

Risk Management



NELSON
UNIVERSITY

**TRAINING FOR SEX DISCRIMINATION AND HAZING
FOR STUDENT LEADERS, ADVISORS, & SPONSORS**

Welcome!

Thank you for beginning your Risk Management Training. As a Nelson University student or advisor, you are fully required to complete this training.

In this program, you will learn about our Risk Management policies, how to mitigate risk, and where to report violations.

Effective September 1, 2007, the 80th Texas Legislature enacted HB2639/SB 1138 (Texas Education Code Section 51.9361) regarding risk management education for members and advisors of student organizations registered at postsecondary educational institutions.

Under the law, Student Organization Members and Advisors are required to attend an annual Risk Management Program.

Advisors and Officers are required to report all of the information gathered here to the entire organization's membership after the event.



Risk Management is the process of advising organizations of potential and perceived risks involved in their activities, providing education about the guiding boundaries established for organizations, and taking proactive steps to minimize accidental injury and/or loss.



The goal of Nelson University's risk management program is to ensure that student organizations plan and host events where everyone involved has a safe and fun experience!

Types of risk:

Physical – injury, illness, hazing, sexual assault, excessive drinking

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Psychological – hazing, sexual assault, eating disorders, alcohol and drug abuse

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Financial – handling money, fundraising, budgets

Reputational – media, views from members of the community

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Environmental/physical space – fire safety, property damage, exceeding room capacity, crowd control, driving

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Other potential harm – underage drinking, violating the law or University rules

Topics Concerning Risk

**Title IX: Sex Discrimination,
Abuse, and Harassment**



Hazing



Alcohol and Illegal Drugs

Fire and Other Safety Issues



Travel



**Student Accommodations for
Travel and Events**



What Is Title IX?

**Title IX is a federal civil rights law that was created in 1972.
Title IX prohibits discrimination based on sex in educational programs or activities that receive federal funding of any kind.**

The law states that "No person in the United States shall on the basis of sex be excluded from participation in, be denied the benefits of, or be subject to **discrimination** (including gender-based violence and sexual harassment) under any educational program or activity receiving Federal financial assistance."

The Clery Act

Established through the US Department of Education, the Clery Act requires campuses to provide crime statistics and campus safety policies for the public to view. It aims to provide transparency around campus crime policy and statistics. All public and private institutions of postsecondary education participating in federal student aid programs must comply with the Clery Act.

The Violence Against Women Act

Established through the US Department of Justice, the Violence Against Women Act (VAWA) addresses the following specific areas of sex discrimination including sexual assault, dating violence, domestic violence, and stalking.

Nelson University's Expectations

As an affiliate with the Assemblies of God, Nelson University expects all employees to follow high Christian standards in conduct and conversation.

Our duty is to serve students in accordance with God's word intellectually and spiritually. Any and all sexual misconduct, discrimination, or hazing will be not be tolerated.

Biblical Perspective

The Scriptures specifically speak out against sexual misconduct such as sexual harassment, assault, and violence as sinful. - **Galatians 5:19-21**

As Christians, we are expected to avoid all sexual harassment, unclean comments, and even crude joking. We are to use our voices instead to give thanks to God. - **Ephesians 5:3-4**

God offers healing to anyone dealing with the effects of sexual assault and broken relationships.

Psalms 34:18

The Bible encourages us to stand up for those who cannot stand up for themselves, which is why reporting sexual misconduct is necessary -

Proverbs 31:8-9



DEFINITIONS

Sex Discrimination

Sex Discrimination is a general term that includes, but is not limited to, acts of **sexual assault**, **sexual violence**, and **sexual harassment**. Sex discrimination occurs when conduct or a policy has the purpose or effect of restricting or denying access to opportunities, programs, or resources **in relation to sex** in a manner that interferes with an individual's ability to participate in a University education program or activity.

How to Recognize: Sex Discrimination

Sexual Harassment

Any unwelcome and inappropriate sexual remarks or physical advances in a workplace, other professional, or social situation.

Sexual Assault/ Vioence

Any sexual contact or behavior, where explicit consent is not given. This can be as simple as unwanted physical contact or attempts at further sexual activity.

Dating Violence

Violence by a person who has been in a romantic or intimate relationship with the victim. Whether there was such a relationship will be gauged by its length, type, and frequency of interaction.

