

# Registered Student Organization (RSO) State Mandated Risk Management Training



# Student Engagement & Leadership Center

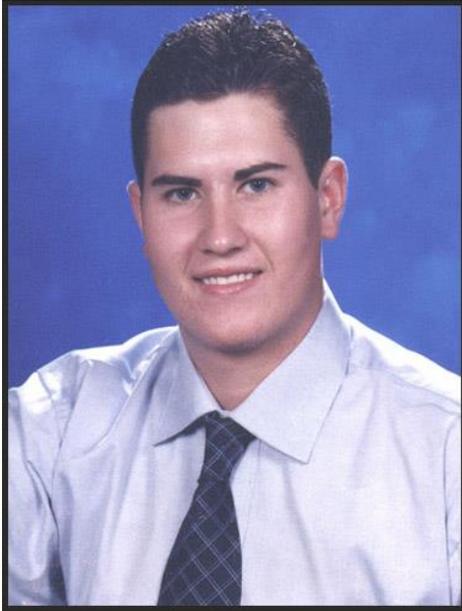
The Student Engagement & Leadership Center supports the engagement and leadership development of all students at UTEP. In our work with student organizations, we have a dedicated team of staff who work directly with all student organizations at UTEP. This team is known as the Student Organization Support (SOS) Team. We are here to answer questions, provide support, and guidance to all student organization leaders. We look forward to working with you!

For any questions regarding the  
RSO State Mandated Risk Management Training  
or for any student organization related assistance,  
please e-mail [sos@utep.edu](mailto:sos@utep.edu).

# What is Risk Management?

Risk Management is the process of advising registered student organization leaders of the potential and perceived risks involved in their organizational activities. Through education and awareness, we can prepare student leaders with the knowledge needed to help keep each other safe and mitigate risk.

# Why do we have State Mandated Risk Management Training?



Clay Warren

April 22, 1984 - September 21, 2002

- Clay was a vivacious young man who loved life, his family, Texas Tech University, and his fraternity.
- While returning home from his fraternities' event, Clay was involved in an automobile accident.
- Tragically his life was cut short by poor risk management and decisions.
- House Bill 2639 went into effect 9/1/07
- More info on House Bill No. 2639: <http://www.capitol.state.tx.us/tlodocs/80R/billtext/html/HB02639.FH.TM>

“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.”

Rep. John Smithee, R-Amarillo

# In This Training

This training will review the following topics:

- Alcohol & illegal drugs
- Hazing
- Sexual harassment & assault
- Fire and other safety
- Student Travel
- Behavior at Organization Events
- Student Org Risk Management Policy
- Students with Disabilities

# Types of Risk

- Physical – injury, illness, death, hazing, sexual assault, high-risk, excessive drinking
- Psychological – hazing, sexual assault, eating disorders, alcohol and drug abuse
- Financial – money handling, fundraising, budgets
- Reputational – the media, alumni, family, donors, 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

# Alcohol

- The University enforces all state and federal laws and regulations which control the sale or use of alcohol on campus, including those pertaining to the possession of alcohol by minors.
- University regulations prohibit the possession and/or consumption of alcoholic beverages on University property without prior written authorization by appropriate administrative officials and are strictly enforced.
- All requests for consumption of alcohol at a student activity off-campus must be submitted to The Student Engagement & Leadership Center.
- Customers of legal age under State law may purchase and consume alcoholic beverages in areas on campus specifically designated for the public sale and consumption of beer and wine.
- RSOs in violation of these policies will be subject to University discipline in addition to possible criminal prosecution by civil authorities.
- [Handbook of Operating Procedures \(Sec. II 1.2.3.p\) Sale or Use of Alcoholic Beverages](#)

# Illegal Drugs

- The University enforces all State and federal laws that prohibit the possession or sale of illegal drugs or drug paraphernalia and complies with the Drug Free Schools and Communities Act of 1990.
- Any student who is guilty of the illegal use, possession and/or sale of a drug or narcotic, including any amount of marijuana, on the campus is subject to University discipline in addition to possible criminal prosecution by civil authorities.
- If a student is found guilty of the illegal use, possession, and/or sale of a drug or narcotic on campus, the minimum disciplinary penalty shall be suspension from enrollment or attendance for a specified period of time and/or suspension of rights and privileges for a specified period of time.
- [Handbook of Operating Procedures \(Sec. II 1.2.3.b\) Drugs](#)

# Hazing

The University of Texas at El Paso is committed to providing a safe educational environment for everyone and does not tolerate hazing by any group or individual affiliated with the University. UTEP regards any form of hazing as a major violation and expects that all students and organizations will observe and fully comply with state law, University regulations, and administrative rules associated with the prohibition of hazing.

