



THE UNIVERSITY OF
TENNESSEE
KNOXVILLE

TEACHING & LEARNING INNOVATION

RISK MANAGEMENT HANDBOOK

This document is not intended to identify all potential risk management issues or to provide guidance or solutions to every risk management topic in experiential education. This document is not legal advice and is not intended as legal advice.

This document seeks to provide a broad overview of risk management for faculty and staff involved in experiential learning programs at the University of Tennessee, Knoxville. The primary goal of this document is to empower all stakeholders involved with an experiential learning program to more effectively identify, assess, manage, and monitor risks, with the hope of creating a more satisfying, safe, and robust educational experience for all parties.

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Campus colleagues,

The Experience Learning initiative encourages students to wholeheartedly embrace the Volunteer difference as they engage in one of the 12 types of experiential education offered at the University of Tennessee.

The purpose of this handbook is to promote the need for risk management in Experience Learning, provide resources to help incorporate risk management into experiential learning opportunities, and propel faculty and staff to take ownership of risk management within their experiential learning programs.

After reviewing this handbook, faculty and staff leading experiential learning programs will be equipped to identify, assess, manage, and monitor risks associated with their program. This handbook will also introduce faculty and staff to tools that make this process simple and accessible.

This handbook is an overview of risk management in experiential education. As such, it is impossible to list, much less explain, every conceivable risk one might encounter in an experiential learning program. The handbook therefore includes scenarios, relevant court decisions, and real-world examples to broadly illustrate general risk management principles that can be tailored to your specific experiential learning context.

Our goal is for faculty, staff, students, and community partners to understand why successfully managing risks will foster a rewarding student experience, support the units and offices partnering with Experience Learning, and enable faculty and staff to maximize their creativity in providing an unparalleled education to students at the University of Tennessee.

Thank you, and GO VOLS!



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Introduction

The pursuit of excellence

in teaching, research, outreach, and engagement at the University of Tennessee is strengthened by the Volunteer spirit, which promotes value creation, the generation of new ideas, and the preparation of capable and ethical leaders. These values embrace principles such as diversity, community engagement, and intellectual curiosity.

UT's mission, vision, and values are implemented through our strategic plan, Vol Vision 2020, which provides the framework for the University of Tennessee to reach its goal of becoming a Top 25 public research university. Vol Vision informed every step in the development of our quality enhancement plan (QEP). The selection of Experience Learning as our QEP is an exciting opportunity to make learning transformative for our students.

Experience Learning advances the university's abilities to engage students in new educational experiences, generates new research and creative opportunities for students and faculty, supports faculty and staff development of new teaching and student engagement methods, and builds the university's capacity to better serve the community and our diverse constituents. In short, Experience Learning not only focuses on the student learning experience but also simultaneously and seamlessly integrates with our goal of becoming a Top 25 public research university (University of Tennessee, 2016, p. 6).

The Experience Learning initiative looks to implement risk management practices to better serve, strengthen, and protect the University of Tennessee and its stakeholders as we fulfill our mission to revolutionize our students' learning environments.

Experience Learning Mission

Experience Learning will enhance opportunities for students to learn through actual involvement with problems and needs in the larger community. The purpose is to help students apply the knowledge, skills, and values learned in the classroom to real-world challenges. Learning occurs during the process of dealing with these problems and through guided reflection on these experiences, developing new skills, creating new knowledge, and clarifying values.



OVERVIEW OF RISK MANAGEMENT

in Experiential Education

Overview of Risk Management in Experiential Education

For many people, thinking about risk management is like deciding if they want to enter a dark, unfamiliar forest: They're worried about what might be lurking within, and they're concerned that if they go in they may never come out, so they think their best bet is to avoid the forest altogether.

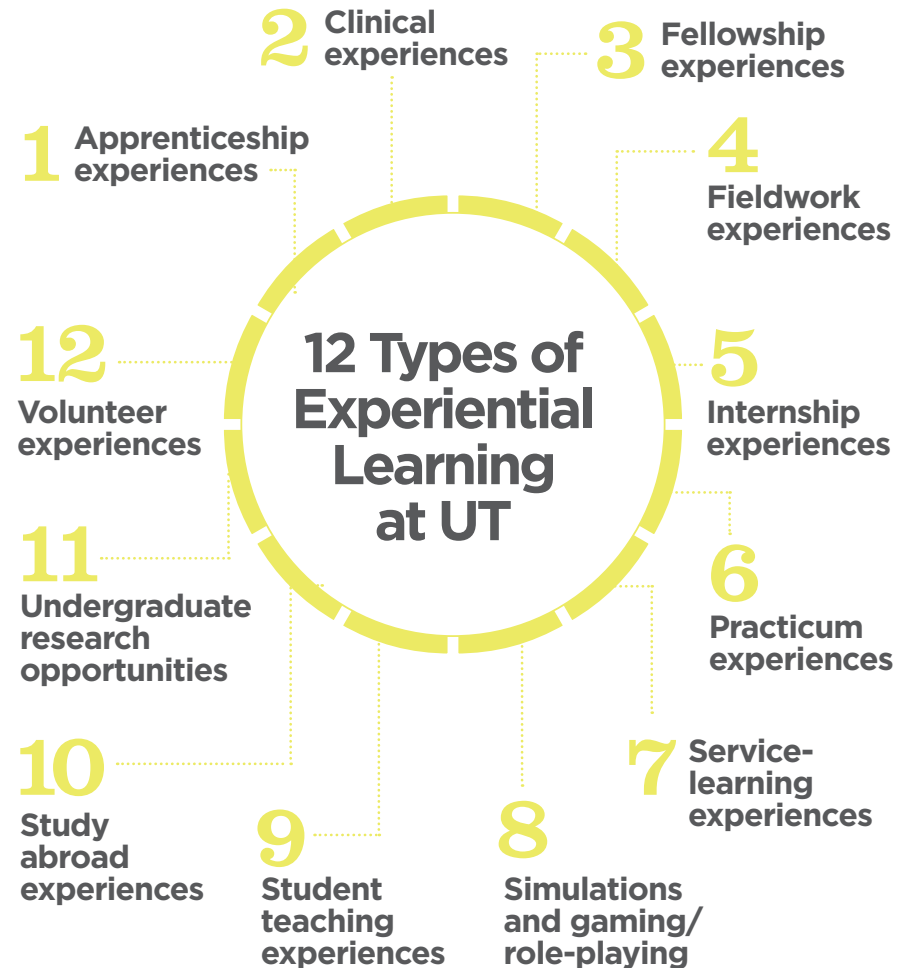
Fortunately, there is good news. Risk management does not have to be alarming or burdensome, and it can be quickly and effectively incorporated into experiential learning programs.

