



ECSU Student Center and Student Activities Office *Co-curricular education for student organizational leadership*

← RISK MANAGEMENT →

Litigation or the tendency of someone to sue in the event of an accident or injury has, unfortunately, become commonplace. Organizations, officers, administrators, and the college are all vulnerable. In this litigious environment, student organizations must be realistic about safety and loss prevention practices. Be aware of the nature of your activities and the inherent exposures which may give rise to personal injury, property damage, or a lawsuit.

Risk Management is the practice of assessing the risks inherent in a specific activity and implementing some controls which reduce the potential for accidents and injuries to members and their guests. Risk management should always take precedence over expediency and shortcuts. All organizations that sponsor events at Eastern Connecticut State University are expected to have a risk management policy.

CAUSES OF LITIGATION

There are five major factors that are often a leading cause of litigation. Any one of these factors may be applicable to the organization as a whole, the organization's officers, or individual members.

- ◆ **Ignorance of the Law**

This could be applicable to the student organization that does not adopt a behavior code, reasoning that when members are involved in hazing or sexually abusive situation, it is not the responsibility of the organization. Of course, in reality the entire organization, officers, or individual members may be indicted.

- ◆ **Ignoring the Law**

Although the organization knows that serving minors alcoholic beverages is illegal they continue to violate the law.

- ◆ **Failure to Act**

An organization that would allow a fist-fight (possibly between non-members) to continue at a function, could be construed liable for the injury, because of their failure to take some sort of action to curtail the behavior.

- ◆ **Failure to Warn**

An organization that sponsors an activity that requires proper techniques for safe participation must inform all participants of the inherent dangers involved.

- ◆ **Expense**

An organization that fails to appropriate funds to insure and maintain safety at an event or activity that they sponsor may be liable in the event of an accident or injury.

ESTABLISHING A POLICY

Each student organization should adopt and enforce a Risk Management policy that addresses the following areas:

♦ Alcohol and Drugs

- ♦ The possession, use and/or consumption of alcoholic beverages in compliance with all applicable laws and rules of the state, county, city, and college.
- ♦ Prohibit purchasing, selling, or serving alcoholic beverages to minors.
- ♦ Prohibit purchasing alcohol with organization funds.
- ♦ Prohibit the possession, sale and/or use of illegal drugs or controlled substances at any event or activity that an observer would associate with the organization.
- ♦ Restrict the sponsorship of open parties.
- ♦ Prohibit "drinking games" at organization-sponsored activities.

♦ Hazing

Although hazing is wrongfully thought of in association with only Greek organizations; it should be a concern of all organizations. Hazing is illegal and immoral. No one has the right to subject another person to physical, psychological, or emotional abuse. The organization must foster the protection of all members and potential members as a cohesive group. Failure on the organization's part to prohibit or to tolerate hazing by its members is a criminal offense of all officers and members of that organization.

♦ Sexual Abuse

Every organization should address and educate their members on the subject of sexual abuse. The organization cannot tolerate or condone any form of sexually abusive behaviors on the part of its members, whether physical, mental, or emotional. This includes any actions which are demeaning to women and men, including date rape, gang rape, or verbal harassment.

♦ Fire, Health, and Safety

Regardless of who owns the premises on which your organization sponsors an event or activity, you may be held liable if you are negligent in the planning. This includes choosing a location for your event that will accommodate the number of expected participants.

Another consideration is a safety inspection of the facility by the officers, prior to the event, to investigate potential hazards. An emergency plan should be considered for every event; emergency numbers for fire, police and ambulance should be available.

♦ Education

Each student member should be educated annually on your organization's Risk Management Policies. These policies should be reviewed periodically to insure current and relevant procedures are added.

RELATED SAO RESOURCES

- ♦ Alcohol Management
- ♦ Organizational Liability

REFERENCE

Adapted from: St. Norbert College, Department of Leadership, Service & Involvement

*Additional resource handouts are available as well as consultation services.
For more information, contact the Student Activities Office in the Student Center at 465-4450.*