- Hazing is prohibited under state law and University policy. The University will take disciplinary action for hazing that takes place during official University functions, or during functions held by registered or sponsored student organizations; the University will also take disciplinary action for hazing incidents that have a substantial connection to the interests of the University, wherever they occur.

# Hazing

Any student who, acting singly or in concert with others, engages in hazing is subject to discipline. Hazing in state educational institutions is prohibited by state law (*Texas Education Code* [Section 51.936](#) and [Sections 37.151-37.157](#)). Hazing with or without the consent of a student whether on or off campus is prohibited, and a violation of that prohibition renders both the person inflicting the hazing and the person submitting to the hazing subject to discipline. Knowingly failing to report hazing can subject one to discipline. Initiations or activities of organizations may include no feature that is dangerous, harmful, or degrading to the student, and a violation of this prohibition renders both the organization and participating individuals subject to discipline.

# Hazing

“Hazing” means any intentional, knowing, or reckless act, occurring on or off of the campus, by one person alone or acting with others, directed against a student for purposes of pledging, being initiated into, affiliating with, or holding office in, or maintaining membership in an organization if the act:

1. is any type of physical brutality, such as whipping, beating, striking, branding, electric shocking, placing of a harmful substance in or on the body, or similar activity;
2. involves any type of physical activity, such as sleep deprivation, exposure to the elements, confinement in a small space, calisthenics, or other similar 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;
3. any activity involving consumption of a food, liquid, alcoholic beverage, liquor, drug, or other substance that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student;

## Hazing (cont.)

4. any activity that induces, causes, or requires the student to perform a duty or task that involves a violation law; or
5. any activity that intimidates or threatens the student with ostracism, that subjects the student to extreme mental stress, shame, or humiliation, 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.

In an effort to encourage reporting of hazing, the University of Texas at El Paso may grant immunity from student or employee disciplinary action to a person who, in good faith, voluntarily reports specific incidents of hazing prior to being contacted concerning the incident or being included in the institution's investigation of the incident. This immunity does not extend to the person's own violation of hazing.

# Sexual Assault & Harassment

The University of Texas at El Paso is committed to maintaining a learning and working environment that is free from discrimination based on sex in accordance with Title IX of the Education Amendments of 1972 (Title IX), which prohibits discrimination on the basis of sex in any federally funded educational programs or activities.

Title IX protects students, employees, applicants for admission and employment, and other persons from all forms of sex discrimination including sexual misconduct, sexual harassment, and acts of sexual violence. Sexual violence may include rape, sexual assault, sexual battery, sexual coercion, stalking, and relationship violence.

Title IX prohibits institutions from excluding, separating, denying benefits, or otherwise treating individuals differently on the basis of sex. Sex based discrimination is prohibited at UTEP both by law and by University and UT System policies.

For additional information or questions, please contact the Title IX Coordinator, who can be reached by phone at (915) 747-8358, by email at [titleix@utep.edu](mailto:titleix@utep.edu), or by mail at 500 W. University Ave., El Paso, TX 79968, Kelly Hall, Room 312.

# Title IX of the Education Amendments of 1972

Title IX of the Education Amendments of 1972 includes a sex discrimination provision and states that,

- "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance"
- Except that: this section shall not apply to membership practices—**(A)** of a social fraternity or social sorority which is exempt from taxation under [section 501\(a\) of title 26](#), the active membership of which consists primarily of students in attendance at an institution of higher education.

Title 20 U.S.C. 1681 (a)(6)(A)

# Title IX of the Education Amendments of 1972

Title IX also applies to gender equity issues such as within athletics programs, and Title IX applies to and prohibits sexual harassment—which also includes sexual assault, stalking, dating violence, and other forms of unwelcome sexual behavior.

**Inquiries or reports regarding Title IX should be referred to the University's Title IX Coordinator and Deputy Title IX Coordinators:**

**Gabriel Ramirez, J.D.**

**Title IX Coordinator**

- Kelly Hall 312
- 915.747.8358
- gramirez2@utep.edu

**Beatriz Tapia**

**Deputy Title IX Coordinator**

- Director for Equal Opportunity
- Kelly Hall 304
- 915.747.5839
- betapia@utep.edu

**Andrea Lafleche**

**Deputy Title IX Coordinator**

- Kelly Hall 312
- 915.747.9375
- aclafleche@utep.edu

**Dr. Catie McCorry-Andalis**

**Deputy Title IX Coordinator**

- Associate Vice President for Student Engagement and Dean of Students
- Union Building West 102
- 915.747.5648
- cmandalis@utep.edu

## Concealed Handguns and Weapons Policy

(Adapted from the Handbook of Operating Procedures Section IX >> Ch. 10)

