INTRODUCTION

William P. Hoye’s expert review of recent case law coupled with his insight into proposed pro-active steps to minimize institutional liability establishes the foundation for an overview of the comprehensive approach to risk evaluation and reduction adopted by Texas A&M University. Review of this model is intended to serve as a framework for institutions to reflect upon as they attempt to address the critical issue of reducing institutional liability while maintaining a safe and productive learning environment that fosters student development. Recognizing the importance of providing a safe environment that supports the pursuit of knowledge both through academic and co-curricular experiences, Texas A&M University has historically embraced principles of risk management. In 1999, a tragic accident involving a long-standing tradition challenged the institution as a whole, and the Division of Student Affairs specifically, to re-conceptualize its role in sustaining and enhancing safe learning and living environments for its students, faculty, staff, former students, and guests.

Based on the outcomes of this re-conceptualization process, the Division of Student Affairs created a broad-based risk management initiative to raise the awareness of and enhance the ability to more effectively manage the multiple complexities inherent in today’s society. Specific to the advancement of student learning, the division implemented a number of programs and processes to assist students, faculty, and staff in learning to identify the potential and perceived risks involved in events they coordinate,
or participate in, as well as to develop strategies for the use of value-based judgment skills to eliminate, limit or accept these risks. The philosophy supporting a more proactive approach to risk management was adapted from the book *The Rights and Responsibilities of the Modern University: Who Assumes the Risk of College Life?* (Bickel and Lake, 1999). The authors of this book promote the concept of a facilitator university that seeks to share responsibility rather than allocating it unilaterally or not at all. As related to student affairs work, the facilitator model encourages members of the university community to collaborate on the promotion of student activities and student learning environments that help individuals make intelligent, fair and reasonable choices within the boundaries established by state, federal or local laws, Texas A&M University Student Rules, and the educational mission of the University.

**BACKGROUND**

In 1994, recognizing the national trend of increasing critical incidents on college campuses, the Division of Student Affairs developed the Critical Incident Response Team (C.I.R.T.). The purpose of C.I.R.T., coordinated by The Dean of Student Life, is to respond to critical incidents (defined as life threatening situations) in the local area and to serve as a University contact when students are involved in critical incidents away from the College Station campus. In addition, C.I.R.T. periodically reviews the circumstances involved in critical incidents and makes recommendations as appropriate to enhance the safety and security needs of the University community.

In the wake of the 1999 Bonfire tragedy, Texas A&M secured the services of an independent Special Commission to investigate the accident. In May of 2000, the Special Commission issued a final report outlining their conclusions as to the complex organizational issues that may have contributed to the collapse. Specifically, the Commission reported the existence of a cultural bias within the University and student organization building Bonfire that impeded appropriate risk identification and noted the lack of a proactive approach to risk management in planning and executing the project (Special Commission Report, 2000).
On June 5, 2000, Dr. J. Malon Southerland, Vice President for Student Affairs, appointed a Student Affairs Risk Management Team to develop recommendations for a proactive risk management plan that would more effectively reduce and manage risks associated with student organizations and student-led activities while maintaining a focus on student development. Three months later a final report outlining a proactive risk management model for implementation during the fall 2000 and spring 2001 semesters was submitted. Drawing on the philosophical underpinnings of the Facilitator University model, research into risk management practices in business and industry and the military, and with assistance from a consultant in human performance factors, the team created a framework for action that includes the interdependent cycles of risk evaluation, leading cultural change and continued assessment of progress resulting in the Performance Management Model. (See appendix 1, Performance Management Model). The Director of Student Activities was charged with supervising the development and implementation of the model within the broader student organization environment—an environment comprised of over 780 recognized student groups and encompassing approximately 20,000 student members and leaders and over 650 student organization advisors. Further, each department in the Division of Student Affairs was challenged to adopt a more proactive approach to overseeing its administrative and student development functions with additional funding being provided to increase the staff and improve physical resources.

