

San Francisco State University  
Audit, Risk and Compliance Committee

**February 23, 2017**

# Agenda

- Introductions and Vision
- 2017 CO Risk Assessment Update
- Campus Claims Update
- Featured Speaker: Mary Ann Begley
  - Discussion Topic: Time, Place & Manner
- Business Continuity Update
- Campus Safety Week, April 17<sup>th</sup> – 21<sup>st</sup>
- Residential Housing Safety and Security
- 2017 ARC Committee Meeting Calendar & Wrap Up

# Chancellor's Office Risk Assessment Update

# Campus Claim Update

# Annex II Fire

- January 24, 2017 Fire in Annex II resulting in damage to fine art objects being prepped for exhibit
- 41 pieces irreparably damaged
- 73 objects to be restored
- Over 1,000 boxes containing art and artifacts undergoing smoke and soot remediation

# EPL and WC Claims Data

Workers' Compensation and Employment Practices Liability Claims are historically our two biggest risk-related cost drivers

- Overview of campus EPL and WC claim trends
  - Data is current as of 12/31/2016

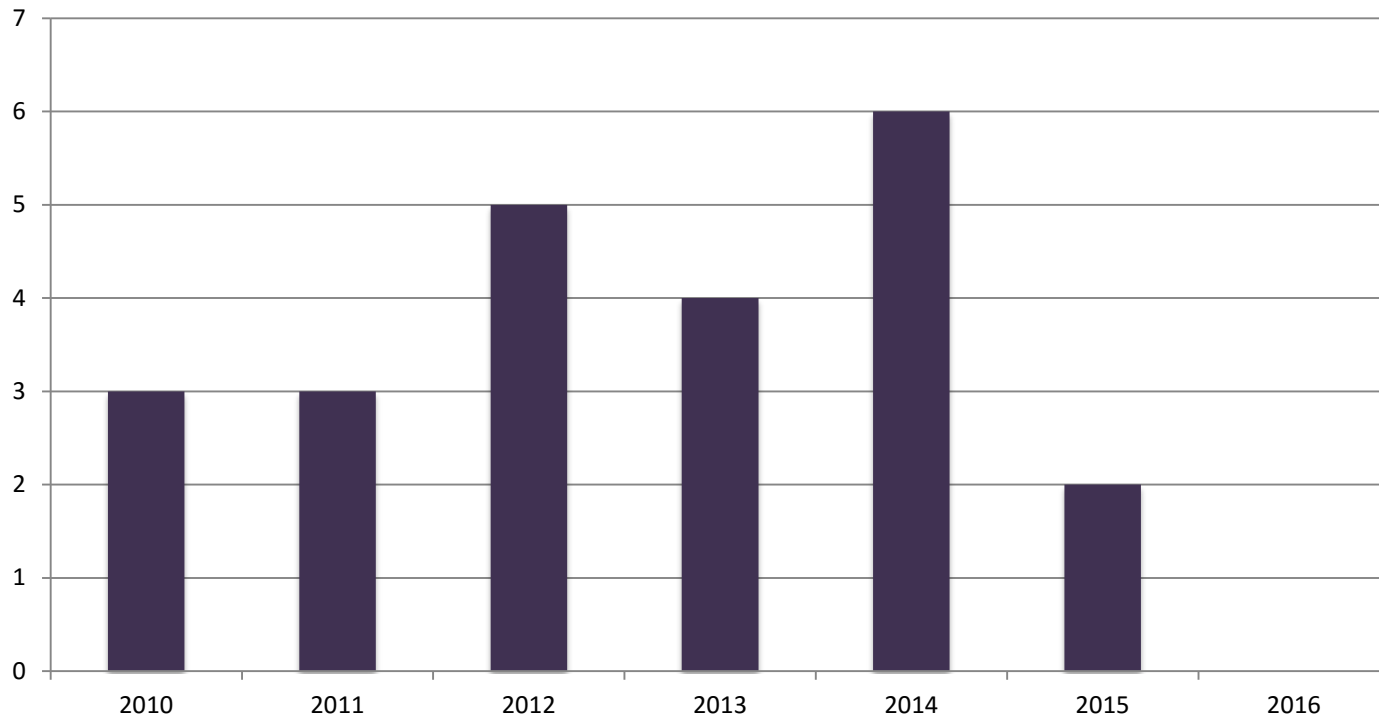
## Next Steps:

- Data will be further broken down to present department trends
- Deans and Directors will be presented with the data for review and comment

# Employment Practices Liability

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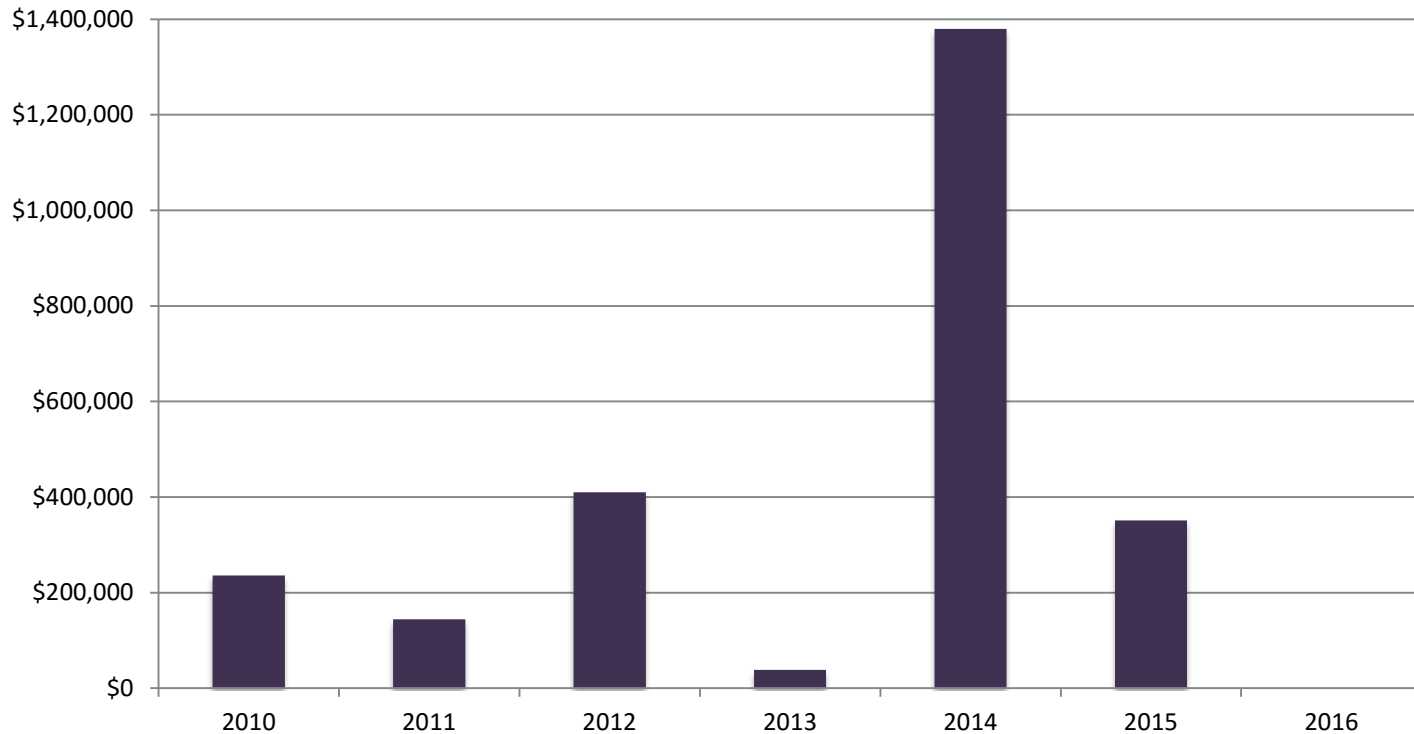
Number of EPL Claims