- Pursuant to Subchapter H, Chapter 411 of the Texas Government Code, individuals licensed by the State to carry a concealed handgun (License Holder) may carry a concealed handgun in approved areas on the University Campus beginning August 1, 2016.
- Use, possession and display of all other weapons are also prohibited and subject to appropriate disciplinary and/or criminal sanctions
- Types of illegal weapons include but are not limited to:
  - Knife w/ blade longer than 5 1/2 inches
  - Armor-piercing ammunition
  - Chemical dispensing device
  - Zip gun
  - Club or night stick
  - Sword or spear
  - Brass knuckles

# Firearms/Weapons

- Open carry remains prohibited on campus. Only Licensed peace officers may carry authorized weapons on the University Campus.
- Concealed handguns are prohibited at certain events and areas. [Complete list of the Exclusion Areas revise Appendix A](#)  
Licensed individuals are responsible for knowing where their handguns are at all times and which areas on campus are exclusion zones.
- Handguns cannot be stored on the University Campus. “The University has a Campus Carry Policy and any violation of that Policy by a student will be handled according to the procedures in this Policy unless that Policy explicitly states otherwise”

## Firearms/Weapons

- A person who fails to comply with the policies, rules, and regulations prescribed by the University may be subject to University discipline and may also be in violation of the Texas Penal Code.
- *Individuals who observe a violation of this policy are required to report the incident immediately to the University Police Department (UTEP PD) at 915-747-5611 or 911.*

# Student Organization Travel

- Consistent with The University of Texas System (UT System) Board of Regents rules & regulations, all student groups must follow the University's policy regarding travel when the event/activity meets the following criteria:
  - The event/activity involves at least one enrolled UTEP student.
  - The event/activity is funded in anyway by the University.
  - The event/activity is located 25 miles away or further, and
    - Travel is funded by the University or University vehicles are being used, or
    - Attendance is required by an RSO.
- Read rule 50601 for more information (<https://utsystem.edu/board-of-regents/rules/50601-student-travel>)
  - Note: RSO advisors must know about and approve travel.

# Student Organization Travel (Continued)

## Travel by Motor Vehicle

- Use of rented vehicles is STRONGLY ENCOURAGED and rental of motor vehicles used must be leased or rented in accordance with the [University Travel Policy](#).
- Use of personal vehicles for travel is STRONGLY DISCOURAGED and prior authorization is required in accordance with all applicable federal or State law or University and U.T. System rules, regulations and policies, including yet not limited to UTS157.
  - When requesting the use of a personal vehicle the following must be submitted:
    - Copies of valid drivers' licenses issued by the state where the licensees permanently reside that are not currently suspended or revoked for any Students who will operate motor vehicles.
    - Submit a copy of a current auto insurance certificate for any vehicle and driver to be used for the proposed travel. UTEP assumes no responsibility or liability

# Student Organization Travel (Continued)

## Travel by Motor Vehicle (cont.)

- The persons responsible for the proposed activity and travel must inform Students who will drive their privately owned vehicles that their personal auto insurance will be the primary insurance at all times when their own vehicle is used for the proposed travel.
  - This notification must be made in writing and in advance of travel to the activity or event.
- 12 & 15 passenger vans may NOT be used in any transportation covered by the student travel policy

# Student Organization Travel (Continued)

## Driver Safety Provisions

- Be aware of traffic and always comply with all traffic laws.
- Must take 30-minute rest breaks for every 4 hours of driving.
- Shall NOT drive more than 10 hours in any 24-hour period.
- Recommended NOT to drive between the hours of 11pm and 6am (Unless due to an emergency or unforeseen circumstances)
- Trips requiring more than 10 hours driving time to reach a point of destination shall require overnight lodging.
- A navigator shall be assigned for all trips scheduled to take more than 2 hours. The navigator must stay awake while on duty.
- Always be aware of vehicle condition.
- Always be aware of weather conditions and adjust accordingly.

# Student Organization Travel (Continued)

## All Occupants of Motor Vehicle Safety Provisions

- All occupants must wear seat belts or other approved safety restraint devices required by law or regulation at all times when the vehicle is in operation.
- All occupants shall not consume, possess, or transport any alcoholic beverages or illegal substances.
- The total number of passengers in any vehicle at any time it is in operation shall not exceed the manufacturer's recommended capacity, or the number specified in applicable federal or State law or regulations, or applicable U. T. System policy, whichever is lower.