It might be helpful to establish a working definition of risk. The International Organization for Standardization (ISO, 2016) and Purdy (2010) argue that risk is the potential positive or negative consequence of pursuing goals in an uncertain environment.

For example, a faculty member might hope that a class project allowing students to interview people who are homeless would provide students with a more empathetic and community-

oriented perspective. This could be a deeply meaningful experience if students gained a more holistic understanding of complex social issues. However, it could have adverse ramifications if a student were injured during the program.

This definition of risk is therefore broad enough to capture both the positive and negative realities associated with an experiential education program. Risk management doesn't simply focus on what can go wrong; rather, it serves to bolster existing opportunities by increasing resilience and reducing uncertainty. As faculty and staff currently engaged in or supporting experiential education, you are providing avenues for students to "process real-life scenarios, experiment with new behaviors, and receive feedback in a safe environment" (Lewis & Williams, 1994, p. 8). The benefits of such experiences highlight the rich value of experiential education.



As educational experiences move beyond the confines of the traditional classroom environment, students are increasingly exposed to a wide variety of hazards, and universities are subject to heightened scrutiny regarding their own legal liability within these contexts.

Despite the different types of experiential learning offered at the University of Tennessee, the goal of risk management in experiential education is quite simple: It is to manage risks and maximize rewards (Gallagher, 2008).



Safety

The desired outcome of risk management in this initiative is for experiential learning opportunities to be safe, robust, and satisfying for all parties involved. This effort encompasses a diverse group of stakeholders including students, faculty, staff, community partners, alumni, and others.

It is impossible to guarantee that any experience will be free from interruptions, uncertainty, or harm. This is true of traditional classroom settings as well as experiential learning contexts. Therefore, as we identify avenues for students to engage with real-world problems and meet needs in the larger community, we endeavor to incorporate risk management best practices into Experience Learning by proactively identifying, assessing, managing, and monitoring the risks present in these experiential opportunities.

Legal Precedent

Nationally, the need for risk management in experiential education is increasing. A growing body of case law encourages universities to carefully evaluate safety issues involving campus constituents. Recent court decisions have examined the scope of a university's duty of care to stakeholders and how the foreseeability of harm in educational activities may impact institutional liability (Bickel & Lake, 1999, p. 202).

In short, universities are expected to act with reasonable care to prevent foreseeable harm to students. (Bickel, 2001)

The implications of recent lawsuits involving curricular, co-curricular, and extracurricular activities highlight the need for robust risk management in experiential learning. Many of these lawsuits have examined issues such as student injuries; transportation accidents; sexual assault; supervisory negligence; improper or nonexistent safety orientations, trainings, or equipment; ineffective waivers; and more (Malveaux, 2016; Bickel & Lake, 1999; Gallagher, 2008).

Unfortunately, many of these incidents may have been prevented if more careful consideration had been given to planning and executing these activities.

These six real-life examples reflect the importance of proactively incorporating risk management into experiential learning programs.

1

A professor at a major university was charged with four felony counts of willfully violating state occupational health and safety standards after a research assistant died conducting an experiment in an organic chemistry lab overseen by the professor. The research assistant was not wearing personal protective equipment and had not received safety training regarding the proper use of a specific chemical used in the experiment. While conducting the experiment, a pyrophoric chemical sparked and caused a fire, leaving the research assistant severely injured. The research assistant later died from these injuries. The university's Board of Regents was also charged with three felony counts of willfully violating occupational health and safety standards. The criminal case against the board was settled, while the case against the professor reached a deferred prosecution agreement. Ultimately, neither the board nor the professor was convicted of criminal wrongdoing. This example is significant because it is believed to be the first criminal prosecution based on a university laboratory accident (Torrice & Kemsley, 2014; Simpson, 2015).

2

A university lost a court decision after a female student was sexually assaulted in the parking lot of a community organization where the university had assigned the student to intern. Despite knowing that there had been previous assaults at the community organization, the university never informed the student of these risks prior to her placement at the internship site. The Florida Supreme Court ultimately ruled that the university had a duty to exercise "reasonable care in assigning [the student] to an internship site, including the duty to warn her of foreseeable and unreasonable risks of injury" (Kaplin & Lee, 2007, p. 97). This verdict against the university was due in part because "the school had the final decision over where students did their internships" (Malveaux, 2016, p. 59). This example highlights the need for universities to warn students about foreseeable risks of harm and reveals potential liability issues associated with assigning students to specific internship locations.

3

A court ruled against a university after a student was severely burned while using an oxyacetylene torch on a sculpture in a metal lab. The student was injured when sparks ignited a fire on the student's shirt, resulting in burns over 22 percent of his body. The court found that the university had permitted the undergraduate student to weld by himself, did not mandate the use of leather aprons while welding, and did not provide instructions for working with dangerous equipment. The university was ordered to pay \$5 million to compensate for the student's pain and suffering (Kaplin & Lee, 2007; Man-Kit Lei v. City University of New York, 2006).

