

## Attorneys

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## Office of General Counsel

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## When Going To-and-Fro

Generally, a University does not have a duty to protect students from harm when they are involved in off-campus or extracurricular activities. As trends have changed to recognize more privacy interests and the independent, adult status of students over past decades, courts generally have found that the University does not need to act as a “parent” or protector to the student.

However, there are some limited circumstances under which the University, through its actors, may assume responsibilities in connection with off-campus activities. These may arise in contexts such as field trips, service-learning arrangements and trips, community service, assignments off campus,

international trips, mentor programs and other similar off-campus activities.

Some of the common questions asked include who is responsible for injuries to a student, who is responsible for injuries caused by the student, and what insurance obligations or recommendations apply. In response to these questions, we can make recommendations to better protect the University from potential liabilities, if any.

We encourage you to contact our office before planning or engaging in University-related off-campus activities so that we may provide a legal analysis as to the extent of University involvement and any necessary liability protections.

## International Trips

In May 2010, Provost Mason sent a memorandum letter to deans, department heads and all faculty reminding everyone that all University international trips, such as study abroad programs, study tours and similar travels, must be processed through the Office of International Programs.

Liability and potential risks to the University make this central coordination essential. For a copy of the memorandum or questions about this requirement, please contact Karli Webster, Director of Study Abroad, at [karlis@k-state.edu](mailto:karlis@k-state.edu) or 785-532-5990.

## Students of Concern

K-State has many resources available to help students of concern. When confronted with a student issue regarding behavior, health or welfare, it’s important to remember that you are not alone. Please utilize the expertise and assistance available on campus.

In an emergency situation, call 911. In other cases, it may be appropriate to listen, respond and make a referral. If you have concerns about a student’s privacy rights, please call us to discuss, but safety of our students and community is always our first priority.

If you are concerned about a K-State student, contact the Office of Student Life at 785-532-6412. Trained staff in the OSL can reach out to K-State students who seem to be having difficulty and intervene before things reach a crisis level.

Reports of sexual violence, domestic or dating violence, or stalking should be referred to K-State police at 785-532-6412 for criminal and safety efforts and the Office of Affirmative Action at 785-532-6220 for University action. The K-State Women’s Center can be reached 24 hours a day at 785-532-6444 and can provide advocacy and support. Other allegations of discrimination should also be referred to the Office of Affirmative Action.

Students who report medical, mental or emotional concerns can be referred to Lafene Health Center at 785-532-6544 or K-State’s Counseling Services at 785-532-6927. Counseling Services’ phone is answered 24/7.

The Office of Student Life is an excellent resource for any student issue. It has recently completed a comprehensive Student of Concern Guide. Call 785-532-6432 to request hard copies for your



### Students of Concern continued

employees and lobby areas, or access it online at [k-state.edu/studentlife/concern-guide](http://k-state.edu/studentlife/concern-guide). The Office of Student Life also has an online Student of Concern reporting web form, which can be found at [k-state.edu/studentlife/crisisassistance/studentconcern.html](http://k-state.edu/studentlife/crisisassistance/studentconcern.html).

In addition, remember to sign up for K-State Alerts, which is the University's emergency notification system that gives campus authorities the ability to communicate emergency information quickly to the University community through text messaging, alert beacons and automated phone calls. Sign up at [k-state.edu/safety/alerts](http://k-state.edu/safety/alerts).

## Featured FAQ

### Q: How do I get permission to use the University's logo or other trademarks?

A: Kansas State University is the owner of all rights, title and interest in its name and marks/logos, and any use of these marks is controlled under a licensing program administered by K-State's Director of Licensing. For questions about logo licensing, contact the Director of Licensing at 785-532-6269 or see K-State Trademark Licensing at [k-state.edu/logos/FAQ.html](http://k-state.edu/logos/FAQ.html).

The Kansas State University wordmark must appear on all University print and electronic communications, regardless of source of funding. This includes letterhead, envelopes and business cards in a standard format. Copies of the University's brand guide and current marks are available from the Division of Communications and Marketing at [k-state.edu/vpcm](http://k-state.edu/vpcm). For more information, please call 785-532-2535 or email [vpcm@k-state.edu](mailto:vpcm@k-state.edu).

For more FAQs, please visit our website at [k-state.edu/generalcounsel/faq](http://k-state.edu/generalcounsel/faq).

### Visit our website:

[k-state.edu/generalcounsel](http://k-state.edu/generalcounsel)  
Our website gives an introduction to the services we provide and addresses frequently asked questions. It also houses a list of resources for easy access to laws and policies applicable to University operations.



## Dear Atty

*We have initiated a new advice column called "Dear Atty" to receive and answer legal questions you have about conducting business on behalf of the University. Please send your questions for publication to [attys@k-state.edu](mailto:attys@k-state.edu), including Dear Atty in the subject line. We may reword questions for conciseness, clarity and consolidation, and we will always publish questions anonymously.*

Dear Atty,

### How do the University and the KSU Foundation fit together?

– Will U. Tell

Dear Will,

Kansas State University ("KSU") is part of the state of Kansas, while the KSU Foundation ("the Foundation") is actually a separate corporation under Kansas law. Furthermore, KSU does not control the Foundation – that is done by the Foundation's Board of Directors and its

President and CEO. But the Foundation, by its organizing documents, exists to support KSU.

The Foundation supports KSU in numerous ways, most importantly by soliciting, managing, investing and distributing donated gifts. The Foundation also manages many of KSU's donated income properties around the state and can sometimes provide oversight and/or financing for construction projects that do not use state dollars.

The President and CEO of the Foundation, Fred Cholick, sits on President Schulz's cabinet. Cholick was formerly Dean of the College of Agriculture at the University.

## Quote of Day

"It's remarkable how much you can accomplish if you don't care who gets the credit."

– Harry S. Truman

### About this Publication:

This newsletter is designed to serve as a practical informational tool, bringing you topics of interest and practical tips. It should not be relied on as a substitute for legal advice. Laws, regulations and policies change frequently, and legal advice requires careful consideration and application of all relevant facts. If you have legal questions or need legal advice concerning any University matter, please contact the Office of General Counsel directly at 785-532-5730 or [attys@k-state.edu](mailto:attys@k-state.edu)