Based on the proactive risk management initiative, a number of changes have been made to the advisement and administration of student organizations. These changes include:

- The redesign of the process through which student organizations are reviewed and granted status as a recognized student organization of Texas A&M. The foundation of the process is grounded in the realization that the institution’s relationship with organized student activities varies in accordance with the complexity the organization’s operations, the purpose of the organization’s services, and the degree to which staff resources are dedicated to the organization. (See appendix 2, Guide To Recognized Student Organizations) The process, focusing on not only initial recognition but the maintenance of recognition, now begins with a required annual orientation process for student leaders that includes
a review of both the benefits and responsibilities of being recognized by the university. Additionally the completion of an activities assessment survey, the execution of an advisor agreement letter, more thorough review of organizations’ constitutions, and training for key student officers and student organization advisors are also required.

- The establishment of a risk management team within the Department of Student Activities to serve as a resource to student organization leaders, members, and advisors. Currently the team is comprised of a two program coordinators, two student development specialists, a graduate assistant, and an administrative assistant.

- The creation of web-based resources to assist student organization leaders, members, and advisors in accessing information on University Student Rules, event planning and assessment, safe travel tips, and other organizational development resources. http://studentactivities.tamu.edu

- The development of new and expansion of existing educational programs on topics such as alcohol rules, planning safe and successful events, leading change, communication, effective decision making, budget design and accountability. Further, staff provides one-on-one and small group consultancy services for student organizations and advisors on an as requested basis.

In an effort to facilitate the adoption of proactive risk management initiatives at a broader division level, the Vice President for Student Affairs directed each department to designate a Risk Management Coordinator to oversee departmental design of strategies and objectives to include the education of departmental staff as it relates to risk management and compliance with established risk management policies and procedures. In January 2001, the Division Risk Management Coordination Committee (RMCC) was formed for the purpose of coordinating proactive efforts of staff members with risk management responsibilities within departments. To date this team has collaborated on the design of risk management operations manuals to guide department operations, the review of institutional rules and policies governing student and staff travel, as well as the presentation of staff education on risk reduction strategies.
Furthermore, interdivisional collaboration was fostered as faculty advisors who completed their training in student organization risk management correlated the need for exercising similar principles in the facilitation of internships, externships, study abroad programs, and field trips. This development coupled with the passage of state legislation requiring all public colleges and universities to develop and implement a set of rules to govern certain forms of student travel led the Vice President for Student Affairs and the Provost to jointly fund a position to work with faculty and academic student organization advisors in sustaining and enhancing a more proactive approach to inculcating risk management principles in their curricular and co-curricular activities.

Additional interdivisional collaboration occurred as administrators facing questions regarding the impact a student-focused initiative would have on their areas entered into conversations with Division of Student Affairs staff. Discussions focused on the appropriate level of input from other administrative areas regarding student organization activities as well as student learning environments. In an effort to facilitate collaboration and consistency, all resources currently in place within student affairs were openly shared. At present, consideration is being given to the adoption of the University Facilitator Philosophy as well as the Performance Management Model by other administrative units in their work with staff, individual students and student organizations.

**IMPACT ON KEY CONSTITUENCY GROUPS**

**Students**
Working with students and the student organizations of which they are a part is the main focus of the Division of Student Affairs’ proactive risk management efforts. Via required trainings, periodic development seminars, and other intentional interactions, students are learning how proactive event planning and subsequent choice of actions can contribute to a safe and successful learning environment for themselves as well as others. Each organization is required to send one member of their leadership team to one 1.5-hour
Student seminars focus on the development of a healthy organization within the framework of the facilitator philosophy. Materials covered in the seminar include:

- An overview of the changing legal environment for higher education and recent case law
- Performance boundaries established by laws, University Student Rules, institutional values, and governing organizations or host departments
- Foundations of a healthy student organization, including; leadership development, fiscal responsibility, academic success, self-governing, working with an advisor, designing a constitution, and basing decisions on organization values