4

A court dismissed a claim for damages against a university following an incident in which two students drowned during a canoe outing. During a university-supported extracurricular overnight canoe trip, a strong and unexpected storm rushed in and led to the deaths of the two students. The university contended that the student deaths were accidental and that it had not acted negligently by allowing the canoe trip to occur. The court agreed and ultimately “dismissed the civil action not because there was no duty, but because all reasonable and necessary precautions had been taken in planning and conducting the field trip” (Bickel, 2001, p. 5). The court also noted the numerous precautions taken during the canoe trip and the fact that the outing had a 10-year history with no major incidents. “The university avoided legal liability not because it had no responsibility to its students, but because the excursion was conducted responsibly” (Bickel, 2001, p. 5).

5

A court dismissed a claim against a university for negligence after a student was sexually assaulted during a study abroad trip in Mexico. The student had attended mandatory student orientation sessions covering academics, health, travel, finances, safety, and social issues; signed an acceptance, release, and waiver document; and received materials detailing safety warnings and information regarding specific hazards in the city (Malveaux, 2016). These warnings included “specific admonitions that it was dangerous for women to go out alone at night, [that women] should call for a taxi at night rather than hail a taxi driver on the street, and that women should never sit in the front seat of taxis.” (Bloss v. University of Minnesota Board of Regents, 1999). Unfortunately, the student did not heed these warnings and was tragically assaulted one night when she hailed a cab to visit friends. In the end, the courts sided with the university because proper orientations had been provided to students and risk-averting documents detailing specific threats in the city had been discussed with students (Malveaux, 2016).

6

A court cleared a university from claims of negligence after a student was injured during a course in dramatic acting. Students were taken outside to a nearby lawn to practice theatrical running. During this activity, a student stepped on a small dip in the lawn, fell, and broke her leg and ankle (Kaplin & Lee, 2007). She consequently sued the university for negligence. The court found that the faculty member had examined the lawn before conducting the activity, mentioned safety issues in class, included safety information in the syllabus, required students to wear tennis shoes the day of the activity, and supervised students while they ran on the lawn (Kaplin & Lee, 2007). For these reasons, the court declared that the university had observed a “relatively high level of caution” (Kaplin & Lee, 2007, p. 107) and was therefore not negligent in the unfortunate accident that occurred. In short, the university was found to have done its due diligence to reasonably foresee elements of harm by proactively informing students of the risks in the activity, and because there were documented records of this information being communicated to students.

In these examples, there are no winners. Even if a university receives a favorable verdict in the courtroom, the painful reality of a tragic event cannot be reversed. Students still suffer, families still grieve, and a community is left wondering what could have been done differently.

Experience Learning therefore seeks to empower the faculty and staff leading experiential learning programs to be familiar with the risk management cycle and to facilitate a more rewarding experience for every stakeholder involved.

A person wearing a lab coat and safety goggles is pouring a liquid from a beaker into another beaker. The image has a yellow tint. The text "THE RISK MANAGEMENT CYCLE" is overlaid on the right side of the image.

THE RISK MANAGEMENT CYCLE

The Risk Management Cycle

Experience Learning aims to implement several risk management strategies to promote a safe environment for university stakeholders and reduce institutional liability. Faculty and staff will be empowered to answer the following questions (Garrick, 2008, p. 5):

- What can go wrong?
- How likely is it to occur?
- What are the consequences if it does occur?
- How can the hazard's likelihood of occurrence and severity of impact be eliminated or reduced?

These questions can be consolidated into a four-phase framework to facilitate the risk management process: identifying risk, assessing risk, managing risk, and monitoring risk. These four phases comprise the risk management cycle in Experience Learning.



Identify Risks

The first step in the risk management cycle is to identify potential hazards by asking the question *What can go wrong?*

Different experiential learning activities will require different answers to this question. For example, taking students to volunteer at an elementary school literacy program will present a different set of risks than a course in which students use chainsaws to create pieces of art.

Given the broad differences among the 12 types of experiential learning at the University of Tennessee, students may or may not do any of the following:

- Work with a community partner
- Be supervised by someone other than the faculty or staff member leading the opportunity
- Work alone
- Interact with high-risk or vulnerable populations
- Use public or private transportation to reach the site or fulfill site requirements
- Use dangerous tools or chemicals during the program

These examples illustrate the variability of potential hazards that may affect your course. To simplify the process of identifying hazards, you can categorize them into **five critical areas**:

- Transportation
- Location
- Project activities
- Special populations
- Community partners

You can then use these five critical areas as a framework to begin detecting the hazards that are present in your course.

It is impossible to devise a “one size fits all” strategy that can address these vastly different experiences simultaneously and comprehensively. Rather, the best strategy is to provide faculty and staff with tools and techniques that will assist them in identifying credible threats in their specific experiential learning program.

It would be difficult to identify every single risk associated with an experiential learning opportunity. Such an exercise would be ineffective and could blend credible risks with the inconsequential. Instead, focus on the hazards that a reasonable person could foresee occurring within the five critical areas.

One method to identify risks is to ask questions that highlight areas of concern. This list of questions is not comprehensive but rather is a starting point to begin identifying potential areas of liability or harm to participants.

- Are students and community partners informed of the scope and limits of students' responsibilities during the experiential learning program?
- Has an event occurred in the past that threatened the safety or security of students involved in the program?
- Have students ever been the cause of a safety or security threat to community partners or the public during an experiential learning program?
- Will students be interacting with high-risk or vulnerable populations? (minors, elderly, homeless, prisoners, persons with mental or physical impairments, etc.)
- Will students park or work in locations considered high-crime areas?
- Are students required to have health insurance, professional liability insurance, or auto insurance to comply with the requirements of a community partner or to participate in this course? If so, who provides this? Who verifies that students have this insurance?
- Are students required to complete background checks, drug screens, TB tests, or inoculations; be fingerprinted; or provide driving records to participate? If so, who pays for these services?
- Will students be expected to travel? Will they use university transportation, community partner transportation, or drive personal vehicles?
- Will students use power equipment or dangerous tools? If so, who is responsible for providing an orientation, safety training, and personal protective equipment to students?
- Are students required to sign confidentiality agreements or waivers?
- Are all students, including students with disabilities, able to complete all aspects of the experiential learning opportunity?
- Are community partners aware of FERPA and HIPAA requirements and the mandate to ensure the privacy of student records, reports, and evaluations?
- Are there any intellectual property concerns related to who owns the students' work?
- Will students receive any payment or be provided workers' compensation coverage?
- Are there any contractual or legal obligations on students, faculty, staff, or the university?

