

HB 2639 Risk Management Education Program – Hazing Prevention

PROHIBITION OF HAZING (see *Institutional Rules on Student Services and Activities*, Chapter 16)

The University of Texas at Austin is committed to providing a safe educational environment for everyone and does not tolerate hazing by any group or individual affiliated with the University. The University expects that all students and student organizations will observe and fully comply with state law, Regents' Rules, University regulations, and administrative rules associated with the prohibition of hazing.

DEFINITION

The law defines hazing as any intentional, knowing, or reckless act, occurring on or off the campus of an educational institution, by one person alone or acting with others, directed against a student, that endangers the mental or physical health or safety of a student 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 at an educational institution (Texas Education Code Section 51.936 and Section 37.151 et seq.).

According to the law, a person can commit a hazing offense if the person

- a) **engages in hazing;**
- b) **solicits, encourages, directs, aids, or attempts to aid another in engaging in hazing;**
- c) recklessly **permits hazing to occur;** or
- d) has firsthand knowledge of the planning of a specific hazing incident involving a student in an educational institution, or has firsthand knowledge that a specific hazing incident has occurred, and knowingly **fails to report** that knowledge in writing to the dean of students or other appropriate official of the institution.

CONSENT NOT A DEFENSE

The fact that a person consented to or acquiesced in a hazing activity is not a defense to prosecution or university discipline for hazing under the law.

CONSEQUENCES

The University pursues all allegations of hazing seriously AND investigates organizations and individuals for violations of the hazing statute, which can result in disciplinary action up to and including expulsion. Under state law, individuals or organizations engaging in hazing may be subject to fines and charged with a criminal offense. Through the civil process, individuals and organizations can be sued and required to pay monetary damages, restitution, and other penalties. Some damages against both individual students and organizations have ranged in the millions of dollars.

REPORT A HAZING INCIDENT

If you **become aware of** or **were subjected to hazing**, please **report the incident** to the Office of the Dean of Students online at deanofstudents.utexas.edu/complaint.php or by phone at 512-471-3065.

IMMUNITY

In an effort to encourage reporting of hazing incidents, the dean of students may grant immunity from university discipline (and criminal or civil liability) to a person who voluntarily:

- reports a hazing incident before being contacted by the dean of students concerning the incident or otherwise being included in the institution's investigation of the incident; AND
- cooperates in good faith throughout the institutional investigation regarding the hazing incident.

NOTE: There are some limitations to this program and the grant of immunity is not automatic. A student will NOT be granted immunity if the person reports

- the person's own act of hazing;
- an incident of hazing in bad faith or with malice as determined by the dean of students; OR
- the incident after being contacted by the dean of students concerning the incident or otherwise being included in the institution's investigation of the incident.

HB 2639 Risk Management Education Program – Hazing Prevention

EXAMPLES OF HAZING (adapted from *StopHazing.org*)

Hazing can be subtle, harassing or violent in nature. It can manifest itself in the form of physical violence, forced physical activities, and psychological and emotional harm, which can be violations of law. Although it is impossible to list all possible hazing behaviors because many are context-specific, the list below provides some common examples of hazing to help you begin to identify hazing behaviors.

Subtle Hazing is behavior that emphasizes a power imbalance between new members or “rookies” and other members of the group or team. “Subtle hazing” refers to activities that are often taken-for-granted or accepted as “harmless” or meaningless. Subtle hazing typically involves activities or attitudes that breach reasonable standards of mutual respect and place new members on the receiving end of ridicule, embarrassment, and/or humiliation tactics. New members often feel the need to endure subtle hazing to feel like part of the group or team. (Note: Some types of subtle hazing may also be considered harassment hazing). Examples include:

- Requiring new members to perform duties not assigned to other members
- Calisthenics such as sit-ups or push-ups, or any form of physical exercise
- Sleep deprivation
- Confinement in a small space

Harassment Hazing is behavior that causes emotional anguish or physical discomfort in order to feel like part of the group. Harassment hazing confuses, frustrates, and causes undue stress for new members. (Note: Some types of harassment hazing can also be considered violent hazing).

- Any form of interrogation
- Yelling or screaming
- Personal servitude or chores
- Lineups for the purpose of interrogating, demeaning, or intimidating
- Wearing of embarrassing or uncomfortable clothing
- Assigning pranks such as stealing, painting objects, or harassing other organizations

Violent Hazing is behavior that has the potential to cause physical and/or emotional, or psychological harm. Often, violent hazing includes activities that are most often perpetuated in media and tend to be the most extreme types of hazing.

- Capturing or kidnapping
- Total or partial nudity at any time
- Pushing, shoving, tackling, or any other physical contact
- Forced consumption of any liquid or food
- Paddling or whipping swats

KNOW WHAT TO DO

If a friend is being hazed:

- Tell the person that you are concerned.
- Ask your friend what he or she has had to do as part of joining the group.
- If you suspect that your friend is being hazed but he or she won't say so, ask if there are things going on that he or she isn't supposed to talk about. If that is the case, it's very likely that the person is being hazed.
- Let your friend know that it's okay to withdraw from an organization at any point.
- Offer your support
- Let your friend know what resources are available.

If your organization hazes:

- Raise your concern with other members that you trust.
- If the group has relationships with alumni members, seek their support.
- Frame your argument at multiple levels.
- Offer ideas for alternatives to hazing
- Give examples of groups that have developed strong, non-hazing new member programs.

HB 2639 Risk Management Education Program – Hazing Prevention

MYTHS VS. FACTS (adapted from *StopHazing.org*)

Myth: Hazing is only a problem for sororities and fraternities.

Fact: Hazing is a societal problem. Hazing incidents occur among athletic teams, marching bands, the military, spirit organizations, religious clubs, professional schools and other types of organizations.