Nelson University's Definition of Consent

Consent is a free and active agreement, given equally by both parties, to engage in a specific activity. Giving in is not the same as consent. Consensual sexual activity involves the presence of the word “yes” without the influence or incapacitation of alcohol or other drugs, pressure, force, threat, or intimidation. **Nelson employees or student leaders are not the decision-makers of what constitutes consent; therefore, any report of sexuality to a Nelson employee must be reported to the VP for Student Development or Director of Human Resources (Nelson Title IX officers) with no promises of confidentiality. Other than providing the information to Nelson Title IX officers, all information should be kept confidential.**

Stalking

Stalking means a course of conduct directed at a specific person that would cause a reasonable person to fear for her, his, or others' safety, or to suffer substantial emotional distress.

An employee who witnesses or receives information regarding an incident that the employee reasonably believes constitutes sexual harassment, sexual assault, dating violence, or stalking, which was allegedly committed by or against a student enrolled at or an employee of the institution at the time of the incident must promptly report the incident to the Title IX Coordinator or Deputy Title IX Coordinator. Failure to make a report or making a false report to a Title IX Coordinator is a Class B misdemeanor, according to SB212. If intent to conceal an incident is found in trial, it is a Class A misdemeanor. Either may include jail time and/or fines.

Termination of employment is mandatory.

It is a violation of institutional policy to discipline or otherwise discriminate against an employee who, in good faith, makes a mandatory report or cooperates with an investigation, disciplinary process, or judicial proceeding relating to a mandatory report of sexual harassment, sexual assault, dating violence, or stalking.

This information is pulled from Nelson University's IPM

TITLE IX REPORTING



Where can you
report violations?

Victims/survivors can report an act of sexual violence at any time to any Nelson University employee. They are free from pressure to either report or not report.

They are entitled to have their report taken seriously and will be provided access to counseling services.

Nelson University's Title IX Officers

Title IX Coordinator

Dr. Lance Meche

Vice President for Student Development

(972) 825-4747

lmeche@nelson.edu

Deputy Title IX Coordinator

Director Ruth Roberts

Human Resources Department

(972) 825-4656

rroberts@nelson.edu

Online Reporting Form

You can find an online Title IX Reporting form on the Nelson University website through this link:

[Title IX Reporting Form](#)

Commonly Asked Questions



What if the alleged victim doesn't want his/her name released?

An alleged victim may request confidentiality, and the University will try to honor this request if possible. However, the alleged victim should be informed that this may limit the ability of the school to respond to the complaint. If the school can not ensure confidentiality, it must inform the complainant. An alleged victim may request that his/her complaint not be pursued; however, the school must evaluate that request in the context of its responsibility to provide a safe and nondiscriminatory environment for all students. The school may still be obligated to limit the effects of the alleged harassment and prevent its recurrence.

Does the alleged victim require immediate medical attention?

If yes, campus authorities will decide how to transport the individual to a hospital.

Does physical evidence need to be preserved?

If yes, contact campus security. However, if the alleged victim does not want the police contacted, then the collection of evidence may be impaired. Staff members or students should not attempt to collect evidence from what may be a crime scene. Strongly encourage the alleged victim to allow the police to assist. Otherwise, have the alleged victim gather up any sheets or clothing he/she might want to preserve should he/she decide later to file criminal charges. However, please advise the alleged victim that this could impair a criminal investigation later.

Did the incident occur on or off campus?

Knowing where the incident occurred can impact which law enforcement agency responds and whether or not the incident is reportable under the Clery Act.

Because students often experience the continuing effects of the off-campus sexual harassment in the educational setting, the university will consider the effects when evaluating whether there is a hostile environment on campus. One of the university's designated officials will work with the alleged victim to assess what supportive measures might need to be implemented.

Alleged victims will be informed of...

- The importance of preserving evidence.
- Their right to pursue a criminal investigation through the appropriate law enforcement agency depending on where the violation occurred.
- Available resources on the Nelson campus (Campus Counseling Center in Bridges) and in Waxahachie (Baylor Scott & White Hospital) as well as clinics in the area.
- Their right to file a complaint with the University.
- The right to have representation or an advocate.

Resources

Nelson Campus Security

(972) 923-5400
security@nelson.edu

Nelson Counseling Services

(972) 825-4721
counselingcenter@nelson.edu

Waxahachie PD

911 or
(469) 309-4400

Ellis County Sheriff's Office

911 or
(972) 937-6060

Guidelines to Follow



Do believe the person reporting the incident!