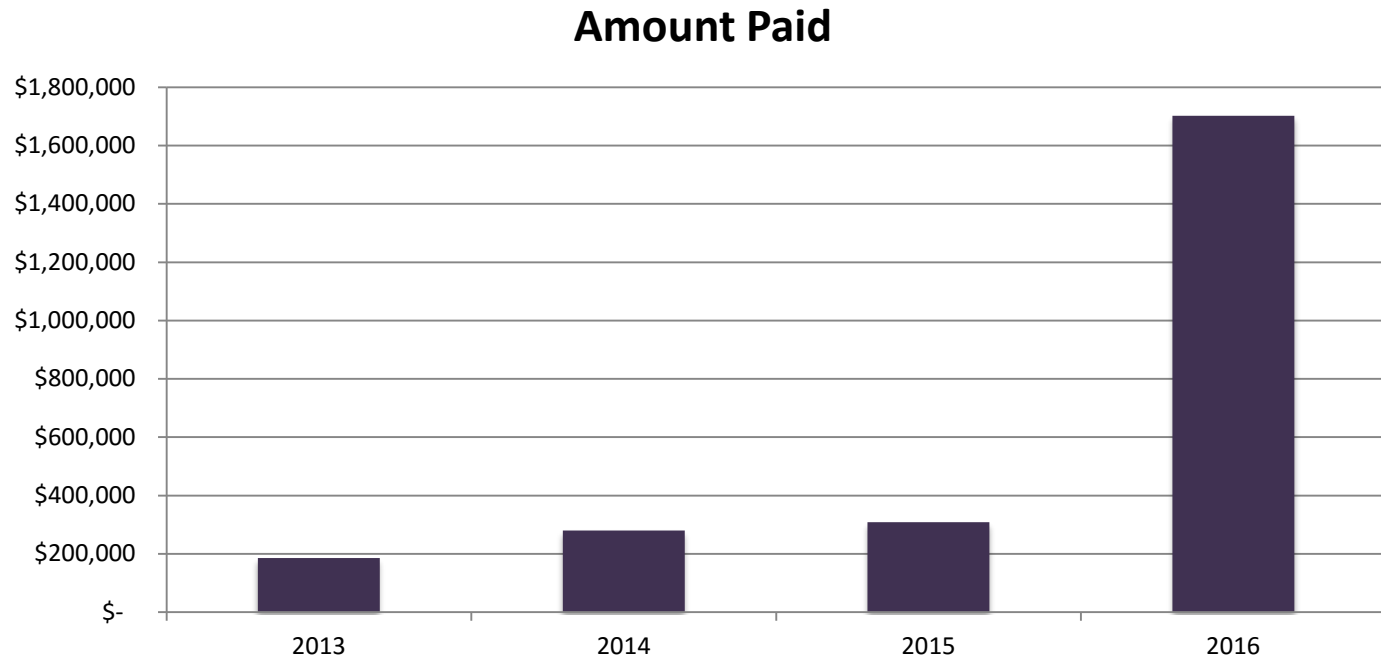


# Employment Practices Liability

**Claim Costs Incurred**

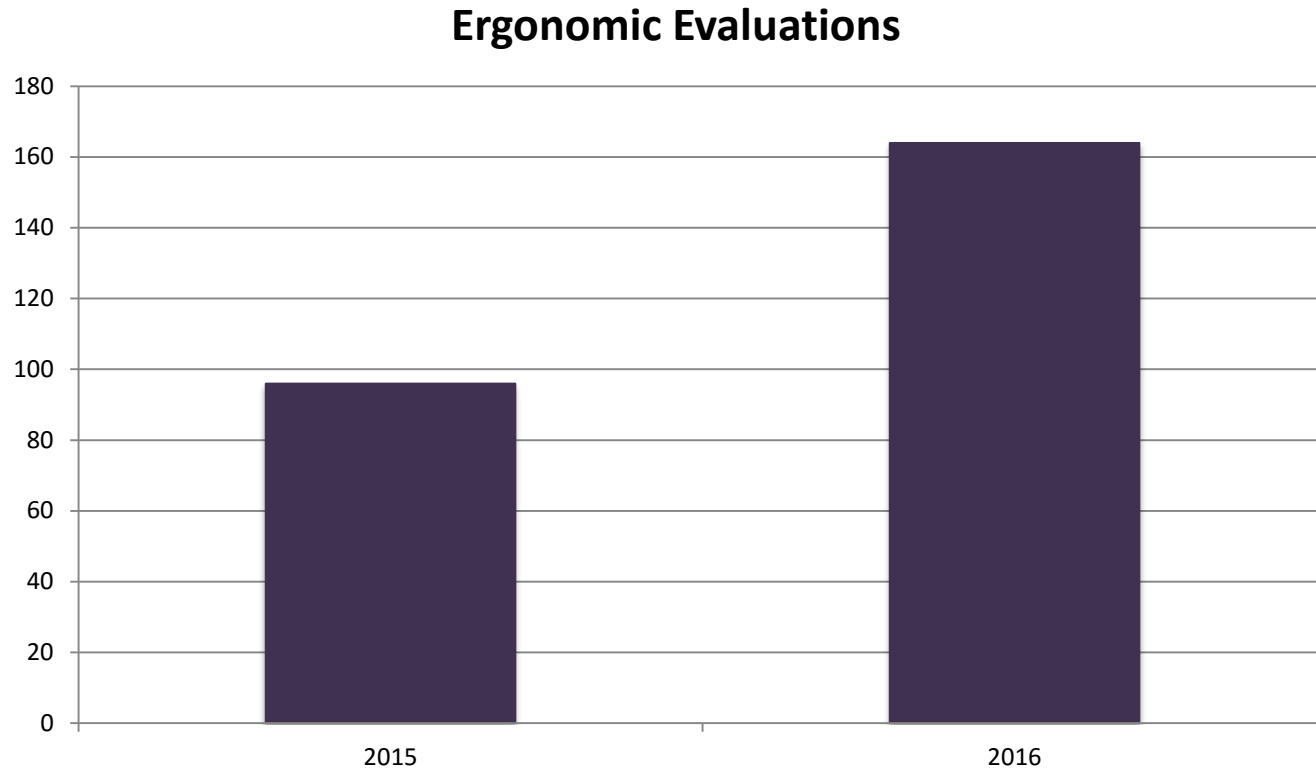


# Employment Practices Liability