Myth: If someone agrees to participate in the activity, it is not considered hazing.

Fact: As has already been discussed, in Texas, consent of the victim cannot be used as a defense in a criminal case, civil suit, or in university discipline. Even if someone agrees to participate, it may not be true consent when considering the peer pressure and desire to belong to a group.

Myth: A little hazing should be okay, as long as there's no mean-spirited or injurious intent.

Fact: Regardless of intent, some group bonding activities designed to be "all in good fun" still may raise some serious safety concerns. For example, serious accidents have occurred during scavenger hunts. And when members are drunk, they sometimes subject the new members to more than they originally intended.

Myth: "If it doesn't kill you, it only makes you stronger."

Fact: If this statement was true, then child abuse and torture would be prescriptions for personal growth. So while it's true that difficult situations can help individuals grow and prepare for life's challenges, many experiences that don't "kill" nevertheless do damage because of their psychological or physical impact.

WHY DOES IT HAPPEN? (adapted from *Cornell University, Hazing at Cornell: Research and Theory*)

There is no one reason why hazing occurs. However, there are various psychological and social factors that may explain why hazing occurs.

Psychological Factors

- Hazing may continue to occur in a group due to "**shared coping**." This occurs when individuals go through a highly stressful experience together (such as a natural disaster or battle) and may feel closer to each other as a result.
- Hazing may also occur due to **misperceived norms**. "In some groups, the majority of members believe that it is NOT important to humiliate, intimidate or physically abuse new members. [However] these members...mistakenly believe that they are in the minority and may reluctantly perpetuate these practices because they assume that everyone else believes hazing is the right thing to do."
- **Sociopathy** is evident in some individuals within groups who have personalities characterized by anti-social tendencies. Psychologically speaking, "anti-social" does not mean "doesn't like to party." It means traits such as disregard for the rights and safety of others, failure to conform to societal norms, and lack of remorse. While such individuals tend to be a small subset of groups, they can exert significant influence as hazing ringleaders.

Social Factors

- Have you ever been involved in a group project where things didn't go very well and after members started saying "I knew that wasn't a good idea," even though they didn't say anything at the time? "Irving Janis described a process [called **groupthink**] in which those operating in a group may be less inclined to challenge the status quo so as to not disrupt the group due to factors that limit critical analysis for making decisions.
- As adolescents and young adults pass through the developmental stage of identity formation, **rites of passage** may help them mark their transition to full adulthood. Rituals serve as a way for a community to assist members through this process (for instance, commencement, birthday parties, religious confirmation, initiation into a group). Most initiation practices do not involve hazing, while some do.
- Individuals who are hazed may be at greater risk of hazing others because of a displaced desire for revenge, [thus creating a **cycle of abuse**]. As one pledge said immediately after being hazed intensely, "I can't wait to do this to the pledges next year." In addition, being hazed involves a learning process by which members model for new members the accepted methods of initiation.

HB 2639 Risk Management Education Program – Hazing Prevention

Even if individuals recognize that hazing is occurring and they interpret the behavior as a problem, they may not do anything about it if they do not believe that they have a responsibility to do so. In a community, the responsibility to challenge harm to others is a shared one. It is therefore important for individuals to recognize the potential role they have in stopping hazing.

CHANGING THE CULTURE (adapted from *StopHazing.org*)

It is possible to change the culture of hazing or to prevent it from occurring in your organization. As alternatives to hazing, consider the following activities:

FOSTER UNITY by:

- Involving new members in organization committees;
- Working together on community service projects or fundraisers;
- Visiting a ropes course or climbing wall;
- Working together to plan a campus event with another student organization; or
- Planning a camping trip or holding a member retreat.

DEVELOP PROBLEM-SOLVING ABILITIES by:

- Inviting a professor or alumnus to talk about leadership and ethical decision-making; or
- Having new members discuss organization weaknesses and plan solutions that the organization can adopt.

DEVELOP LEADERSHIP SKILLS by:

- Encouraging participation in other campus activities outside of the organization including intramurals or club sports and leadership workshops;
- Encouraging new members to get involved in organizational committees or lead a project; or
- Developing a peer mentor program.

INSTILL A SENSE OF MEMBERSHIP by:

- Planning special events such as BBQs, blood drives or fundraisers, where the entire membership has the opportunity to participate;
- Participating in a university-wide academic or athletic competition;
- Scheduling social events in which members, family members, and alumni can interact with each other such as sporting events or watch parties; or
- Creating a ceremony where new, active, and alumni members can share what membership means to them.

PROMOTE ACADEMIC EXCELLENCE by:

- Encouraging members to use academic and tutoring services;
- Designating study hours for members of your organization; or
- Invite university or community experts to discuss test-taking skills, study methods, and time management.

APPRECIATE YOUR ORGANIZATION'S HISTORY by:

- Inviting alumni to speak about the organization's early days and past accomplishments; or
- Creating events that alumni can attend such as an Alumni Weekend.

OFFER PROFESSIONAL DEVELOPMENT by:

- Offering seminars on resume writing, job searching, business etiquette, and job interview skills;
- Developing a job shadowing program with alumni; or
- Inviting pre-law, pre-medicine, or pre-graduate school advisors to speak about future academic opportunities.

BUILD ON-CAMPUS AND COMMUNITY RELATIONSHIPS by:

- Encouraging members to join other campus organizations such as Student Government or Senate of College Councils; or
- Planning fund-raisers for local charitable organizations such as cook-offs, fashion shows, or athletic tournaments.