Adapted from the Resource Guide for Managing Risk in Service Learning, California State University, Center for Community Engagement, calstate.edu/cce; Gallagher, 2008.

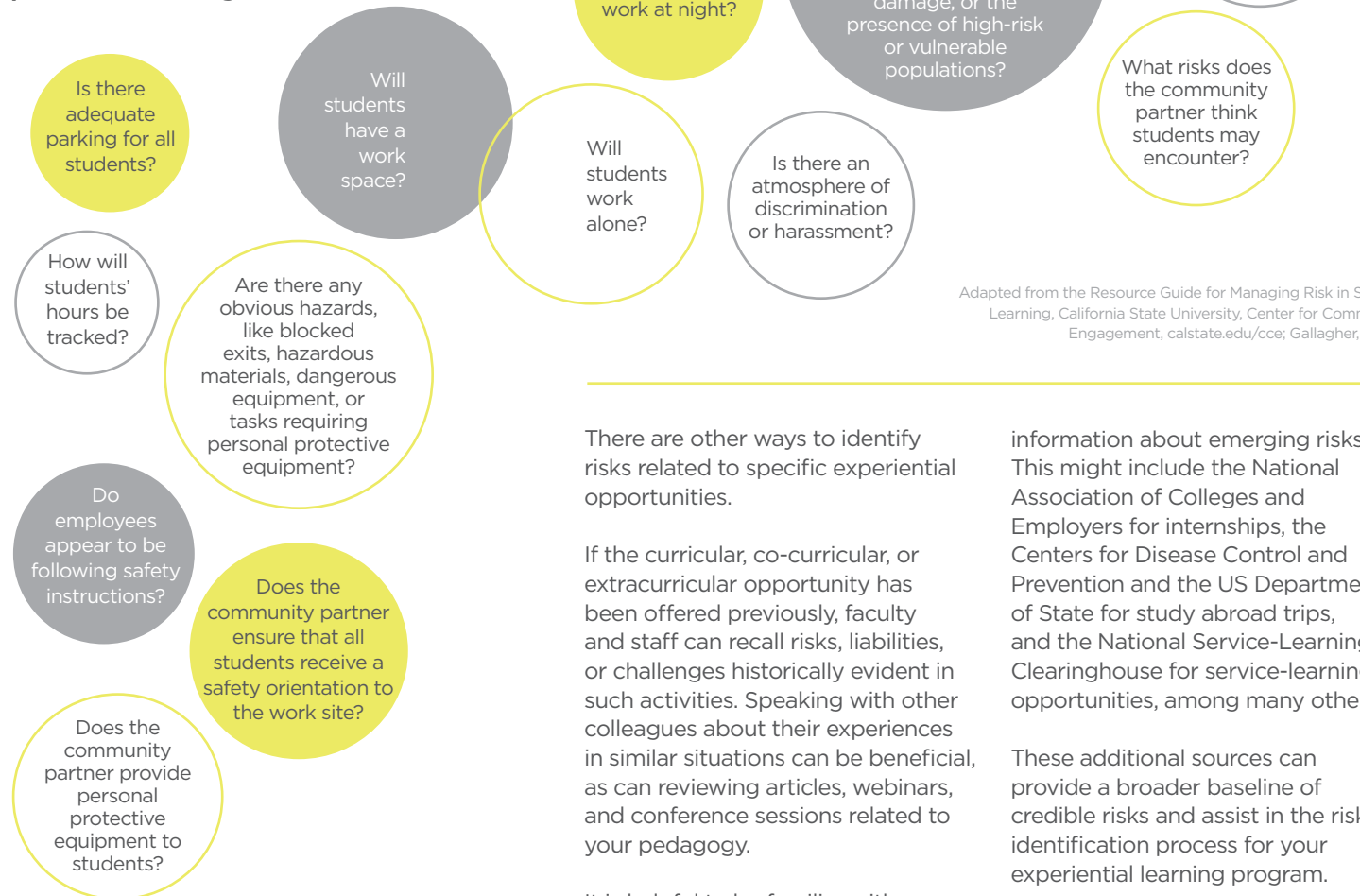
Site Visits

Another critical step in identifying risks is to conduct a site visit where students will be working. Site visits allow faculty and staff to inspect the site where students will be participating, converse with community partners, and interact with students' supervisors.

Although it is desirable that the site visit be conducted in person by the faculty or staff member, it is not always a realistic expectation due to travel costs, distance to the site, and other factors. In cases like these, faculty and staff can establish a contact with the community partner and communicate by phone or email to obtain information about site-specific risks. Technological tools like Google Earth and community partner websites can allow you to "see" sites even if you cannot physically visit them.

It is important to consider students' relative lack of experience compared to regular work site employees and their potential naïveté concerning safety risks, as well as the compatibility of the learning site with the intended educational experience (Gallagher, 2008, p. 8).

Specific questions can help facilitate the risk identification process at a learning site.



Adapted from the Resource Guide for Managing Risk in Service Learning, California State University, Center for Community Engagement, calstate.edu/cce; Gallagher, 2008.

There are other ways to identify risks related to specific experiential opportunities.

If the curricular, co-curricular, or extracurricular opportunity has been offered previously, faculty and staff can recall risks, liabilities, or challenges historically evident in such activities. Speaking with other colleagues about their experiences in similar situations can be beneficial, as can reviewing articles, webinars, and conference sessions related to your pedagogy.

It is helpful to be familiar with organizations that distribute current

information about emerging risks. This might include the National Association of Colleges and Employers for internships, the Centers for Disease Control and Prevention and the US Department of State for study abroad trips, and the National Service-Learning Clearinghouse for service-learning opportunities, among many others.

