

Guidelines for Academic Units

Regarding University-Sponsored Travel and Risk-Related Activities

The forms referenced below are required any time students and/or members of the public participate in travel and/or risk-related activity that is sponsored by The University of Texas at Dallas.

A Release and Indemnification Agreement must be completed and signed before a student or member of the public (including volunteers) may participate in the activity or travel. If students or members of the public will be traveling to an activity with a faculty or staff member, a *Medical Information and Release Form* also is required before participation can be allowed. There are two different sets of release forms, one for adults and one for minors. A minor is any person who has not yet attained the age of 18. In addition, there are two different indemnification release forms, one for foreign travel **(including travel to Mexico and Canada by students and members of the public)** and the other for travel within the 50 United States and Puerto Rico.

Links to the policies, procedures and required forms are on the [Travel-Related Risk](#) web page. From UTD's home page, use the Index under "T" to find Travel and Risk-Related Activities.

Because these documents are updated regularly, you must use the Travel and Risk-Related Activities page to find the most current version of the information and forms. The **Exhibit B16** form, for foreign travel approval for state employees, is to be used for faculty and/or staff traveling with the group of students. It has been added to this web page for convenience. The forms at this site are writable Adobe forms. Please follow the instructions provided on each form.

As it is not possible to anticipate every fact scenario that may arise in these situations, these guidelines are only intended to be general advice. The following questions and answers cover many situations you might encounter. If you have additional questions on these or other travel and risk related matters, please contact Christina McGowan (cgm130130@utdallas.edu / 972.883.4791.)

Frequently Asked Questions

What Mode of Transportation Is Appropriate?

1. Student wants to travel in personal vehicle: Circumstances such as terrain, road conditions, length of trip, etc., may make it more prudent that students go with available group transportation. In some situations, it may be that travel with the group should be required. The faculty/staff member and/or supervisor in charge of the activity/travel should consider this issue as he or she would any safety matter. As with all of these issues, the use of caution and common sense are an important part of this process.

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In all cases where an *adult* participant is permitted to choose to drive/ride in private transportation, that circumstance should be described by the faculty or staff member in the Mode of Transportation section on the *Release and Indemnification Agreement* before the student signs the form. Because no faculty or staff member will be traveling with the student, no *Medical Information and Release Form* is required.

For *minor* participants, the key issue is giving notice to parents regarding exactly how their child is to be transported to/from the activity. The Mode of Transportation information should describe with some specificity the mode of transportation to be used.

It would be best to limit the transportation of *minors* who are not accompanied by a parent/guardian to UTD leased or rented vehicles driven by professional, commercial drivers or by UTD employees who have completed UTD driver training and who are acting within the scope of their employment. Such a requirement should be stated on the *Release and Indemnification Agreement* form.

2. What if a lawyer parent refuses to sign the release forms for a *minor*? In those cases, where the parent/guardian of a minor will not sign the releases, the *minor* should not, as a general rule, be allowed to participate. There is a distinction between our normal curriculum and activities that are not part of the curriculum and are open to non-students. This is particularly true in regards to *minors*. In the few cases where we might have a minor participant in an activity that is a mandatory part of the curriculum and a parent refuses to sign the releases the matter becomes more difficult. These situations should rarely arise, but, when they do, they have to be handled on a case-by-case basis and you should contact the Associate Provost (972.883.6742.)

3. In the case where the faculty/staff member is providing transportation in a personal vehicle, if there were an accident, would the faculty member's personal insurance be involved? Would it be better for the faculty/staff member to rent a vehicle rather than using a personal one? Employees are strongly discouraged from using personal vehicles for conducting official University business, especially when it involves transporting students or members of the public. The University provides liability coverage only for employees using their personal vehicles while conducting official University business. **However, the liability coverage in this case applies only as a secondary coverage to the employee's personal auto policy. This means that your insurance pays first and that you would be responsible for your deductible.** The better practice would be to use a University leased or rented vehicle rather than a personal one. The State of Texas' contracts with rental car companies afford insurance coverage for rented vehicles used for University business.

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4. Is driver's training required if I am going to rent a regular car? No. However, driver's training is required for any University employee who is driving students and/or members of the public in a University-owned vehicle. For information on driver training classes and MVR checks, please contact Environmental Health and Safety (972.883.4111) and go to <http://www.utdallas.edu/ehs/programs/safety/> for additional information.

Which Forms Do I Use When?

5. If the activity is a series of events throughout the semester or academic year, such as field trips for the school children at Callier or various engagements for the Chamber Singers, does the parent or student have to sign the release forms for each separate activity? No, the faculty or staff member of the sponsoring unit may complete the *Release and Indemnification Agreement* section for Mode of Transportation with a reference to an attached schedule of activities, with dates, times, and places; then, a single form will suffice. If the activity is one in which the student will travel individually in the student's choice of transportation, no *Medical Information and Release Form* is required.

6. Why don't employees (faculty and staff) need to complete the release forms? Generally speaking, these forms would not be applicable to employees as they are covered by Worker's Compensation Insurance when performing duties within the scope of their employment.