HB 2639 Risk Management Education Program – Drug Possession & Abuse

DRUGS OF CONCERN ON COLLEGE CAMPUSES

Probably the most frequent answer given to this question is associated with illicit drugs. These drugs have some of the most serious health and safety consequences and can result in harsh penalties under federal and state law for possession, use, or distribution. However, there is a growing trend, particularly among young adults, to turn to prescription and over-the-counter drugs (OTC). Unfortunately, abusing these drugs can result in many of the same negative consequences as illicit drugs, especially when they are mixed with alcohol.

Illicit drugs include any drug for which it is unlawful to use, possess or distribute under international, federal or state law (such as the Comprehensive Drug Abuse Prevention and Control Act of 1970). The term does not include the use of a drug taken under supervision by a licensed health care professional or otherwise authorized by law. While there are numerous illicit drugs used, possessed, or distributed by individuals within the U.S. adult population the drugs that are of the most concern on college and university campuses include:

- Marijuana (including hashish)
- Cocaine (including crack)
- Heroin
- Hallucinogens (including LSD, PCP, peyote, mescaline, psilocybin mushrooms, and MDMA)

Prescription drug abuse is the use of prescription drugs - most commonly painkillers, sedatives and stimulants – in ways not intended by the prescribing doctor, including use by someone other than the patient prescribed the drug. Individuals are abusing prescription drugs because they are widely available (usually from friends or relatives), free, and are not perceived to be as taboo or risky as illicit drugs. Some of the most frequently abused prescription drugs by college students include OxyContin, Vicodin, Fentanyl, Ambien, Valium, Xanax, Ritalin, Adderall, and Dexedrine.

You can find additional information about drugs that are abused on college campuses by contacting University Health Services (UHS) or reviewing external web pages such as abovetheinfluence.com or nida.nih.gov.

REASONS PEOPLE TAKE DRUGS

Research studies on substance abuse among college students have identified numerous factors affecting whether or not a person will engage in abuse of illegal, prescription, or over-the-counter drugs including:

1. **Genetics and Family History:** A student's genetic makeup or family background can increase a person's potential for drug use, abuse, or addiction.
2. **Parental Attitudes and Behaviors:** Students with parents who communicate their disapproval of alcohol and drugs are less likely to drink, binge drink, use drugs or smoke.
3. **Substance Abuse During High School:** Students who abuse drugs and alcohol in college are more likely to have started in high school or middle school.
4. **Perceived Expectations of Positive Effect:** Students believe taking illicit or prescription drugs will help them to feel good, relax, reduce stress, focus, and reduce weight.
5. **Mental Health Problems:** Mental health problems such as depression and anxiety disorders, are strongly linked to substance abuse.
6. **Social Influences:** Peer pressure can increase the potential for a college student to engage in risky behaviors including drug and alcohol use, especially during rites of passage such as the freshman year, weekends, athletic events, spring break, and 21st birthdays.
7. **Student Organization Membership:** Students in the Greek system are more likely to be current illicit drug users or abuse prescription drugs.
8. **Religion and Spirituality:** Students who are more religious or spiritual are less likely to use illegal drugs or abuse prescription drugs.
9. **Student Engagement:** Students who are more committed to academics and extracurricular activities are much less likely to engage in substance abuse.
10. **Competitive Sport Participation:** Students who participate in competitive sporting activities are less likely to use illegal drugs, but they are more likely to abuse alcohol.

HB 2639 Risk Management Education Program – Drug Possession & Abuse

Many people who use (or abuse) drugs, including alcohol, do so because they like how the drug makes them feel. All drugs of abuse, from alcohol to nicotine to heroin, cause a series of temporary changes in the brain that produce the "high." One of these changes is the rise in available levels of certain neurotransmitters associated with feelings of pleasure. Key among these is dopamine, a naturally occurring neurotransmitter that some scientists now think is implicated in most of the basic human experiences of pleasure. While it's not the only chemical involved in drug abuse, experts have come to believe that dopamine is the crucial one.

(Source: The National Center on Addiction and Substance Abuse (2007). Wasting the best and the brightest: Substance abuse at America's colleges and universities. Retrieved on June 15, 2009 from <http://www.casacolumbia.org/absolutenm/articlefiles/380-Wasting%20the%20Best%20and%20the%20Brightest.pdf>).

CONSEQUENCES

The possession, use or abuse of illegal drugs or abuse of prescription and over-the-counter drugs can result in significant physical, psychological, and other consequences for the person as well as family, friends, and others. In addition, substance abusers soon fall into a potentially destructive pattern - obtaining and using the drug becomes more important than anything else, including school, work, friends, or family.

- **Health and Well-being:** Those who abuse drugs have a greater risk for health problems including infection from blood-borne pathogens such as hepatitis or HIV, lung disease, heart problems, brain damage, liver damage, and death from overdose.
- **Employment or Graduate School:** Being charged with or convicted of a drug-related offense (including illegal use, possession, or distribution of drugs) can make it much more difficult to get into graduate school (including law and medical schools) or get a high-paying job.
- **Participation in Sports:** The consequences for illegal use, possession, or distribution of drugs can also affect a person's ability to participate in competitive sporting activities. Most professional sports leagues and amateur athletic associations (including the International Olympic Committee and National Collegiate Athletic Association) have banned the use of illicit drugs, steroids, and certain prescription drugs by athletes.
- **Friends and Family:** It can affect friends, family members, loved ones, roommates, passengers in vehicles, and other organization members. Illegal possession, use, or abuse of drugs (including the mixing of drugs and alcohol) can also lead to higher risk of injury or death as a result of car accidents.

PREVENTION STRATEGIES

In addition to interventions that you and other members can take to help a member struggling with drug use or abuse, there are strategies your organization can adopt to prevent (or at least minimize) drugs from becoming a problem within the organization.