These additional sources can provide a broader baseline of credible risks and assist in the risk identification process for your experiential learning program.

Assess Risks

After identifying credible hazards, the next step in the risk management cycle is to assess those hazards.

Assessing risk takes identified risks and ranks them based on their perceived likelihood of occurrence and severity of impact. Assessing risk seeks to answer the questions *How likely is it to occur?* and *What are the consequences if it does occur?* (Garrick, 2008)

Answering these questions empowers faculty and staff to prioritize risks. Prioritizing risks is crucial because it focuses time, energy, and resources on the risks that are most likely and most consequential first, which helps reduce the immediate potential for harm or liability.

The risk assessment process, especially in the context of experiential learning, may require an approach that is more qualitative and subjective than quantitative and objective. For example, it may be possible that no student has ever been injured in a fieldwork course that requires a hike in the Great Smoky Mountains. However, it would be prudent to accept that a slip and fall during a hike is possible or even

probable. This assumption might not be scientifically measurable, but it is something that a reasonable person should consider when planning a hiking trip.

Bickel (2001) states that a university should “act with reasonable care to prevent foreseeable risks to student safety” (p. 1). This statement captures the intention underlying the process of assessing risks to determine their projected likelihood and impact. Janice Abraham (2013), president of United Educators, a leading higher education insurance company, writes that risk assessment “is not an exact science, but rather a process to develop priorities” (p. 14).

This distinction is important to keep in mind. Defining risk priorities enables faculty and staff to make informed decisions about how to effectively address those risks. In the hypothetical fieldwork course involving a hike in the Smokies, the first step is to identify risks that a reasonable person could foresee occurring during the experiential learning program. It is possible to identify these specific risks by consulting the National Park Service website, contacting the

park’s visitor centers, recognizing potential hazards in the specific fieldwork activity, talking to local experts, and recalling previous experiences.

Accordingly, these risks might include the following:

- Transportation to and from the learning site, including road conditions
- Unexpected trail closings
- Overnight sleeping arrangements (if applicable) and overnight food storage
- Falls, cuts, blisters, sprained ankles, allergic reactions, poison ivy, and bug bites and stings
- Encountering dangerous wildlife like bears or venomous snakes
- Dehydration, hunger, sunburn, or hypothermia
- Inclement conditions: snow, ice, rain, fire, lightning, cold, and heat
- Crossing bodies of water
- Cliffs and steep terrain
- Becoming lost in the park
- Loss of GPS signal or cellular service
- Any project-specific hazards, such as chemicals or potentially dangerous equipment
- Previous accidents or near-misses

In this scenario, the credible risks have been identified and it is now time to assess these risks. To assess risks, determine the likelihood and impact of each risk using descriptions that distinguish between categories of projected likelihood and impact.

Adapted from National Park Service, nps.gov/public_health/, accessed January 30, 2017.

Likelihood & Impact

Likelihood refers to the possibility that a given risk will occur (Smith, 2015). It might seem a bit difficult and subjective to determine the possibility of a hazard occurring, especially if it has never directly materialized in your experiential learning program. However, as the old saying goes, just because it hasn't happened yet doesn't mean it won't.

As seen in the court cases mentioned earlier, the universities that prepared for what could be reasonably foreseen to occur were much more successful in the courtroom than universities that ignored credible risks.

Although some might consider brainstorming the effects of hazards to be depressing or a waste of time, the best remedy to these perspectives is to reflect on the countless untold stories of lives that were saved, injuries that were averted, and financial resources that were protected because simple risk management procedures were adopted and implemented.

As another old saying goes, an ounce of prevention is worth a pound of cure.

Establishing Projected Likelihood & Impact

Five-point scales can be used to determine the likelihood and impact of each hazard.

LIKELIHOOD	Near-certain/certain: Factors necessary to cause a loss are always present. Controls to mitigate risks are nonexistent or seriously deficient. Event is highly likely to occur.
	Probable: Factors to cause a loss are usually present. Controls to mitigate risks are in place but a single event may result in a loss. Event has an above-average potential to occur.
	Possible: Factors to cause a loss are sometimes present. Controls to mitigate risks are in place but multiple failures of these controls may result in a loss. Event has the potential to occur.
	Unlikely: Factors to cause a loss are not normally present. Controls to mitigate risks are in place and generally prevent losses from occurring. Event has a low chance of occurring.
	Rare: Factors to cause a loss are rarely present. Controls are robust, in place, and typically prevent all losses. Event has not occurred before and is highly unlikely to occur.

IMPACT	Catastrophic: Single or multiple fatalities. Significant reputational damage or major financial loss to the university. Pervasive and protracted media coverage of event.
	Severe: Major debilitating injury to participant(s). Immediate emergency services and hospitalization required. Probable reputational damage or substantial financial loss to the university. Widespread media coverage of event.
	Moderate: Moderate injury to participant(s). Emergency services or hospitalization possibly required. Potential reputational damage or small financial loss to the university. Local media coverage of event.
	Low: Minor injury to participant(s). No emergency services or hospitalization required. First aid may be required. No reputational damage or financial loss to the university. Limited media coverage of event.
	Insignificant: Very minor injury to participant(s), if any. No first aid is required. No reputational damage or financial loss to the university. No media coverage of event.

These descriptions assist in identifying the worst credible scenario for each risk. It is true that a risk may have a very wide range of potential likelihood and severity, but the worst credible scenario is not necessarily the worst imaginable outcome. The worst credible scenario is based on what a reasonable person could foresee occurring given the circumstances of the activity. There are numerous factors specific to each activity that affect how significant the worst credible scenario might be.

For example, consider these two scenarios involving fieldwork in the Smokies:

Scenario 1

If students work primarily within the confines of a well-used trail, the worst credible likelihood and impact of a student falling might be a **possible** likelihood and a **moderate** impact. This incorporates Bickel's (2001) analysis that universities are expected to act with reasonable care to prevent foreseeable harm to students.