It is important for the person making the report to feel that you will support him/her in getting referred to the appropriate resources.

Don't try to investigate.

It is the job of others, who have been trained, to investigate to see if the evidence supports the alleged incident.

All NELSON employees and student leaders are considered Mandatory Designated Reporters with the *exception of the Counseling Center Counseling Staff* due to the nature of their role on the university campus in a counselor-client relationship.

- **Do inform the person reporting the incident:**
- Resources are available for the person reporting: Nelson Counseling Services in Bridges Hall, Campus Security, "Not Alone" website <https://www.notalone.gov/schools/>, Clery Act Handbook <http://www2.ed.gov/admins/lead/safety/handbook.pdf>
- Nelson University Title IX webpage: sagu.edu/audiences/titleix/

Things to remember:

- **Provide support to the alleged victim by knowing whom you should contact for assistance.**
It is important for the person making the report to feel that you will support him/her in getting referred to the appropriate resources.
- **A reported incident is an "allegation" and the accused also has rights.**
It is the job of others, who have been trained, to investigate to see if the evidence supports the alleged incident.
- **Do keep the information confidential**, with the exception of telling your supervisor and/or the Title IX Coordinator. Confidentiality honors the rights of both the accused and alleged victim.

Nelson University's Non-Discrimination Policy

Title VII of the Civil Rights Act of 1964 prohibits discrimination in employment on the basis of race, color, sex, or ethnic origin; the Age Discrimination in Employment Act (ADEA) prohibits discrimination against employees 40 years and older; and the Americans with Disabilities Act (ADA) prohibits discrimination in employment on the basis of disabilities and requires that employers reasonably accommodate individuals with disabilities who can otherwise perform a job. As with other labor standards, independent contractors generally would not be covered by anti-discrimination laws.

Nelson University does not discriminate based on race, color, national origin, gender, disability, age, veteran status, or any other protected legal status in matters of admissions, employment, housing, educational programs, or activities, except as granted by waiver from the US Department of Education. The University operates in compliance with federal non-discrimination laws, including:

Nelson University's Non-Discrimination Policy (continued)

- Title IX of the Education Amendments of 1972. (The US Department of Education has granted Nelson University an exemption from specific elements of Title IX).
- Title VI and Title IX of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973.
- The Age Discrimination Act of 1975.

As a religious institution, the University is exempt from certain provisions and retains the right to make legitimate employment, admission, and educational decisions on the basis of religious tenets, consistent with applicable laws (Title IX statute, 1st Amendment, and Religious Freedom Restoration Act). Because of its affiliation with the General Council of the Assemblies of God and the North Texas District Council of the Assemblies of God, Nelson University qualifies for the religious exemption under 20 U.S.C § 1681(a)(3) and 34 C.F.R. § 106.12.



What Is Hazing?

Hazing

Hazing means “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 for the purpose of pledging, being initiated into, affiliating with, holding office in, or maintaining **membership in an organization** if the act:

- is “any type of physical brutality” such as whipping, beating, striking, branding, electronic shocking, placing of a harmful substance on the body, or similar activity;

Hazing (continued)

- Any type of physical activity such as sleep deprivation, exposure to the elements, confinement in a small space, calisthenics, or other 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;
- Any activity involving consumption of a food, liquid, alcoholic beverage, liquor, drug, or other substance which subjects the student to an unreasonable risk or harm or which adversely affects the mental or physical health or safety of the student

Hazing (continued)

- Any activity that intimidates or threatens the student with ostracism that subjects the student to extreme mental stress, shame, humiliation, or 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; and
- Any activity that induces, causes or requires the student to perform a duty or task which involves a violation of the Penal Code or Student Handbook.

Failure to Report Hazing

A person commits a Class B Misdemeanor if the person:

- engages in hazing;
- solicits, encourages, directs, aids, or attempts to aid another in engaging in hazing;
- recklessly permits hazing to occur; or 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 VP for Student Development or other appropriate officials of the institution.