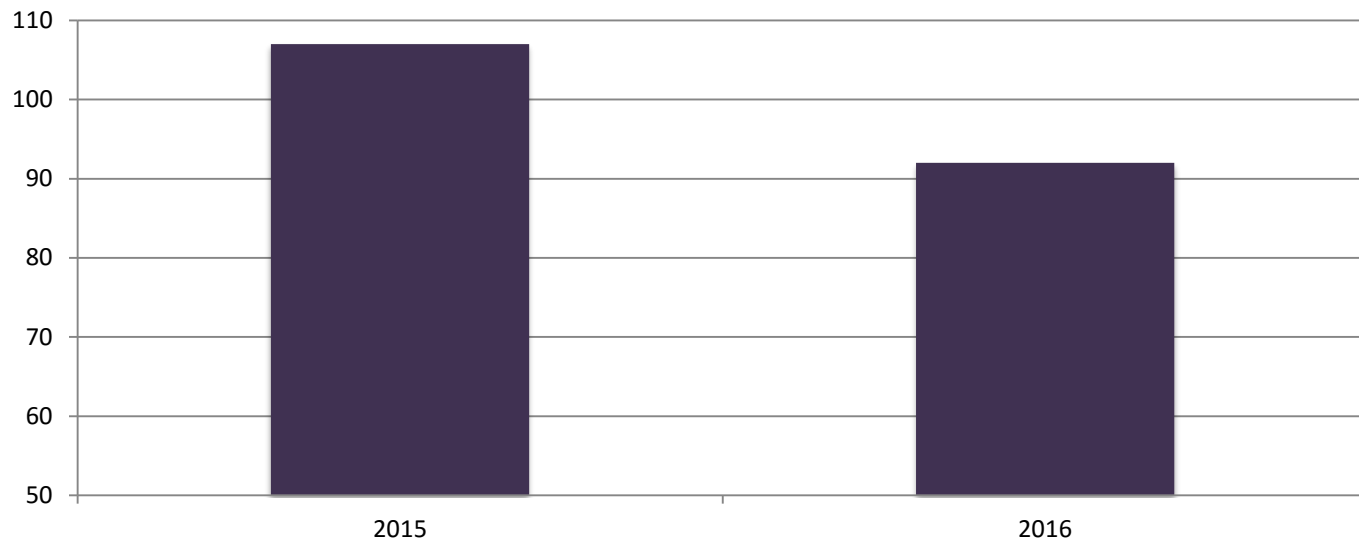
# Workers' Compensation

# Ergonomic Evaluations



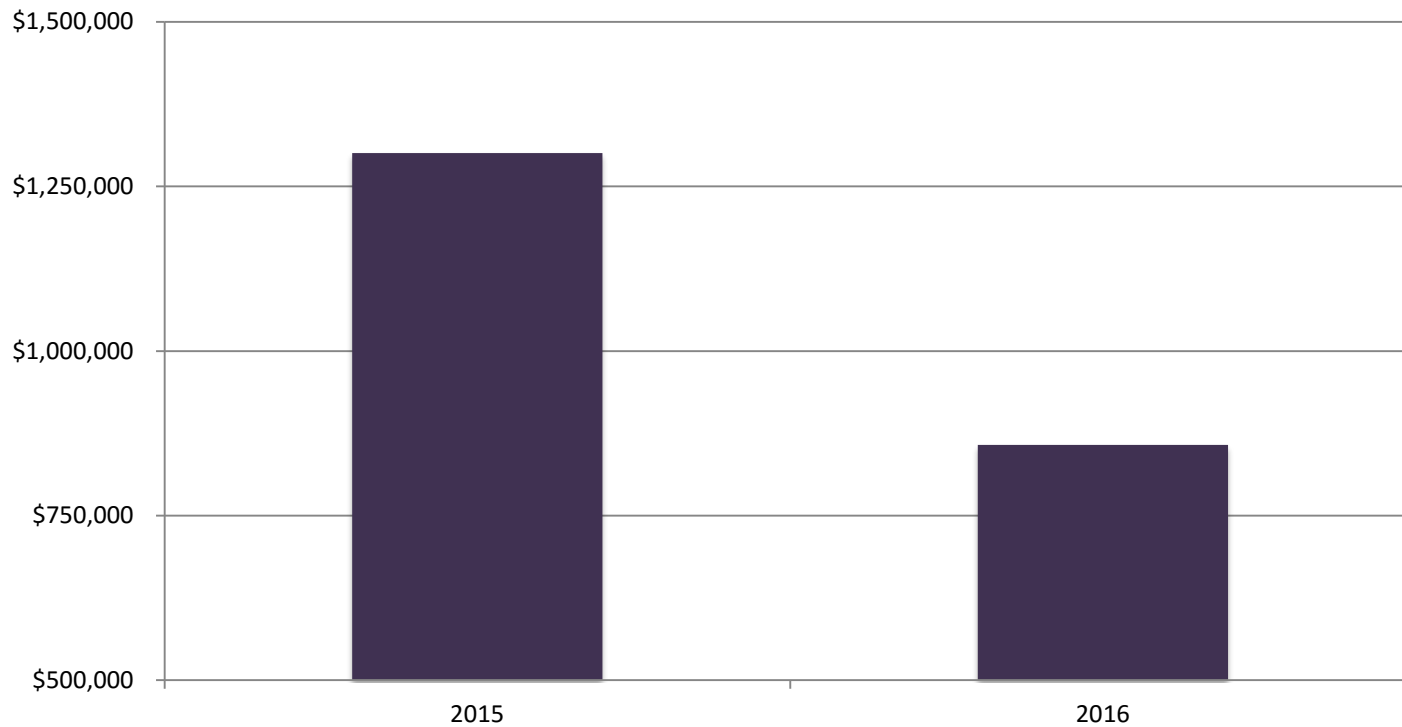
# Workers' Compensation

**Work Comp Claims  
Frequency**



# Workers' Compensation

**Work Comp Claims  
Severity**



# Time, Place & Manner

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Inclusive, Educational, Responsive, Empowering