Given this framework, it could be reasonably assumed that a student could trip over a rock or tree root while hiking to the fieldwork site, fall, and break a bone. The worst credible scenario changes, however, when the conditions of the activity change.

Scenario 2

Imagine this same fieldwork is conducted near a small cliff and waterfall, and students must traverse slippery rocks to get to the fieldwork site. The worst credible likelihood and impact of a student falling is more significant than in Scenario 1. The worst credible scenario of a student falling might now be a **probable** likelihood and a **severe or catastrophic** impact. After applying Bickel's (2001) framework once again, it can be reasonably assumed that a student could slip on a slick rock, fall from a dangerous height, and be seriously injured or killed in this scenario.

When conditions change, the worst credible scenario also changes. It is therefore impossible to provide a "one size fits all" solution to different programs or even to different iterations of the same program. It is important to think through each specific program and consider the risks a reasonable person could foresee occurring during that experience.

The following chart contains examples of credible risks and the attendant likelihood and impact factors established for the fieldwork course. This chart continues Scenario 2, in which students conduct fieldwork near a small waterfall and steep cliff, and they must traverse slippery rocks to get to the fieldwork site.

RISK IDENTIFICATION & ASSESSMENT TABLE			
#	Credible Risk	Likelihood	Impact
1	Transportation accident: Driver hits another vehicle while driving rented UT van	Possible	Moderate/Severe
2	Injury: Fall from slick rocks near fieldwork site	Possible/Probable	Severe/Catastrophic
3	Allergic reaction to sting, bite, plant, food	Possible	Moderate
4	Dangerous wildlife attack	Unlikely	Severe
5	Becoming lost	Unlikely	Moderate
6	Inclement conditions: Forecast calling for cold temperatures and light snow	Probable	Low/Moderate (conditions may result in icy roads, which could exacerbate transportation risks)
7	Loss of GPS signal and cell service	Possible	Low/Severe (loss of cellular service causes a cascading failure, such as being unable to contact first responders if a student is injured during the activity)
8	Injury from using axes and sharp knives for fieldwork activity	Possible	Moderate

Prioritizing Risk

After identifying risks and determining likelihood and impact, it is time to prioritize the risks.

One commonly used tool to assist in risk prioritization is a risk map. Risk maps are helpful because they visually illustrate where an identified risk falls along an established risk continuum (Abraham, 2013).

The completed risk map classifies hazards into high, medium, or lower risk categories. These results can guide how resources are allocated to manage risks. While not a comprehensive solution, risk maps do play an important role in establishing which risks may require further scrutiny or management.

It is important to note, though, that risk maps do have their limitations. They are only as reliable as the determined likelihood and impact of each risk, and they must not act as a substitute for good judgment (Abraham, 2013).

The completed risk map on the following page reveals the identified and assessed hazards for the Smoky Mountain fieldwork scenario mentioned on p. 29.

RISK MAP					
	Insignificant	Low	Moderate	Severe	Catastrophic
Near-Certain/ Certain					
Probable			• 6	• 2	
Possible			• 3 • 8	• 1 • 7	
Unlikely			• 5	• 4	
Rare					

Lower risk
 Medium risk
 High risk

The risk map visually displays the category—high, medium, or lower—for the identified and assessed risks.

It is important to reiterate that a risk map is not a solution to risks. Nonetheless, risk maps are useful in equipping faculty and staff to give more careful consideration to the potential consequences of unmanaged risks within experiential learning activities.

Some identified risks may not be placed onto a risk map. These may be risks related to certain policies or procedures that may

impact whether a student can even participate in the experiential learning program. For example, did the student sign the required waiver and complete the required background check for an internship? Did the student purchase mandatory professional liability insurance? Questions like these are critical to ensuring that students can fulfill the specific requirements of each experiential learning opportunity.

Manage Risks

After identifying and assessing risks for an experiential learning program, the final step is to manage those risks.

Colleges and departments may have specific risk management strategies in place for experiential learning programs. These might include requiring students to purchase professional liability insurance, asking for background checks, or mandating drug screenings. For experiential learning programs, it is important to adhere to all college- and department-level risk management policies.

Managing risks well helps students enjoy a rich, rewarding experience while providing the university greater protections against liability. This is the phase of risk management in which practical, actionable strategies can be implemented to

promote safety and resilience. After all, simply making a list of identified and assessed risks is of little use if there are no established mechanisms to mitigate those risks.

The goal is to prioritize managing immediate risks in the high-risk section of the risk map and then to address the medium- and lower-level risks. This approach prioritizes the risks that are deemed most likely to occur and most impactful (Abraham, 2013).

Managing risks will often be done in concert with community partners or learning site supervisors if students will not be directly supervised by a faculty or staff member. For Experience Learning, the menu of risk management options consists of the following time-tested strategies: **treat, transfer, terminate, or tolerate** the risk (Smith, 2015).

1

Treat the Risk

Smith (2015) says “the right way to treat a risk may involve finding a way to make the unwanted event less likely, or softening the effects if it does occur” (p. 28). In other words, what can be done to diminish what makes the risk so risky?

Given the 12 types of experiential learning at the University of Tennessee, risk treatment is not a “one size fits all” approach. Different activities will have different risks and accordingly require a different treatment approach. Just as a doctor would not prescribe the same treatment for vastly different ailments, we must approach treating risks in experiential learning with flexibility.

Pre-program Orientation

One way to treat risks is by providing students with information about the risks they may encounter while participating in the program. This can be done through a pre-program orientation.

A pre-program orientation can mitigate risks in several ways. As discussed earlier, courts have occasionally faulted universities for negligence when they do not provide students with information about specific risks they may encounter in an experiential learning program.

The following list includes examples of the types of information it may be important to share in an orientation for your specific experiential learning opportunity. It is not intended to be a comprehensive list but a starting point for faculty and staff to brainstorm additional topics.