Expectations

The Texas Legislature enacted an anti-hazing law in 1987. The state law provides penal sanctions in the event of a conviction of hazing. According to this law, individuals or organizations engaging in hazing could be subject to fines and charged with a criminal offense. Hazing on the part of students, faculty or staff is prohibited, whether on or off campus. Nelson students are expected to be partners in fulfilling the mission of the university by creating and maintaining standards within student groups, teams and organizations that are conducive to personal growth and development. If student groups, teams and organizations are to play an integral part in the university's plan, they are expected to set standards that encourage each individual to achieve his or her greatest potential. Hazing is the antithesis of this goal as it can diminish an individual's pride and self-esteem. The university may take disciplinary action against individuals and/or groups who are involved in hazing activities. Such disciplinary action may be taken independently of state or local prosecutorial actions.

Mandatory Reporting



As a Nelson University employee or leader, you are **REQUIRED** to report any and all possible Title IX and Hazing violations to your supervisor or the VP for Student Development immediately. Failure to report with knowledge of an incident is against Nelson University policy and against the law.

REPORTING HAZING



Where can you
report violations?

Online Reporting Form

You can find a Hazing Reporting form on the Nelson University website through this link:

<https://www.cognitoforms.com/SAGU1/HazingIncidentReportingForm>



Alcohol and Illegal Drugs

**Each year, drinking affects college students,
as well as college communities, and families.**

The consequences of drinking include:

**Death: 1,825 college students between the ages of 18 and 24 die each
year from alcohol-related unintentional injuries.**

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**Assault: More than 690,000 students between the ages of 18 and 24 are
assaulted by another student who has been drinking.**

Source: National Institute on Alcohol Abuse and Alcoholism.

Even though Nelson University has positions against drinking while continuously enrolled as a student (during the semester, breaks, holidays, and summer), the following information is important to know:

Sexual Abuse: More than 97,000 students between the ages of 18 and 24 are victims of alcohol-related sexual assault or date rape.

Injury: 599,000 students between the ages of 18 and 24 receive unintentional injuries while under the influence of alcohol.

Academic Problems: About 25 percent of college students report academic consequences of drinking including missing class, falling behind, doing poorly on exams or papers, and receiving lower grades overall.

Health Problems/Suicide Attempts: More than 150,000 students develop an alcohol-related health problem and between 1.2 and 1.5 percent of students indicate that they tried to commit suicide within the past year due to drinking or drug use.

Drunk Driving: 3,360,000 students between 18 and 24 drive under influence of alcohol.

Drug Use

It is illegal to use, manufacture, own, sell, and/or distribute substances defined and regulated under Chapters 481, 484, and 485 of the Texas Health and Safety Code.

Signs of a Drug Problem

Failure to fulfill classwork and/or late for class

Sudden changes in attitude or behavior

Use of drug culture jargon

Secretive behavior (paranoia)

Poor hygiene

Financial problems

Changes in weight

Dilated pupils

Slurred speech

Trouble making eye contact

Vomiting

Unconsciousness



Fire Safety, Firearms, Weapons, and General Safety

In the Event of a Fire:

Always have a plan

Fire alarm = evacuate building immediately

Help others if necessary/possible

Have a meeting place

Call in the exact location of the fire (911)

Safety Concerns

When planning for an event, make sure venue is large enough to accommodate the expected attendance. Crowd control is essential.

Make sure during organizational meetings and events that all entrances and exits are unobstructed.

Do not obstruct or tamper with smoke detectors, strobes, or sprinkler systems.

Do not overload electrical circuits and remember to always use surge protectors.

Weapons and Threats

If you suspect or know of anyone who may be in possession of any illegal weapons on campus, please report it immediately to Campus Security or call 911.

Turn in all threats immediately to Campus Security, a Supervisor, or Dorm Pastor.



Student Travel for Events or Participation in Activities

Student Travel

Student travel includes events or activities organized and sponsored by Nelson University as a required part of an activity or course, a college-scheduled sports event or competition, or educational travel abroad programs offered.

Travel is considered to be required by a student organization when the travel is a part of the organization's official activities, including attendance and participation at conventions, workshops, athletic events, and non-athletic activities.

Student Travel

Modes of transportation used for student travel may include, but are not limited to: commercial airlines, college-owned or leased cars or vans, or commercially owned and operated buses or vans. Travel arrangements for student groups must be made in accordance with Nelson University travel procedures.

Before departure on a trip covered by Nelson University, a trip plan and appropriate emergency information must be submitted to and reviewed by college representatives.



Student with Accommodations

Please fill out the QR code link to complete your attendance for Nelson University's Risk Management Training



Let's Go Lions!

