td>Counseling Offices</td>
<td>713.528.6798</td>
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FIRE 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)
Fire and Safety Issues

• When planning for an event, make sure the venue is large enough to handle the expected attendance. Crowd control is essential.

• Make sure during organizational meetings and events that all entrances and exits are unobstructed.

• Do not obstruct or tamper with smoke detectors or sprinkler systems.

• Do not overload electrical circuits and remember to always use surge protectors.

• NEVER IGNORE A FIRE ALARM – “Oh, it’s just another drill”.

Firearms, Weapons, and General Safety
WEAPONS

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

If you suspect or know of anyone who may be in possession of any illegal weapons on campus, please report it immediately to LSCS x5911 or call 911.
**Bomb Threat**

If you receive a telephoned bomb threat you should do the following:

1. Gather 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?

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

3. Notify the police when able.
Behavior at School
Sponsored Events and Travel
TRAVEL WITH A TEAM EMERGENCY CONTACT LIST FOR ALL

Student Life

TR4b

The general morale of the student body is dependent upon many factors; among these are the success of its graduates, the attitude of the faculty and administration, the general behavior of individual students and the reputation of the school. We believe that a primary factor in strong student morale is an overall regard for good citizenship on the part of the student body. The system assumes that student morale is an overall regard for good citizenship on the part of the student body. The system assume that students eligible to perform on the college level are familiar with the ordinary rules governing proper conduct and that they will observe these rules as a matter of training and habit.

Regulations of the system forbid gambling, the use of controlled substances and alcoholic beverages, and the appearance of anyone under the influence of any of these on the campus when attending or participating in activities sponsored by the college. All LSCS building are tobacco free.

The possession of firearms, illegal knives and prohibited weapons on system facilities, including parking areas and publicly accessed facilities, is a violation of criminal law and board policies. Persons who violate the law and these polices will be subject to serious consequences, including referral for criminal prosecution and dismissal from school.

No personal or group of people acting in concert may willfully engage in disruptive activity or disrupt a lawful assembly on any campus or property of the LSCS; further, the administration is charged with the responsibility for keeping the system free of disruptive activities and may take whatever disciplinary action is deemed necessary in instances of disruption or threat of disruption.

STATEMENT OF UNDERSTANDING
By signing below, I certify that I have read the above information and agree to comply with the LSC-CyFair Center for Student Life Code of Conduct.
**STUDENT TRAVEL**

- Student travel includes events or activities organized and sponsored by LSCS as a required part of a course (credit or non-credit), a college-scheduled sports event or competition, or educational travel abroad programs offered by the college.

- Travel is considered to be required by a registered student organization when the travel is a part of the organization’s official activities, including attendance and participation at conventions, workshops, athletic events, and non-athletic competitions.

- Modes of transportation used for student travel may include, but are not limited to, commercial airlines, college-owned or leased cars or vans, or commercially owned and operated buses or vans.

- Travel arrangements for student groups must be made in accordance with LSCS travel procedures.

- Before departure on a trip covered by LSCS, a trip plan and appropriate emergency information must be submitted to and reviewed by college representatives.
Parties

Stop drinking before it’s too late

- Do you feel warm and tingly?
- Are you less nervous or less tense?
- Do you feel more outgoing and friendly?
- Do you feel giddy or loud?

Tip: Should you choose to drink, try alternating drinks with non-alcoholic beverages such as soda, water, juice, etc. This will help you hydrate and reduce your alcohol intake.

So, you’re having a party?

Keep the noise level down

- Talk to your neighbors before the party. Noise complaints from neighbors are the most common reason police are called to parties.
- Let your neighbors know when the party will end. Parties during the week may bother people who have different time schedules.
- Keep the party indoors and close the windows, if possible.
- The police may come if the noise can be heard outside your home.

Keep the size reasonable

If the party spills outside, there is a good chance a complaint will be made.

Know your guests

Do not open your party to people passing by. This is often how irresponsible people enter and cause problems.