- Overview of experiential learning opportunity
- Academic expectations
- UT’s Student Code of Conduct
- Clearly defined roles and responsibilities for faculty, students, and learning site
- Overview of learning site
 - Location
 - Scope of work
 - Attire, days and times of service, total hours required for course credit, salary and benefits
- Contact information for learning site supervisor and student supervisor
- Specific risks associated with the learning site as identified in the site visit or as communicated by the community partner
- Overview of safety procedures as related to the experiential learning activity
- Discipline and dismissal procedures
- Transportation to and from the learning site

1

Treat the Risk (continued)

- Pre-service requirements such as background checks, mandatory reporter training, insurance, drug screenings, confidentiality contracts, and waivers—including any expenses borne by the student

Adapted from the Resource Guide for Managing Risk in Service Learning, California State University, Center for Community Engagement, calstate.edu/cce; Gallagher, 2008.

On-site Orientation

An on-site orientation is an effective way “for students to become aware of emergency policies, accident procedures, and the rules and regulations of the site” (California State University, 2011, p. 41).

This type of orientation introduces students to a learning site and allows them to interact with the site as well as the stakeholders with whom they will be working. On-site orientations should typically involve the students’ site supervisor and others with knowledge of the learning environment.

The following list includes examples of the types of information it may be important to share in an orientation for your specific experiential learning opportunity. It is not intended to be a

comprehensive list but a starting point for faculty and staff to brainstorm additional topics in conjunction with the learning site supervisors.

- Introduction of learning site supervisors
- Overview and tour of learning site
- Review of course expectations and students’ scope of responsibilities
 - Where and with whom do students check in each time they arrive at the learning site?
 - Where and how do students record their service hours?
- Overview of site safety
 - How to safely operate equipment or machinery included in students’ scope of work
 - Emergency procedures for the site
 - Emergency exits
 - Review of accident procedures at the site and explanation of what to do if there is an accident or injury
- Introduction of students to other learning site staff
- Inform students if they are expected to drive as part of their duties at the learning site

Adapted from the Resource Guide for Managing Risk in Service Learning, California State University, Center for Community Engagement, www.calstate.edu/cce; Gallagher, 2008.

Redesign of the risky activity

One strategy to reduce the liability or threat of harm associated with an experiential learning program is to redesign a high-risk activity. For instance, the Smoky Mountains fieldwork example could be redesigned to occur in a less hazardous location by not requiring students to work next to a waterfall or to traverse slick rocks.

Special considerations for students with disabilities

It may be necessary for students to fill out a confidential medical questionnaire to assess if they may have any special medical considerations during the experiential learning program.

Faculty and staff should consider in advance how accessible their experiential learning activities will be for all students participating in the program, with thoughtful planning and coordination with other offices on campus to discern if students with physical disabilities, medical needs, and mental health conditions can participate in the

activity or if they may require an alternate opportunity.

This process includes addressing issues of accessibility for physically disabled students, ensuring students have access to any necessary medications during experiential learning programs, and much more. The following information from Gallagher (2008, p. 11) captures the basis for such careful planning:

“Colleges and universities must protect student rights by complying with various statutes and regulations that may apply in the context of experiential learning programs, including:

- Age Discrimination Act of 1975
- Title VI of the Civil Rights Act of 1964
- Title IX of the Education Amendments of 1972
- Americans with Disabilities Act of 1990
- Section 504 of the Rehabilitation Act of 1973, and applicable state and local laws or ordinances”

Contact Student Disability Services if you have any questions about how to make your experiential learning program more accessible to all students.

2

Transfer the Risk

Transferring risk occurs when the burden of bearing a loss is shifted from one party to another. This is often achieved by purchasing insurance. For example, several colleges at the University of Tennessee require that students participating in experiential learning licensure programs purchase student professional liability insurance.

However, transferring risk through insurance does not actually reduce the threat of harm: insurance is purchased so that another party will bear primary financial responsibility for a covered loss. Additional risk management strategies are often necessary to lower the credible likelihood or impact of the risk.

For example, students may be required to purchase professional liability insurance before they participate in a medical clinical experience. It is nonetheless imperative to orient these students to proper procedures for their specific clinical placement to reduce the likelihood that they may accidentally harm themselves or others. Although insurance may cover the cost of such a mistake, it is important to conduct specialized orientations to educate students in addition to requiring insurance in these programs.

Liability waivers

Certain activities may require that students sign a liability waiver before they can participate. Liability waivers can be an important component of a robust risk management plan. They serve to inform participants of the nature of an activity, the inherent risks associated with the activity, and the potential consequences if those risks materialize (Cotten & Cotten, 2016).

Waivers can help absolve a university of liability by educating students about the risks associated with the experiential learning program and soliciting students' assumption of those risks. It may be helpful to think about waivers like this: waivers are pre-injury documents that inform participants of risk and waive their right to sue for injury or ordinary negligence (Cotten & Cotten, 2016).

Waivers and other legal documents are helpful tools to manage risks. Under some circumstances, however, waivers may not afford the university protection even if the participant signed the document:

- If the student is a minor—parents or legal guardians are often required to sign the waiver along with minor students
- In instances of gross negligence, in which university employees engage in acts or omissions outside the scope of their employment; or the acts or omissions were willful, malicious, criminal, or done for personal gain (Tennessee Code Annotated § 9-8-307(h))

3

Terminate the Risk

Another risk management strategy is to terminate high-risk activities. If all other risk management treatments have been exhausted and the burden of institutional liability remains too great, or if a reasonable person could foresee harm occurring during the activity, then terminating the activity may be necessary. Additionally, if the potential negative consequences associated with an activity reasonably outweigh the positive benefits, it may be prudent to cancel or significantly redesign the activity.

For example, if a sudden armed conflict springs up in a country and city where a study abroad program has traveled for the past decade, the program should be carefully evaluated to see if the risks of the activity outweigh the benefits. Although the armed conflict may temporarily or permanently prevent the study abroad trip from occurring in that country, it may be possible to replicate the trip in a different, safer country.