**Student Organization Advisors**

The student organization advisor, the vast majority of who are volunteers, serves a critical role in the successful diffusion of a more proactive approach to risk management within the student organization culture. Faculty and staff who advise recognized student organizations are impacted by the enhanced expectations placed on their roles and the additional resources available to help them advise more effectively based on a proactive approach to risk management. The intentionality of serving as an advisor to a student organization has been more clearly communicated through the creation and implementation of an advisor-student leader agreement letter. *(See appendix 3, Advisor Agreement Letter)*. Further, each advisor is required to attend training designed to sustain and enhance knowledge and skill development within the broader context of the Performance Management Model and the philosophy of a Facilitator University. Student organization advisors are required to attend a 2-hour developmental seminar as a condition of maintaining the organization’s recognition status. Advisor seminars focus on the development of basic advising skills and requirements as outlined in The Advisor Agreement Letter. Program content is based on information obtained in assessments conducted by the Risk Management Task Force, insight of seasoned advisors from across the campus, and Bickel and Lake’s facilitator model. Material covered in the seminars includes:

- An overview of the changing legal environment for higher education
- Appropriate role of an advisor
In order to appropriately support volunteer advisors, current efforts are focused on the development of web-based seminars to supplement initial development obtained in the required seminar, allowing for attendance at the required classroom session to be limited to one time.

Faculty
Coupled with the importance of impacting change within student activities and organizations outside of the classroom is the importance of the role played by faculty as facilitators within the classroom. The changing campus environment has and will continue to challenge faculty as well as academic administrators to closely examine activities related to the classroom. Faculty members have expressed concerns regarding exposure to liability and expectations for responsibility when coordinating class related activities/programs. In order to provide a safe learning environment at all junctures in the educational experience, it has been critical to engage academic professionals in proactive risk management efforts. To this end, The Dean of Faculties in conjunction with The Department of Student Activities risk management staff is working to identify resource and information needs of faculty as related to risk reduction efforts. Initial steps in this process have included the exploration of existing procedures and initiatives within academic departments, assessment of faculty knowledge of liability issues, and review of the applicability of resources designed for Student Affairs proactive initiative.

Division of Student Affairs Staff
Due to their role in providing both advisement and resources to students, the staff within the division find it necessary to stay abreast of trends related to student behaviors as they work to create a safe and productive learning environment. Additionally, the manner in which departments facilitate services and offer programs for both staff and students are appropriately impacted by the implementation of the proactive initiative. Specific attention must be paid to evaluating risks associated with programs and services in order
to model effective decision-making. Division staff may also face the challenge of identifying options for reducing potential risks and ultimately determining if risks can be reduced to a level that is acceptable for students, staff, and Texas A&M University.

Administrators
Continued efforts to provide collaborative and consistent proactive risk management across the campus requires open communication among key senior administrators charged with the responsibilities affiliated with operations within a variety of areas.

Other Categories/Groups
Risk Management initiatives may directly impact many other constituency groups. For example, parents may be reassured when they learn that a proactive and concerted effort has been made to evaluate and plan the activities in which their children participate. Research shows that the current students are part of a generation that has been raised in a safety conscious environment. Parents of the today’s college student have been more intimately involved in identifying perceived risks and the responsibilities for mitigating those risks at a more intimate level than those of prior generations. To this end, it is important that Texas A&M’s proactive initiative recognize the role parents play in educating students regarding effective decision making.

Ultimately, this initiative generates a far-reaching impact extending beyond the campus boundaries; community members as well as citizens of the state will be impacted by proactive risk management efforts as the campus culture changes. Community members have a vested interest in the activities students engage in not only as individuals living in their neighborhoods, but also as organization leaders volunteering in the community. The citizens of the state will experience an impact in much the same way as community members. Ultimately both constituency groups will benefit from the development of individuals who will carry their critical thinking skills into their daily lives upon graduation.
Finally, it should be noted that the proactive risk management initiative implemented at Texas A&M is having a profound impact and influence on other universities throughout the country. As progress is made towards identifying successful initiatives that allow for effective risk assessment and reduction staff are compelled to engage colleagues from across the country in dialogue about this critical issue. Impetus for this outreach is grounded in the realization that just as legal opinions voiced in response to an incident on one campus may have far reaching impact on all institutions so too should the benefits realized from successful initiatives.