# Reconciling Equity & Inclusion with Freedom of Speech





- Social injustice exists in our communities, regardless of whether or not they are stated explicitly
- The most important tool we have to combat speech we hate is more speech
- Empowering individuals to engage in dialogue, rather than silencing, is key to advancing justice

# Principled Response to Freedom of Expression Challenges



## Our Choices

- Inclusive or protective
- Responsive or reactive
- Educational or emotional
- Empowering or controlling

# Dispelling Myths & Misconceptions

Hate Speech, Hate Crimes, True Threat, Heckler's Veto, Content Restrictions & the  
Brandenburg Test

# Hate Speech

- Speech that offends, threatens, or insults groups based on race, color, religion, national origin, sexual orientation, disability, or other traits
- Hate Speech is still free speech and therefore protected speech



# Content Neutral Restrictions



- Restrictions which are “justified without reference to the content of regulated speech...”.
- Restrictions which limit expression without regard to the content or communicative impact of the message conveyed.
- *See, Virginia Pharmacy Board v. Virginia Citizens Consumer Council, Inc. (1976)*

# Content Neutrality in Responding to Speech



- Consistent
- Disciplined
- Multipartial
- Reasonable
- Enforceable

# Our Current TPM Executive Directive

# Application & Enforcement

This is not a student policy. It applies to all community members at SF State as well as any guests and visitors of the University.



Activities on the SF State campuses are permitted during the University's standard operation hours and may not interfere with or disrupt University business. Activities that are permitted include, but are not limited to, the following examples:

- Interference with classes in session or other scheduled academic, educational, cultural/arts programs or with use of the library;
- Obstruction to the free flow of pedestrian or vehicular traffic;
- Employing unauthorized sound amplification;
- Violating any federal, state, or local safety code, including regulations set by the State Fire Marshal;
- The visual blockage or the physical displacement of performers/programs that have reserved a venue;
- Activities that damage facilities or interfere with necessary facilities maintenance and repair activities or the function of campus utilities (sewer, water, power, etc.); Activities that create substantial unreimbursed cleanup costs;
- Outdoor Lodging/Camping on the campus, at any time, day or night; and
- The erection of any structure(s) on campus without University approval.

# Amplification

- Amplified events are routinely scheduled through LEAD to take place in the Malcolm X Plaza Monday through Friday from 12 p.m. – 2 p.m. during the academic year, with the exception of the last week of classes and finals week for each semester. Amplification for any other location and/or time requires special permission through LEAD. Waivers must be requested in writing at least five (5) business days prior to the event unless necessitated by extraordinary circumstances.
- At outdoor events on campus, the amount of amplification is controlled through the use of a sound meter to ensure that sound does not exceed 75 decibels 25 feet from the amplified sound source.

# Handbills & Circulars

- No person or persons shall, upon any of the grounds on campus cast, throw, deposit, or distribute any advertising handbills or circulars which contain false, misleading, or illegal advertising.
- Distribution of literature may occur in University outdoor areas as long as pedestrian traffic is not impeded.
- Materials may be posted only on indoor campus bulletin boards not identified for specific purposes or functions and authorization must be obtained from the individual college/school/department within the building.
- Outdoor signs may be posted in appropriate locations as designated by Facilities and Services Enterprises.

