



Releases of Liability at SMU

SMU may require the use of a release of liability in certain circumstances to manage risk related to on and off campus events affiliated with SMU. Briefly stated, there are two requirements to ensure enforceability of a release of liability under Texas law:

1. The party giving up rights must be given “fair notice” of both:
 - i. the risks of the activity the party will engage in (specific to event—date and location of event and exact activities/possible outcomes the party will face) and
 - ii. the exact nature of the rights being given up (specified in standard waiver language).
2. The release language must be conspicuous—for example, in bold letters and/or a larger font than the rest of the document. It must be obvious to the party that he/she is signing a document that waives certain rights.

Frequently Asked Questions

What kind of event requires a release of liability?

Any event coordinated by SMU, on or off campus, for which participation is voluntary, requires a release of liability. The following are examples of events which might require a release of liability:

- Student organization’s kickball fundraiser
- On-campus camp for community children
- Off-campus volunteer opportunity for students
- Athletic field rental
- Orientation field trip

How can I get a release of liability for my event?

If you are organizing an on or off campus event affiliated with SMU, the Office of Legal Affairs would like to create a release of liability for your use. To request a release of liability from the Office of Legal Affairs, please email Alyssa Mooney at amooney@smu.edu and provide the following information:

1. Name of event
2. Date of event
3. Location of event
4. Organization/group coordinating the event
5. If off campus, is SMU providing transportation to participants?

6. What kind of activities will occur during the event (ex: athletic competition, construction site tour, field day, use of lab facilities, arts and crafts, interaction with community members, etc.)
7. Will any minors (under 18) be participating in the event?

What if I have minors participating in my event?

If minors (individuals under 18 years of age) are participating in your event, their parents or guardians must sign minor-specific releases of liability for the event. Please let the Office of Legal Affairs know that you need a release of liability for minors when making your request.

What if I want to take/post photographs of the participants?

The Office of Legal Affairs will add language to your release of liability that will grant you permission to take and post photos from your event for SMU purposes. Let us know that you would like this language to be included in your release.

Can I have participants sign the waiver electronically?

At this time, the Office of Legal Affairs does not support electronic waivers. We ask that a paper waiver is collected before participation in the event.

What do I do with collected waivers?

The department and/or organization hosting the event should maintain a paper and/or electronic copy of all signed waivers for two (2) years following the event.

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