# Student Travel Office

- For up-to-date information on Student Travel, please visit [www.utep.edu/travel/student](http://www.utep.edu/travel/student)
- Contact information:
  - Email: [studenttravel@utep.edu](mailto:studenttravel@utep.edu)
  - Phone: (915) 747-5648

# Student Behavior

All students are expected and required to obey federal, state, and local laws, to comply with the Regents' *Rules and Regulations*, with The University of Texas System and institutional rules and regulations, with directives issued by an administrative official of the U. T. System or **The University of Texas at El Paso** (“University” or “Institution”) in the course of his or her authorized duties, and to observe standards of conduct appropriate for an academic institution.

More specific information about conduct can be found online in the UTEP Student Code of Conduct: <https://www.utep.edu/hoop/section-2/student-conduct-and-discipline.html>

As a student leader in a student organization, you and your members are expected to follow all policies and conduct yourselves in a manner that positively represents your organization and UTEP.

- This includes but is not limited to:
  - Off-campus events
  - Meetings
  - Fundraisers
  - Social Activities
  - Tailgates
  - Athletic Events

# Important Contacts

- The Student Engagement & Leadership Center
  - 915.747.5670
  - [SELC@utep.edu](mailto:SELC@utep.edu)
- Dean of Students Office
  - 915.747.5648
  - [DOS@utep.edu](mailto:DOS@utep.edu)
- Title IX
  - 915.747.8358
  - [TitleIX@utep.edu](mailto:TitleIX@utep.edu)
- Office of Student Conduct and Conflict Resolution
  - 915.747.8694
  - [studentconduct@utep.edu](mailto:studentconduct@utep.edu)
- UTEP Police
  - 915.747.5611
  - **For emergencies, dial 911**

# Risk Management Plans/Policies

- All registered student organizations (RSOs) are encouraged to review their current risk management policies and/or plans.
  - Is your organization part of a national organization?
    - Review their policies with your members.
  - Does your organization have risk management policies?
    - Review them with your members.
- If your organization does not have any risk management policies or a risk management plan, you may consider creating them for your organizations.

# Accommodating the Needs of Students

- Here are some things to consider as you are planning events for your student organization
  - **How can we make our organization more inclusive?**
  - **How can we make our events/activities/meetings more inclusive?**
- All student organizations at UTEP are required to make reasonable accommodations for students with disabilities at all events, including general meetings.
  - Reasonable Accommodations is defined as modifications or adjustments that enable an RSO's member with a disability to enjoy equal benefits and privileges of membership as are enjoyed by its other similarly situated members without disabilities.
- Registered Student Organizations should inquire whether any students need special accommodations for their meetings/activities/events
- Student members in organizations are also encouraged to share information about any special accommodations they may need.

# Providing Reasonable Accommodations

- It is the RSO's responsibility to provide reasonable accommodations for students with disabilities so long as it does not cause undue hardship for the organization.
  - Undue hardship means significant difficulty or expense and focuses on the resources and circumstances of the particular RSO in relationship to the cost or difficulty of providing a specific accommodation.
  - Undue hardship refers not only to financial difficulty, but also to reasonable accommodations that are unduly extensive, substantial, or disruptive, or those that would fundamentally alter the nature or operation of the business.
- Student leaders are encouraged to work with the **Center for Accommodations and Support Services (CASS)** to learn about resources available
  - <https://www.utep.edu/student-affairs/cass/>

## Accommodations (cont.)

- A person with a disability is defined as a person who has any physical or mental impairment that substantially limits a major life activity, has a record of such impairment, or is regarded as having such impairment.
- Key statement from the American with Disabilities Act of 1990:  
No otherwise qualified individual with a disability shall, solely by reason of his/her disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity of a public entity.

Adapted from 29 C.F.R. § 1630.2(o)(1)(i-iii) (1997) | 42 U.S.C. § 12111(10) (1994); 29 C.F.R. § 1630.2(p) (1997); 29 C.F.R. pt. 1630 app. § 1630.2(p) (1997).

# Next Steps

**Part One:** Each student organization is required to have a minimum of three (3) officers and one (1) advisor complete this training once each academic year. Please note that this training must be completed for your organization to retain active registered status at UTEP.

- Upon completion of this training, you will be required to submit verification of completion to the Student Engagement & Leadership Center via MineTracker.

**Part Two:** The three (3) officers who completed this training must then present this information and PowerPoint presentation to the members of the organization before the end of the semester.

- You can download a copy of the PowerPoint presentation from our website: <https://www.utep.edu/SOS>
- Present this information to your organization at your next general meeting and record your attendance.
- After this presentation, you will need to complete the RSO Risk Management Completion Form in MineTracker where you will upload your attendance spreadsheet.

## Need help? Contact us!

The Student Engagement & Leadership Center team is here to help you! Contact us so we can help you with any questions you might have or with completing this requirement.

SELC Student Organization Support (SOS) Staff:

[SOS@utep.edu](mailto:SOS@utep.edu)

utep.edu/SOS

Chat with us via our website!