7. When students, who are also employees, travel to attend professional meetings to present a paper or for other purposes, are the release forms required? The answer will depend on the facts of the situation, the destination, and the specific purpose of the travel. If the professional meeting will take place in a location outside of the United States, a student traveler, even one who is a University employee, must comply with the appropriate student travel authorization process established by the International Center Risk and Safety Office. More information is available at <http://www.utdallas.edu/rs/student-authorization/>. For travel within the US and Puerto Rico, the primary consideration for determining whether or not release forms should be prepared is whether the person is traveling in her/his role as student or employee. Completed release forms generally are not necessary for UT Dallas employees when they travel in the US or Puerto Rico; however, when a person is traveling as a student, appropriate forms should be used. When trying to determine a person's travel status as student or employee, it should be determined whether the travel in question is within the course and scope of the student's job duties. For example, is the student employed as a TA or an RA? For a TA, travel to attend a professional meeting probably would not be considered part of the job duties of a TA; rather, the person would be traveling as a student and the forms would be required, even if an academic department is paying some or all of the expenses. If the person traveling is an RA, it is very possible that attending a professional meeting to present a research paper is job related and within the course and scope of the person's job duties. In that instance, the person would

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be traveling as an employee and the forms would not be required unless foreign travel is involved. When the situation is a mix of these and other factors, and if one is uncertain about whether these policies and procedures apply in any situation, it is best to assume they do apply and to use the appropriate form or forms.

8. Why don't members of the public who attend a University open-to-the-public event have to complete the release forms? Under some circumstances, practicality must prevail. Large numbers of people and no prior registration make use of the procedures impractical.

9. Does every student who enrolls in a Chemistry, Biology, or other risk-related lab course need to complete the release forms? The short answer is no. If, however, your perception of risk involved in a lab course or other activity gives you pause, you should consider using the forms. Contact the Office of the Provost (972.883.6742) if you have questions or concerns.

10. A high school teacher wishes to bring students to campus to attend one of my lectures ... for National Chemistry week, students will be visiting our campus and lab ... are release forms required? No, when activities are on campus, the forms are not necessary as a general rule. An example of an exception would be a high school honors student working in a UT Dallas chemistry lab during the summer. The Office of General Counsel has advised use of the forms in that situation.

11. What about events like a sports activity at a Department/School picnic? Are the release forms used for those events? For intramural-like activities, the form used by the Office of the Dean of Students for intramural team events may be appropriate. Each member of the team signs a single team form. It contains a disclaimer covering students and members of the public, and it also states, "University employees are given notice that participation in the activity or sport noted below is not within the course and scope of their employment with The University of Texas at Dallas." This means that Workers' Compensation does not apply. These forms may be obtained from the Office of the Dean of Students (972.883.6391.)

12. Do you always use both release forms? The *Medical Information and Release Form* is used only when faculty and/or staff are traveling with the participants and could need this information if there were an accident or other medical emergency.

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13. A student told me that some of the questions on the medical information form make the University in violation of the federal HIPAA law. Is the student right about that? No, that is not correct. UT Dallas has adopted a Hybrid Entity approach to HIPAA (Health Insurance Portability and Accessibility Act) for its privacy and security regulation compliance. The only portion of UT Dallas that is a covered entity subject to HIPAA is the School of Behavioral and Brain Sciences and its functions associated with the Callier Center for Communication Disorders. The rest of the University is not. Therefore, the information subject to the Medical Information and Release Form would not be considered protected health information that is subject to HIPAA, and the form need not be HIPAA-compliant. The forms should be treated as confidential records that are secured at all times. The University's HIPAA Privacy Officer is Donise Pearson, Director of Clinical Operations, Callier Center (214.905.3133.) Additional information may be obtained by contacting Ms. Pearson.

14. Are the release forms required for off-campus coops, internships, student teaching, and practica? If the site is one over which neither UTD nor UT System have authority and one for which there is no ongoing Affiliation Agreement, the answer is yes, the *Release and Indemnification Agreement* is required. As a general rule, these activities involve individual students traveling on their own in a mode of transportation of the student's choice and no *Medical Information and Release Form* is required.

15. Some courses require students to visit a museum and/or attend the theater, but the student decides the place, time, or manner of transportation. Is a release form required? When the University is not specifying place, time, and manner of transportation for an activity, no *Release and Indemnification Agreement* is required. This is the case even if the student is a *minor*.

16. A student is presenting a paper at a professional conference in Hawaii. A faculty member will also be attending the conference, but the student is paying all costs himself and is making his own travel and hotel arrangements. Should we be using these procedures and forms? No because these policies and procedures apply only to University-sponsored activities.

More About Forms

17. Is it OK to have students sign the release forms two months in advance? Yes. It is good practice, however, to ask each student to verify emergency contact information just prior to leaving for a trip. The information may have changed. Also, if dates of travel, destination, and/or mode of transportation change, it would be necessary to have signed forms with the correct information.

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18. The Release and Indemnification Agreement requires a witness signature. Is that really necessary? Such a signature is not an absolute requirement, but is good practice. The witness usually is the faculty or staff member who receives and processes the release forms for the travel/activity.

19. How long do these records need to be maintained? Two years from the last day of the activity. The Custodian of these records is the RUO/Authorized Sponsor identified on page three of the *Student/Team/Group Domestic Travel Authorization* form (**Exhibit B14-D**.) See the [Travel-Related Risk](#) web page.

20. May copies of class rolls be used for the list of student names that must be provided to the University Police when travel is involved? Yes. The class roll may be attached to either the *Student/Team/Group Travel Authorization* form (**Exhibit B14-D**) or to the *Student/Team/Group Foreign Travel Authorization* form (**Exhibit B14-F**.) The *Domestic Travel Authorization* form (**Exhibit B14-D**) should be provided to the University Police by the academic unit. In the case of foreign travel, the *Foreign Travel Authorization* form will be provided to the University Police by the Education Abroad Office in the International Center. The “Custodian” of the indemnification and medical forms shown on page three of the *Domestic Travel Authorization* form should be the name and phone number (both home or cell, and office) of the designated campus contact person.