- **Engage in prevention and intervention dialogue:** Talk regularly with other officers, alumni, and parents about ways to maintain a drug-free culture within your organization. Regularly explain to all members the expectations for appropriate behavior and conduct at organization events.
- **Identify members who may be at risk:** Make sure members know the physical, psychological, and behavioral signs associated with drug use or abuse (or know where to go to find them). Maintain good communication with the other leaders of your group to know when a member may be in trouble.
- **Understand the resources available:** Review university and other resources that provide facts, risks, and prevention and intervention tools. Attend a workshop or training session offered by the university or request a peer educator or guest speaker to come and talk to your group.
- **Attend/host prevention programs and events:** Conduct a fundraiser to support a drug intervention/recovery program (such as the UT Center for Students in Recovery). Host an event, bring in a guest speaker, or table on the West Mall to increase awareness about drug abuse.
- **Develop policies and procedures:** Include drug-free statements in important documents such as event flyers, member recruitment materials, and mission statements. Develop steps that describe how to intervene when a member of the organization has (or may have) a drug problem.

HB 2639 Risk Management Education Program – Alcohol Possession & Abuse

ALCOHOL PROS AND CONS

It is important to be realistic about alcohol and its role in your organization and our campus and community. Alcohol impacts many aspects of our lives where you may be asked or required to babysit a friend too drunk or hammered to take care of themselves; be the responsible person providing alcohol at an event; and/or be concerned about another enough to talk with them about their drinking.

Positives

- Fun
- Good stories and hanging out
- Meet people
- Taste
- Relaxing
- Buzz

Negatives

- Having a hangover
- Regretting behavior
- Missing class/Getting behind in school work
- Blacking out (memory loss)
- Having unplanned sex
- Arguing with friends

RESPONDING TO PROBLEMS AT EVENTS INVOLVING ALCOHOL

When alcohol is present, there is always the risk that someone from your organization or a guest will get out of hand and cause problems like fighting, disrespecting others, or generally being a real jerk. There are a number of ways people will try to respond including fighting back, throwing insults, or ignoring it all together. As an alternative, there are a few steps that could help to more effectively manage difficult situations involving alcohol.

- Gauge your response to their behavior
- Make clear statements. Speak to the point.
- Use first person/“I-statements”
- Be non-judgmental and non-threatening
- Provide reason for your actions
- Maintain control over the service of alcohol and over emotions
- Call the police if a situation gets out of control. APD and UTPD are available to help.

ALCOHOL OVERDOSE

Alcohol overdose is another hazardous consequence of alcohol misuse and abuse. One of the biggest issues for students is that they do not recognize when there is a real problem. Alcohol overdose is potentially a critical medical situation if you find someone passed out but you cannot wake them or they are semi-conscious and incoherent. There may be a medical emergency if an individual is found

- vomiting without awakening;
- has shallow, irregular breaths;
- cold, clammy, pale, or bluish skin; or
- they experience seizures, convulsions, or rigid spasms.

If you see any of the signs of alcohol overdose, you should take every measure to ensure the safety of others and take these symptoms seriously. Oftentimes students will admit to witnessing many of these alcohol overdose symptoms, decide to have their friend or fellow student sleep it off, and complain of no more than having headaches and other minor ailments. As a result, you may be inclined to believe the situation was not serious. The truth is that when anyone experiences one of these symptoms, the level of risk increases significantly for you and your organization.

WHAT TO DO

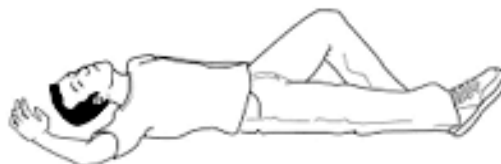
1. Call 911 IMMEDIATELY
2. Put the person in the recover positions (Bacchus Maneuver)
3. Stay with the person until help arrives

HB 2639 Risk Management Education Program – Alcohol Possession & Abuse

THE BACCHUS MANEUVER

At high doses, alcohol irritates the stomach and impairs the gag reflex. If someone passes out from drinking too much, they may choke on their vomit. The Bacchus Maneuver is a safe position for someone who is passed out because it clears the airway. If the person does not pass out on their back, begin by gently rolling them into that position.

1. **Raise the arm that is closest to you above their head. Prepare to roll them towards you.**



2. **Gently roll them toward you, guarding their head from hitting the floor. The head should rest in front of the arm, not on it.**



3. **Tilt the head up to maintain airway. Tuck their nearest hand under the cheek to help maintain head tilt and raise the face off the floor.**



ALCOHOL RED FLAGS

The following are common warning signs that can help people know when to intervene and avoid more serious problems down the line.

- Avoids social functions where alcohol not available
- Feels guilty, embarrassed, or remorseful about words or behavior when intoxicated
- High tolerance
- Drinks in the morning to treat a hangover or avoid shakes
- Avoids social functions where alcohol not available
- Sets limits but cannot stick to them
- Makes promises about drinking but breaks those promises.
- Lies or tries to hide drinking
- Forgets or denies events that happened when drunk.
- As if a different person, they behave differently when intoxicated compared to when sober

HOW TO RESPOND

Sometimes people are not certain about how to help a friend. It is important to remain even-tempered and relaxed when discussing important issues with friends, group members, or others you are concerned about.

- Pay attention to specific alcohol related behaviors
- Share Your Concerns.
- If they do respond, really listen to what they say.
- State your expectations clearly, ask for what you want.
- Offer to help them find help: University Health Services OR Counseling & Mental Health Center

HB 2639 Risk Management Education Program – Sexual Assault Prevention

PROHIBITION OF SEXUAL ASSAULT

The University of Texas at Austin has adopted a Prohibition of Sexual Assault policy (see the *General Information Catalog*, Appendix H: Prohibition of Sexual Assault, 2009/4) that specifically prohibits students including members of student organizations from participating or attempting to participate in acts of sexual assault. This policy applies to acts that occur on or off campus, and students and student organizations found violating the statute or university policy are subject to disciplinary action by the University, independent of any legal actions or investigations that may also take place. In addition, Section 22.011 of the Texas Penal Code describes the offense of sexual assault as a criminal offense and identifies it as a 2nd degree felony.