# Reserving University Venues

- University departments should work directly with the appropriate venue scheduling office regarding reservation requests and/or questions. Departments hosting large campus events should also notify the Director of Special Events.
- All student organization events must be approved by LEAD ten (10) business days prior to the proposed event date. Recognized student organizations should submit reservation requests directly to the appropriate venue scheduling office, but confirmation is not complete until LEAD approval is granted. Student organizations hosting events in a large campus venue will also be required to attend a University partners meeting. During the meeting, all event details will be discussed and based on the event information recommendations will be provided concerning event needs and University expectations.

# Reserving University Venues

- All events being hosted by off-campus sponsors must work directly with the Director of Special Events. The Director serves as a liaison between the event sponsor and the University.
- Spontaneous events occasioned by news or issues coming into public knowledge may be held on campus without advance permission so long as they adhere to all University policies and the restrictions outlined above (see section IV). Student organizations and departments are strongly encouraged to work in collaboration with LEAD and UPD to assist with event coordination.

# SAEM & A&F Response

- Make necessary Notifications
- Initiate Contact with Leaders
  - Determine a Campus Point of Contact
    - (Students- possibly DOS, Faculty & staff- A&F)*
  - Initiate a Dialogue
  - Assist with Needs
  - Establish/Maintain Communications
- Liaison w/ Policy Group & EOC Leaders
  - Present Demands/Options
  - Return Dialogue
  - Work with the EOC to draft & prepare messaging for campus community

# Five point engagement protocol

- The following incremental interventions will take place should disruption occur:
  - First instance – Campus Point of Contact will make a verbal request to cease the disruption.
  - Second instance – Campus Point of Contact, accompanied by a University Police Department (UPD) officer, will reiterate the verbal request to cease the disruption and also inform students that failure to comply may result in a charge of Code of Student Conduct violation and possible removal under CA Penal Code Section 403.
  - Third instance – Campus Point of Contact, again accompanied by a UPD officer, will reiterate again the verbal request to cease the disruption and notify them again of potential administrative and/or legal consequences.
  - Fourth instance - Failure to comply will result in removal by UPD and documentation of behavior for referral to Office of Student Conduct or HR (as applicable) for investigation and sanctioning, as warranted.
  - Fifth instance - Continued disruption thereafter may result in arrest/citizen's arrest.

# Business Continuity Update

- Most A&F divisions have completed at least a first draft of their plans.
- Business Continuity Scenario-Based Workshop (late March or early April)
  - Provoke thoughtful discussion around campus-wide common solutions
  - Identify areas for improvement and possible resource allocation
  - Prepare for EOC tabletop exercise hosted by UPD during the week of April 17<sup>th</sup>

More details to follow shortly





# Campus Safety Week

April 17 - 21

- Campus Safety Week – Daily Training Sessions
  - Tentative Training Sessions:
    - First Aid, CPR, AED Training
    - Active Shooter Training
    - Back Safety Training
    - Natural Disaster Preparedness Training

*Note: Open to all faculty, staff, and students*

# Campus Safety Week

April 17 - 21

- Campus Safety Day: Wednesday, April 19<sup>th</sup>
  - Safety Training and Tabling
    - American Heart Association – Hands Only CPR
    - SFFD – NERT Information
    - Personal Emergency Preparedness Kits
    - UPD Campus Safety

Suggestions for trainings or booths?

Volunteers Needed

Contact Solinna: [solinnak@sfsu.edu](mailto:solinnak@sfsu.edu)

# Let's Talk Risk Schedule



**March 2, LIB 244 1 pm – 2 pm**

Time, Place & Manner

Speakers: Michael Beatty, Mary Ann Begley, Jason Wu

**April 6, Location TBD 1 pm – 2 pm**

Information Security: Data is Forever, Don't Give it Away

Speaker: Julianne Tolson

**Suggestions?**

Contact Solinna: [solinnak@sfsu.edu](mailto:solinnak@sfsu.edu)



# Residential Housing Safety & Security



# 2017 ARC Meeting Schedule

- Wednesday, April 19, 2017
- Wednesday, June 14, 2017
- Wednesday, August 23, 2017
- Wednesday, October 18, 2017
- Wednesday, December 13, 2017



**ARC**