

**CALIFORNIA STATE UNIVERSITY, SACRAMENTO
OFFICE OF RISK MANAGEMENT**

**ISSUES OF RISK
FOR THE STUDENT, UNIVERSITY (AND FACULTY MEMBER)
IN THE FIELD EXPERIENCE**

This outline is not all encompassing, but is a good starting point for considering risks when designing student field learning experiences.

Issues to consider:

RISK TO STUDENT

- Injury to student at the host site.
 - Host site safety practices
 - Host site nature of risks presented to students
 - University does not protect student for Workers' Compensation or for injury.
- Violent clientele at the host site (such as Social Work counseling). Host site presents a threat to student by virtue of its location
 - Drug infested neighborhood
 - Homicide history of neighborhood
 - Dark streets
 - Dangerous access to car after experience hours.
- Sexually hostile worksite toward student. Could certain types of students be seen as the vulnerable or weak?
- Race/ Ethnicity hostile worksite
- Violence in the workplace
- Unsafe working conditions or practices.
 - Toxic substances, chemicals,
 - Working at heights, around high voltage, carrying heavy loads
 - Machinery, pinch points, manufacturing processes, cold or heat
 - Safety program, training and personal protective equipment (PPE) in place?
- Any of the above may result in Liability claims against University and faculty member.
- Student Transportation – to/from host site. Always make it clear that students are responsible for their own transportation.

RISK TO HOST SITE

- Sexual harassment by student of host site employees and clients
- Fidelity loss by student against host site.
- Student's acts at host site result in liability claim by third party.
- Violation of privacy and confidentiality rules, records
 - Creates liability to the host site.
- All above may result in Liability claims against University and Faculty member
- Lawsuit by Student against host site for injury to student

- Workers' Compensation exposure

RISK TO UNIVERSITY

- Negligent Supervision of student by faculty member.
 - Results in Liability claim by host site against University
- Injury to student
 - Result in Liability claim by student against University.
 - Faculty approval of this assignment and or worksite exposes University to liability.
- Reputational risk to the University
 - Something goes wrong and it looks bad in the press.
- Political risk to the University
- Educational risk – Student complains that their time resulted in no learning or achievement. “University failed to educate me...”. Give me back my tuition. Make up my lost future earnings.

RISK TO FACULTY MEMBER

- So long as faculty member performing duties in the course and scope of employment (and not knowingly or intentionally violating University directives) the faculty member will be defended and indemnified by University.
- University does not protect faculty member for Intentional acts (Cal. Govt. Code)
- University does not protect faculty member for acts outside course and scope of employment.
- University does not protect faculty member for sexual harassment or acts of violence in the workplace. (Cal. Govt. Code)
- If faculty member knowingly violates procedure and protocols (such as entering contract without authority) there is no protection and faculty member can be held personally liable.
- Does the field experience relate to a core learning objective of the course, or is it just for a lark?

OTHER ISSUES:

- Host site wants to pay student wages or stipend.
 - Creates employer relationship – there needs to be a clear delineation of fact when student is paid by host, that they are now employees of host and no longer functioning as students.
- Faculty member wants to student to receive stipend from grant.
 - University could easily be deemed employer.

BEST PRACTICE:

- Risk management is everyone's job. Think in terms of risk management.
- Consider the potential risks. Don't be afraid to decline a particular experiential event if your gut so indicates. Don't wear blinders.
- When in doubt, contact Dept. Chair, Dean, and/or the Risk Manager.