DEFINITION

Sexual assault is an umbrella legal term that describes a variety of sexual violations, including (but not limited to) rape, attempted rape, and sexual abuse. A sexual assault occurs when a **sexual act** is directed against another person when that person **has not consented**, is **incapable of consenting**, or when the act is **forced**. These violations can happen between any two individuals, regardless of their gender identity, race, ethnicity, sexual orientation, socioeconomic status, ability, and/or religious identity. The roots of sexual assault lie in one person's need and/or desire for power over another person. Sexual assault is never about love or attraction. **It is about control and domination.**

CONSENT IS...

You may notice that the definition of "sexual assault" includes a lot about consent. What do we mean when we talk about consent? Synonyms for consent include "agreement" and "permission." In the context of sexuality, when someone gives consent to a particular sexual act, they are giving their agreement and/or permission for that act to occur. Consent is an active term, meaning that it involves that actual saying of "yes" and not just the absence of "no."

- Based on choice
- Active, not passive
- Only possible when there is equal power
- Giving one's permission by actively saying, "Yes"
- Negotiable at each stage of intimacy: saying yes to one sexual act does not indicate yes to everything

In order for consent to be present, the person giving consent has to truly feel that they have a choice in the matter – that they can say yes or no freely without negative consequence.

MYTHS VS. FACTS

Myth: Only women can be raped or sexually assaulted.

Fact: Rape and sexual assault are about power and control and not about the biological sex or gender identity of the victim or offender. Whether identifying as male, female, or transgender, all individuals can be victims of sexual violence.

Myth: If a man sexually assaults another man then both men must be gay.

Fact: Sexual assault is about power and control and not about sexual desire or attraction. In the above scenario, the offender's and victim's sexual orientations are unknown and exist apart from each other and the sexual assault. Men are most often the offenders of sexual assault, regardless of the gender identity of the victim. The vast majority of these male offenders are heterosexually identified.

Myth: Victims or survivors of sexual assault "asked for it" because of how they were dressed or how much they had to drink.

Fact: Regardless of what a person is wearing, how much they have to drink, or who they are hanging out with, no one asks or deserves to be sexually assaulted. Remember, the person who is responsible for the sexual assault is the person who commits it.

HB 2639 Risk Management Education Program – Sexual Assault Prevention

Myth: When someone says “no” in response to a sexual advance, they are just playing “hard to get.”

Fact: If someone says, “no,” to a sexual advance, then that “no” needs to be respected. Continuing to push, coerce, or manipulate someone into doing something sexual that they don’t want to do constitutes sexual assault.

Myth: If the word, “no,” is not actually voiced during a sexual act, then the act is consensual.

Fact: The absence of a “no” does not mean that an act is consensual.

PREVENTION VS. RISK REDUCTION

While this presentation will help you understand ways in which you and your organization can reduce the risk of sexual assault, it is important to note that the only people who can truly prevent sexual assault are those who choose to perpetrate it. A student can follow all of the recommendations for risk reduction and still become a victim of sexual assault. This is a key point to remember as survivors commonly blame themselves for the assault and think that, because it happened, they must have done something wrong.

SUPPORTING A SURVIVOR

If someone trusts you enough to confide in you that they are a survivor of sexual assault, there are some basic principles you should follow that will help support the survivor’s well-being and create an environment beneficial to their continued healing and support-seeking. These guidelines include:

- **Listening** – Allowing the person to say what they need to say and share what they feel safe in sharing without interrupting or assuming you know what they are going to say.
- **Believing** – As mentioned earlier in this presentation, rape or sexual assault are horrible experiences that no one wants to endure. While you may have heard myths that most sexual assault allegations are false, the reality is that only 2-8% of sexual assault allegations to law enforcement are actually false. Survivors need your support and belief in them, not your doubt.
- **Validating** – Letting them know that you care about them and that whatever they’re feeling is okay. Reassure them that each person’s response to sexual assault can vary significantly.
- **Offering options** – Offer options for seeking help and support. Ask them what they need. Do not assume that you know what is best. They are the ones who have been living this difficult experience. Trust their expertise in knowing what they need or what would be helpful.

ON-CAMPUS RESOURCES

Voices Against Violence Advocacy/Counseling: (512) 471-3515 (ask specifically for a “VAV slot”)

Telephone Counseling: (512) 471-2255 (Available 24/7, Confidential and anonymous)

University Health Services (UHS): (512) 471-4955 (appointments)/(512) 475-NURS (475-6877) (Nurse Advice Line)

UT Police Department: 911

Student Judicial Services: (512) 471-2841 (To file a complaint against another student)

Behavior Concerns Advice Line (BCAL): (512) 232-5050 (Offers a centralized resource 24/7 for anyone who is not sure how to help someone he or she is concerned about)

OFF-CAMPUS RESOURCES

Austin Police Department: 911 (for emergencies)/(512) 974-5037 (for Sexual Assault Victim’s Services)/ (512) 974-8535 (for Relationship Violence and Stalking Victim’s Services)

Sexual Assault Nurse Examiner (SANE) Exams: St. David’s Emergency Room, 919 E. 32nd St. (forensic medical exam that will collect evidence for a possible legal case regarding sexual assault, no cost to survivor)

SafePlace: (512) 267-SAFE (267-7233) (Austin’s local safe shelter for survivors of relationship violence and crisis center for survivors of rape and sexual assault. Offers 24/7 hotline, crisis counseling, information, support, and safe shelter)

HB 2639 Risk Management Education Program – Sexual Harassment

PROHIBITION OF SEXUAL HARASSMENT OR MISCONDUCT

The University of Texas at Austin is committed to maintaining an educational environment that is free from inappropriate conduct of a sexual nature through policies prohibiting sexual assault, harassment, or misconduct by any member of the university community. The prohibition of sexual harassment or misconduct extends to all activities of registered student organizations, regardless of whether or not the activity takes place on- or off-campus. Both male and female students can be victims of sexual harassment or misconduct, and it can be difficult sometimes to know whether you or a member of your organization may be a victim.