Fortunately, as this example demonstrates, it is often possible to substitute an alternate activity, or a portion of an activity, if the threat of harm or liability from the original activity is too high to tolerate.

4

Tolerate the Risk

It is impossible to eliminate every aspect of risk that may accompany an experiential learning program. If eliminating every risk were the only acceptable outcome, there would be no experiential learning opportunities!

Ultimately, after we treat, transfer, and terminate aspects of risk, we are able to tolerate the residual risks present in experiential opportunities because the severity of impact and likelihood of occurrence have been sufficiently diminished. It may be necessary to accept a certain threshold of risk to complete a program. In this instance, the remaining risk can be adequately tolerated once risk-reduction measures have been implemented (Smith, 2015). In other cases, the risk may be so insignificant that it does not warrant additional management. These are risks that have a low likelihood of occurrence and a low impact even if they did materialize during the program.

Monitor, Review, and Adjust Risks

The last component of the risk management cycle is to continually gauge the effectiveness of the risk controls and adjust them as needed.

It is important to listen to students and site supervisors throughout the program to evaluate how the risk management controls are working. Students and site supervisors each have unique perspectives that may validate the mitigation strategies or reveal unexpected hazards. Therefore, in addition to your own observations, it is important to solicit their feedback before, during, and after the program.

When new risk management concerns are discovered, it is necessary to adjust the program to prevent the hazard from occurring in the future or reduce its likelihood or impact.

Risk management is a continual cycle. As future courses or programs are offered, it will become necessary

to identify new risks, assess and manage those risks, and continually monitor and adjust the chosen mitigation strategies so the student experience at the University of Tennessee remains unparalleled in quality and excellence.

The Risk Management Cycle



The image shows a large, multi-story brick building, likely a university hall, with a prominent clock tower in the background. The scene is framed by bare tree branches in the foreground and a dense orange overlay. The text "UNIVERSITY POLICIES" is written in white, bold, sans-serif capital letters on the right side of the image.

UNIVERSITY POLICIES



University Policies

Students are expected to adhere to all university policies, including the Student Code of Conduct, while participating in any experiential learning program.

See the University of Tennessee's Policy Central at policycentral.utk.edu for more information about university policies, including the following:

- Programs for Minors Sponsored by a University Unit
- Minors in Laboratories and Shops
- Accident and Injury Reporting
- Lab Health and Safety
- Personal Protective Equipment
- FERPA



**STUDY
ABROAD**



Study Abroad

Study abroad is a unique type of experiential learning that can hold its own set of additional challenges due to the travel component and cultural elements included within the experience. The Center for International Education, through the Programs Abroad Office, provides students the opportunity to live and study internationally on trips ranging from a few weeks up to a semester or longer.

International experiences require thoughtful planning to comprehensively prepare for and address foreseeable risks that may arise. The Programs Abroad Office has emergency policies and procedures that are continually reviewed and updated for all approved programs. They also provide information on passports, visas, funding, pre-departure orientations, safety issues, and more.

The Programs Abroad staff works to equip faculty and staff leading study abroad trips to identify, assess, manage, and monitor the unique risks associated with each international opportunity. The office has partnered with International SOS and Cultural Insurance Services International to respond to emergency situations affecting university stakeholders traveling abroad. These organizations provide emergency translation services, medical and security evacuation, medical coverage, and repatriation.

The list on the following page provides contact information for the various entities you may use as you plan your study abroad experience.

Programs Abroad Office
865-974-3177

24/7 Emergency Contact Number:
865-789-2982 (For emergencies only, where the health or safety of a university stakeholder is an issue.)

The Programs Abroad Office works frequently with these organizations, but their services may not apply to every study abroad program.

International SOS
215-942-8478
Membership Number: 11BCAS080063

Cultural Insurance Services International (CISI)
855-327-1477
(toll-free in the United States)

Outside the United States
312-935-1703 (collect calls accepted)

Several government websites provide updated country-specific health and safety information.

The **US Department of State** offers information about safety and security concerns in specific countries and runs the Smart Traveler Enrollment Program, or STEP, which is a free service enabling US citizens to enroll their trip with the nearest US embassy or consulate. travel.state.gov/content/travel/en.html

The **Centers for Disease Control and Prevention** provides health information for travelers, including suggested immunizations and best practices to avoid becoming ill abroad. wwwnc.cdc.gov/travel/destinations/list

When out of the country and dialing a US number, don't forget to begin with the US country code +1.



CONTACTS

Campus Incident and Emergency Contacts

Emergency
911

UT Police (Emergency)
865-974-3111

UT Police (Main line)
865-974-3114

Facilities Services (Emergency)
865-946-7777

VolAware Student Hotline
865-974-HELP (4357)

Distressed Faculty and Staff Helpline
865-946-CARE (2273)

Campus Information
865-974-1000

Emergency Information Line
865-656-SAFE (7233)

Environmental Health and Safety
865-974-5084

Office of Emergency Management
865-974-3061

Dean of Students
865-974-3179

Office of Risk Management
865-974-5409

Office of the General Counsel
865-974-3245

Members of the university community are encouraged to sign up for the UT ALERT emergency messaging service. This service is designed to enhance and improve communication and keep students, faculty, and staff informed during an emergency on campus. The service will only be used for emergency contact purposes. It will not be used to distribute advertising or other unsolicited content. Subscribers do not pay a fee for the service other than regular fees associated with text messaging services (University of Tennessee, 2017b).

Furthermore, the Guardian app is one of the best ways to improve your personal safety and make campus a safer community. It provides rapid and proactive communications with friends, family, co-workers, UTPD, and 911 in the event of emergency (University of Tennessee, 2017a).

QEP Development Team

The QEP was developed by a team of faculty, staff, and students representing different parts of the university community. We would like to express our gratitude to Provost Emeritus Susan Martin, under whose leadership this initiative was pioneered. Note: Titles listed here were current at the time the QEP development team was active.

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Experience Learning was selected
as the QEP for UT in spring 2015.
Meet the members of our team at
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