Liability and Risk Reduction

As an advisor of a student organization, you are the university's representative regarding the organization's activities. As such, you are expected to give reasonable and sound advice to your organization about such things as programs, use of facilities and operational procedures. If you have reason to question an action taken by the organization, express your concern directly to the organization in writing, including the date, a suggested alternative to the questionable action, a warning, etc.

It is important to remember that, in general, while we need to be concerned about liability, we can seriously damage the educational process by being paranoid about it. Just as there is no specific statement that explains faculty liability for every possible classroom incident, there is none that covers all the possible situations student organizations might encounter. If you have concerns about a situation unique to your organization or to a specific event sponsored by the organization you advise, please contact someone from the university staff who is knowledgeable about liability and risk management.

Although there is no way to completely eliminate risk and legal liability associated with a program or event, there are ways to reduce risk and provide a safer environment for program participants. Here are a few things that your organization can do to identify and reduce risk:

- Complete a Pre-Event Planning Form to clarify the needs and expectations of participants.
- Identify specific risks involved in the event. These could include physical risks (such as an event with physical activity) and liability risks (such as events involving alcohol, minors, or travel).
- Identify options for reducing risks by including, but not limited to:
  - Hiring a third party vendor or contractor
  - Purchasing additional liability insurance
  - Preparing liability waivers, if necessary.
  - Providing advanced training
  - Assuming a ‘worst-case scenario’ and preparing for it in order to reduce likelihood of it occurring
  - Utilizing waivers that outline the specific nature and risk associated with the event.
  - Canceling the event if the conditions are dangerous or the group is not prepared to assume full responsibility for the risk involved
- Assess the capability of the group to manage risk.
- Identify the challenges in managing risk, as well as resources to assist in your planning.
- Develop a plan of action in reducing risk.
- Communicate with everyone involved (officers, members, advisors, participants, facilities staff, administrators, community members, etc).

Information taken from Ball State University Downloads for Student Organizations and Advisors and Adapted from University of Wisconsin-Stevens Point Student Organization Advisor Manual
Risk Management:  
A Proactive Approach

Risk management is the process of identifying the potential and perceived risks involved in campus activities and operations. It also includes monitoring organization activities and taking corrective actions and proactive steps to minimize accidental injury and/or loss. There are five key elements of proactive risk management:

1. Identification

Prior to hosting an event, traveling to a conference or retreat, or participating in any other activity, organizations should work, to identify the risks associated with that activity. Risks do not include only those things that can lead to injury, but also include risks to the group’s reputation, personal feelings of members, finances, and/or property.

2. Evaluation

Once you have identified the risks associated with the organization’s activities, these risks should be evaluated to determine both the potential consequence to the organization, individuals participating in the activity, and/or the campus community should one of the risks be realized. It is also important to think through the environment in which the event/activity is taking place and determine the probability of the risks occurring.

3. Treatment

Once the risks have been evaluated, organizations must determine the most effective method for managing each risk. Organizations may choose to do one of three things after evaluation: eliminate, limit, or accept the risks. Many campus events by their very nature involve some type and level of risk. Therefore, the answer should not always be to eliminate the activity simply because the risk exists. Instead, organization leadership in conjunction with key players and decision-makers should work to determine how to best manage and minimize the risks.

4. Implementation

It is not enough to identify and plan for potential problems. In order to be truly successful, an organization must follow through on the actions identified to mitigate and/or eliminate potential risks. Document your action plans, and educate members of the organization as well as other participants on what the plan is, design steps in your plans that permit for omitting potentially risky components of the activity to assure that plans are being followed.

5. Evaluation

Upon completion of an event, even an annual or regularly hosted event, organization leadership should evaluate the experience. Reflecting back on an event or activity and identifying both those things that went well and those that were not as successful will provide valuable information for future events as well as future persons who hope to host the same or a similar event.