DEFINITIONS

Sexual harassment is a form of sex discrimination that involves the imposition of an unwanted condition or requirement on the continued employment or education of the victim. There are two forms of sexual harassment: Quid pro quo harassment and Hostile environment harassment

- **Quid pro quo harassment** involves unwelcome sexual advances and/or requests for sexual favors, whether implicit or explicit, that are made a condition of continued employment or education. Only persons with the power to confer or withhold an employment or educational benefit, such as student organization officers, can engage in quid pro quo harassment.
- **Hostile environment harassment** usually involves persistent, pervasive, unwelcome, and/or unwanted conduct of a sexual nature that has the purpose or effect of unreasonably interfering with an individual's participation in a student organization, or creates an intimidating, hostile or offensive environment.

Sexual misconduct is conduct of a sexual nature that, although not so serious or pervasive that it rises to the level of sex discrimination or sexual harassment, is unprofessional and/or inappropriate for the educational and workplace environment. The purpose of prohibiting sexual misconduct is to discourage and, if necessary, take disciplinary action for inappropriate or unprofessional activity of a sexual nature in the workplace, classroom, or student organization even if that conduct appears to be welcomed and consensual or is not so serious or pervasive that it meets the definition of sex discrimination or sexual harassment.

SCOPE OF THE PROBLEM

Unfortunately, individuals on college campuses, like other work or educational environments, can experience sexual harassment or misconduct. Sexual harassment can take place anywhere on- or off-campus and can even occur while participating in a student organization. A comprehensive study by the American Association of University Women (AAUW) in 2008 found that sexual harassment is a part of college life, so common that, according to one student, "it seems almost normal."

- 89% say that sexual harassment occurs at their college
- 21% say peer harassment occurs often
- 62% say that they have been sexually harassed
- 66% say that they know someone personally who has been sexually harassed.

This means that about six million college students encounter sexual harassment while in college. Expressed another way, on a campus of 50,000 students like UT, 30,000 students will encounter sexual harassment.

EXAMPLES OF SEXUAL MISCONDUCT

Though less extreme, the following are examples of behavior that could constitute sexual misconduct. Again this list is not exhaustive of all behaviors that could be considered sexual misconduct.

- Sexually oriented conversations, comments or horseplay
- Use of sexual language
- The telling of jokes or anecdotes of a sexual nature in the workplace, office or classroom
- Gratuitous use of sexually oriented materials unrelated to the subject matter of a class, course, or meeting
- Unreported consensual romantic or sexual relationship with a subordinate employee or student

HB 2639 Risk Management Education Program – Sexual Harassment

NOTE: Participation of a supervisor, teacher, advisor, or coach in a consensual romantic or sexual relationship with a subordinate employee or student in all cases creates a prohibited conflict of interest that must be addressed under the University's policy on consensual relationships

EXAMPLES OF SEXUAL HARASSMENT

The following are behaviors that may constitute sexual harassment. This list identifies some examples of sexual harassment but by no means is it a comprehensive list of all the actions that can be labeled as sexual harassment.

- Intentional touching such as groping
- Explicit or implicit propositions to engage in sexual activity
- Gratuitous comments of a sexual nature such as explicit statements, questions, jokes or anecdotes. This includes sexual innuendos and "That's what she said" comments
- Remarks of a sexual nature about a person's clothing or body. Though these comments may be intended as "innocent", their impact may leave an individual feeling uncomfortable in their surroundings
- Remarks about sexual activities or speculation about sexual experiences. Stories at meetings of "Weekend Adventures" can create an uncomfortable environment for students and thus should be avoided
- Exposure to gratuitous sexually suggestive visual displays such as photographs, graffiti, posters, calendars or other materials. This includes hosting themed parties that are centered around the exhibition of scantily clad men and/or women
- Persistent, unwanted sexual/romantic attention towards an individual creates an undesirable environment. Diligence after rejection becomes pushiness quickly and thus will be treated as harassment
- Subtle or overt pressure for sexual favors
- Deliberate, repeated humiliation or intimidation based upon the sex of the individual. Requiring certain members within an organization to complete tasks due to their gender or sexuality is not tolerated by the law

CONFRONTING SEXUAL HARASSMENT OR MISCONDUCT

A student may, at any time, personally confront the individual whose conduct is offensive, unwelcome, or intimidating. Explain that the conduct is offensive or makes you feel intimidated or uncomfortable and ask that it stop. Make sure that your message to the individual is clear. However, if the previously mentioned action is not feasible or successful, it is important for persons who believe they have been subjected to inappropriate conduct to report it and get help to protect themselves and others from unwanted sexual attention and advances that may interfere with academic or extracurricular opportunities. Sexual harassment and misconduct are both taken very seriously and will be addressed immediately by university officials.

REPORT AN INCIDENT

The University of Texas at Austin encourages students who believe that they may have been subjected to sexual discrimination, harassment, or misconduct by University faculty, staff, students, visitors, or contractors to report it immediately to:

- Dr. LaToya Hill, Assistant Dean of Students, Office of the Dean of Students, at (512) 471-5017 or lchill@mail.utexas.edu; OR
- Linda Millstone, Associate Vice President for Institutional Equity and Workforce Diversity, Equal Opportunity Services, at (512) 471-1849 or lindam@austin.utexas.edu.