KEY ISSUES FOR CONTINUED SUCCESS

The Final Report prepared in the summer of 2000 by the Division Risk Management Task Force identified 53 recommendations for action necessary for the full implementation of a comprehensive proactive risk management plan that would impact both the operations of recognized student organizations and the culture of the Texas A&M campus. While those initiatives coupled with administrative strategic initiatives continue to provide the framework for the direction of the Department of Student Activities Risk Management Team, the following key issues have been identified:

- Support by the new President of Texas A&M of the continued significance of the division’s proactive risk management initiative.
- Stronger collaboration among departments within and outside of the Division of Student Affairs responsible for assisting student organizations as well as individual students with the design and implementation of events/activities.
- Presentation of a clear and consistent message to all recognized student organizations, their advisors, and the staff working with them regarding performance boundaries as well what may or may not constitute an acceptable level of risk.
- Promotions of proactive risk management initiatives through a partnership with academic affairs as related to student travel, study abroad programs, cooperative educational experiences and classroom activities.
• Continued review of the operations of the over 780 recognized student organizations to seek to assure appropriate mechanisms are in place to facilitate effective risk assessment and decision-making.
• Marketing the importance of implementing a more proactive approach to risk management as well as providing ongoing resources designed to promote the use of the plan are challenges when attempting to reach a broad spectrum of constituents.
• Maintaining continued partnerships with campus administrators as they explore the adoption of proactive risk management frameworks.
• Design of a comprehensive assessment program that will allow for a clear understanding of the effectiveness/success of efforts to date as well as needs for future development.
• Ongoing training for risk management staff working in student affairs is a challenge given the unique nature of the program at Texas A&M.
• Integrating proactive risk management principles into the culture of student organizations while continuing to support the experiential learning processes that have historically undergirded student leadership development.

ACTION ITEMS
Planned actions for addressing the aforementioned key issues include:
• Provide overview of proactive risk management initiative to University President.
• Collaborate with the departments of Student Life, Residence Life, The Memorial Student Center, Recreational Sports, Multicultural Services, and The Corps of Cadets to create Standard Advising Guidelines for use when facilitating pre-event planning with students coordinating events involving alcohol as well those events hosted on campus and open to large numbers of participants.
• Collaborate with Alcohol and Other Drug Education as well other division offices to review the current University Student Rules governing events involving alcohol.
• Facilitate the design and promotion of resources for educating, students, faculty, staff and administrators on the Student Travel Policy and The Lightning Detection System.
• Partner with the Department of Student Life Studies, assessment experts, to design a comprehensive assessment program.
• Research target audiences, successful marketing strategies, collaboration opportunities and resource availability for the development of a comprehensive proactive risk management-marketing campaign.
• Identify specialized educational opportunities for staff charged with implementation of proactive risk management initiatives and secure resources necessary for staff participation. To do so, educational opportunities are being sought outside of the traditional student affairs and higher education avenues.
• Continue to research and design proactive risk management training and educational programs to enhance the knowledge and skills of individual students and student organization leaders, member, and advisors.
• Track the long-range impact of the integration of proactive risk management principles on student leadership development.

CLOSING OBSERVATIONS
The goal of Texas A&M University’s proactive risk management efforts is to encourage all members of the University community to actively participate in the facilitation of a student learning environment that challenges students, staff and faculty to identify the potential and perceived risks involved in activities and individual behaviors as well as in the development of prudent judgment skills used to eliminate, limit or accept these risks. As a result of the cultural change ultimately sought through the adoption of a proactive risk management model, Texas A&M University will continue to provide a safe environment for those who choose to pursue educational and professional goals while providing for the opportunity to continue to explore new and challenging activities both in and out of the classroom.
Recognizing the unique circumstances that resulted in the development of Texas A&M’s proactive risk management model, administrators, faculty, and legal counsel from other organizations are encouraged to reflect upon the above offered advances as a starting point. Each college and university must explore its own campus environment, identifying gaps in performance that may result in a negative incident and take strategize approaches that allow for corrective actions within the boundaries established by institutional philosophy, resource availability, and the legal environment they operate within. However, no institution should wait for a catastrophic occurrence before responding to the current legal and economic trends that clearly point towards the necessity of proactively evaluating potential risks that may jeopardize the safe and productive environment all seek to provide.
Appendixes:

1. Performance Management Model
2. Guide To Recognized Student Organizations
3. Advisor Agreement Letter
4. Pre-Event Planning Form

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