HB 2639 Risk Management Education Program – Fire & Life Safety

BEHAVIOR CONCERNS ADVICE LINE (BCAL)

If you are concerned about a member of the UT community, whether it be a friend, staff member or faculty member, you can contact the Behavior Concerns Advice Line or BCAL. When you call BCAL you will get a live person to speak with 24 hours a day, 7 days a week, 365 days a year.

- Phone: (512) 232-5050 or
- Online: www.utexas.edu/safety/bcal

PHYSICAL AND EMOTIONAL WELL-BEING

Whether you, a member of your organization, or a friend are not feeling well physically or emotionally there is someone you can call at UT.

- For medical advice contact: 24-hour Nurse Line through UHS
 - <http://healthyhorns.utexas.edu> or (512) 475-6877
- For counseling advice contact: 24-hour Telephone Counseling through CMHC
 - <http://cmhc.utexas.edu> or (512) 471-CALL (471-2255)

These numbers are accessible from around the world, year round. So, if you are on Spring Break or just home for the weekend, give them a call if needed.

CAMPUS EVENT PLANNING RESOURCES

The university is committed to providing students with a safe in-class and out-of-class experience. Whether your student organization is planning an event on- or off-campus, it is important to contact some of the following offices to assist you in planning the event:

- **Security Request/Crime Prevention:** University Police
 - www.utexas.edu/police/ or (512) 471-4441
- **Fire Safety Permits:** Fire Prevention Services
 - www.utexas.edu/safety/fire or (512) 471-3511
- **Food Safety and Handling Permits:** Environmental Health and Safety
 - www.utexas.edu/safety/ehs or (512) 471-2025
- **Special Event Parking Permits:** Parking and Transportation Services
 - www.utexas.edu/parking/parking/specialevents/ or (512) 471-5283
- **Event Planning Forms:** Program Safety Education Services
 - deanofstudents.utexas.edu/pses/docsforms.php or (512) 471-5017
- **Advising/Space Reservations:** Student Activities and Leadership Development
 - deanofstudents.utexas.edu/sald/ or (512) 471-3065

HAVING AN EXIT STRATEGY

It is imperative that you clearly define and plan for an exit strategy while hosting events both on and off-campus. Be sure to review city code regarding the maximum room capacity for your venues. Make sure all exits are clear when hosting events and ensure proper, highly visible exit signs are in place. Please visit <http://www.tdi.state.tx.us/fire/exitstrategy/index.html> or contact Fire Prevention Services for more in depth information.

OFF-CAMPUS EVENTS

The City of Austin has worked for several years to reduce the numerous hazards and City Code violations associated with large gatherings and parties. As part of its continued efforts to protect the safety and quality of life of Austin residents, the City of Austin has formed a **Public Assembly Code Enforcement (PACE) Team** to focus on how public assembly events are conducted throughout the city. Many permits may be required for public gatherings. Please refer to <http://www.ci.austin.tx.us/pace/pacereq.htm> to determine which permits, if any, may be required, for off-campus events your organization is hosting. For the safety of attendees, be advised that PACE may shut down events that do not have the required permits.

HB 2639 Risk Management Education Program – Student Organization Travel

UNIVERSITY TRAVEL POLICIES

Texas higher education institutions (colleges and universities) are required by law to implement a travel policy for student organizations (Texas Education Code § 51.950). The UT Travel Policies are designed to ensure that student organizations adequately consider and plan for the safety issues associated with an event or activity involving travel.

Students must abide by the UT Austin Travel Policies and other *Institutional Rules on Student Services and Activities* while they are planning or participating in an activity or event involving student organization travel covered under the policies. Failure to comply with the requirements under the UT Travel Policies may result in disciplinary action against the student organization and individual student members.

PLANNING A TRIP

Deciding to take a trip is not as simple as waking up and deciding that your organization is going to go to some event or conference. Traveling as a student organization takes careful planning and effective communication with other officers, your advisor, and the membership. When deciding to take a trip you should consider the following questions:

- Who is coordinating the trip and on whose behalf?
- How was information about the trip communicated to your members?
- Who will be attending? Are members of your organization required to attend?
- Is the trip's purpose consistent with your organization's purpose?
- Has it been approved through your organization's standard decision-making process?
- How would an objective person define your trip?
- Have you discussed the trip with your advisor?

TRANSPORTATION OPTIONS

There are many options for transportation available to your group, including planes, trains, personal vehicles, commercial vehicles, university vehicles, charter buses, etc. The option you choose may require you and the other officers of your organization to consider a variety of safety and risk management strategies to ensure everyone gets to and from the event safely. In choosing how you plan to get to your destination, consider the following planning questions:

- **What transportation options are available?**
 - There are many options that your organization can choose for traveling. Of course cars are most frequently used by student organizations, but your group may also use planes, trains, and commercial carriers.
- **If you plan to use personal vehicles, who should drive?**
 - It is important to carefully select and train drivers. You should conduct a driving record check for all persons selected to be a driver. This can be done through your local Department of Public Safety Office.
- **Do you need insurance? If so, what kind?**
 - Health insurance is required for all student organization travel. Auto insurance is required for all trips involving personal or rental vehicles. You may also need trip, rental, or other kinds of insurance.

STUDENT TRAVEL INSURANCE

If your student organization is engaging in any travel that falls under the scope of the UT travel policies (including any travel by sponsored student organizations or *required* travel by registered student organizations), each member who will be traveling is required to carry proof of health insurance.

If you do not have an insurance plan, university policy requires that each uninsured student purchase special event insurance for \$2.00 per day for the duration of the trip. This can be done by completing the Special Events Insurance Form and faxing it to the number on the bottom of the form.

HB 2639 Risk Management Education Program – Student Organization Travel

KEEPING IT SAFE

Keeping a trip safe is extremely important for the well being of others and yourself. In planning an event involving travel, the officers of your organization should consider the following questions :

- **What are the expectations for participation in the trip?**
 - Everyone who will be going on the trip should attend a mandatory orientation meeting to review emergency procedures, discuss appropriate conduct, and fill out required forms.
- **What about safe travel practices?**
 - It is important to plan your trip carefully and adopt safe travel practices including following rules and regulations, protecting yourself and others, and using common sense
- **What needs to go with you on the trip?**
 - You should make sure that at a minimum you carry a first aid kit, itinerary, emergency numbers, copies of required forms, maps of route, and cell phones.

UNIVERSITY TRAVEL RESOURCES

There are several university offices that can be utilized when preparing for your trip as well as during and after your event.

- **Registered Student Organization Travel:** Contact the Student Activities and Leadership Development (SALD) area of the Office of the Dean of Students for event consultations and processing of required forms.
- **Sponsored Student Organization Travel:** You should consult with the UT department or college that sponsors your organization as well as the Office of the Vice President for Student Affairs (VPSA) for the proper paperwork and approval processes.

OTHER TRAVEL RESOURCES

The following community resources are useful for emergency assistance when members of your organization are traveling to or from a destination. Many of these resources can be contacted or reached 24 hours a day and do not require a membership (with the exception of AAA). **If you are in an emergency situation please dial 911.**

- **Texas DPS Non-Emergency Roadside Assistance** is available to help your group in non-emergency cases when you are stranded. Their number is 1-800-525-5555.
- **AAA Texas 24-hour Roadside Assistance** can be used if your group is stranded on the side of the road and needs help making repairs or arranging alternate transportation (**NOTE:** membership is required). Their number is 1-800-222-4357
- **US Department of Transportation Toll Free Hotline for Air Travelers with Disabilities** is available to assist the disabled members of your group with their air travel accommodations. The number is 1-800-778-4838
- The **National Weather Service** (<http://www.weather.gov/>) is the official government weather station and will help your group determine any harsh weather conditions you may run into on your journey and any warnings you should be aware of.
- The **Centers for Disease Control and Prevention** (<http://www.cdc.gov/travel/>) is your resource to determine if your international destination requires any vaccinations to enter its borders or if there are any major health-related emergencies in an affected region of the world
- **U.S. Customs Information for Travelers** (<http://www.cbp.gov/xp/cgov/travel/>) will help you determine what can and cannot be brought back into the United States and also what border documentation is needed to leave or re-enter the country.

You can also access travel assistance through OnStar, your cell phone or credit card provider, or through GPS Navigation units. In addition, you may want to use an online Fuel Cost Calculator for trip planning available by going to <http://www.roadtripamerica.com/fuel-cost-calculator.php>.

HB 2639 Risk Management Education Program – Behavior at Parties & Events

CREATING A RISK MANAGEMENT OFFICER

Another important person that can help make your events safe and successful is a Risk Management Officer. A Risk Management Officer is a member of your executive team who serves as the point of contact for your organization on risk management issues. This officer will work with your advisor(s), the Office of the Dean of Students, and other organization leaders to identify risk and safety issues for your organization and develop appropriate responses. Some of the job functions of this position may include:

- Raising awareness of risk issues
- Coordinating training and education on risk management
- Facilitating discussions on risk management
- Developing policies and procedures to address risk issues
- Producing and/or maintaining an operations manual
- Connecting leaders with risk management resources

A Risk Management Officer may be a new officer position that you create or it may be a responsibility that you add to an existing officer position. It is important that this officer be an active member of your organization's executive or leadership team with the recognition and authority over risk management issues for your organization. They should also be listed as an authorized representative for your organization. Your Risk Management Officer does NOT need to be a risk management "expert". However, there are a few skills you may want your Risk Management Officer to possess:

- Basic familiarity with operations, policies, and procedures of the organization
- Superior communication and conflict management skills
- Experience leading meetings or discussions
- Ability to lead change
- Motivation, creativity, and flexibility

ADDRESSING INAPPROPRIATE BEHAVIOR

It is important to set expectations for members about their behavior at events and activities. If a member of your organization or a guest is behaving inappropriately at a party or other event, it is important to address the situation right away. Find ways to address the inappropriate behavior in a private and discrete manner that causes the least amount of disruption of the event. When you are addressing the behavior, it is also important to do it in a manner where the situation will not escalate or get worse.

- Go STRAIGHT TO THE SOURCE: Address the issue directly with the person/s who are acting inappropriately.
- Remember that IT'S ABOUT THE BEHAVIOR AND NOT THE PERSON.
- Involve your advisor and/or other sponsors (if present). An advisor and/or sponsor serves as a neutral party that can help mediate a situation and prevent it from escalating.
- Explain clearly the behavior that is inappropriate and why.
- If you feel like the situation is becoming dangerous or uncontrollable, seek assistance if needed (e.g. UT or Austin Police, etc).

TIPS FOR HANDLING A CRISIS

In a crisis, the steps you and other leaders of your organization take are essential in resolving the incident and ensuring everyone's safety.

- Make sure to designate an officer who will be in charge in the event of a crisis (e.g., President, Chair, or Social Chairperson).
- During the crisis, all of the officers should get together to discuss next steps and how to handle the crisis.
- Assess the situation and decide on short-term and long-term steps to resolve the crisis.
- Both during and after the emergency make sure to contact key people or offices as needed (e.g., EMS, Student Emergency Services, organization advisor, your national office if applicable).