



EASTERN CONNECTICUT STATE UNIVERSITY

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Study Away Emergency Playbook

A guide to managing emergencies

The Office of Global Learning

2023





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Introduction

This Study Away Emergency Playbook was developed to guide the response of Eastern Connecticut State University's Office of Global Learning in responding to Study Away emergencies. This playbook aims to ensure that Study Away emergencies are properly assessed, vital information is gathered, and prompt case specific action is taken.

Definition of an Emergency

An emergency is described as posing a genuine and/or immediate risk to the safety and well-being of a participant. Study Away emergencies include:

- Serious illness or injury
- Mental health crisis
- Sexual Assault
- Missing student
- Arrest
- Hostage
- Political crisis, terrorism, natural disaster, and man-made disaster
- Student death

A situation is deemed not an emergency if it poses no immediate threat to the health, safety, or wellbeing of a student or staff. In non-emergency cases, the Office of Global Learning will assess the situation and determine action steps to address the incident and support the students or staff involved.

Assessing Emergency Incidents

Assessing an emergency and its impact:

A level of impact is assigned to all Study Away incidents with 1 being limited impact to 3 being significant impact.

Level 1: The incident has limited impact on students, staff or Eastern and can be addressed and/or managed through routine actions.

Level 2: The incident has the potential to increase in severity or have a broad impact. It may require additional support or collaboration to manage and/or address.

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Level 3: The incident presents substantial risk and/or significant impact to students or staff abroad or jeopardizes the reputation of Eastern and Office of Global Learning. Requires immediate action and broad collaboration from the Emergency Response Committee.

Examples of Incident Impact

Note: Incidents should be assessed on a case by case basis. Student history, context of the situation, and other factors can influence an incidents' level of impact. Two similar incidents could have different impact levels depending on the details of the incident. The details of an incident should be collected using the Incident Report Form and the incident specific questions included in this document.

Level 1 Incident: (Limited Impact)

Lost documents, money, or flight

Minor injury or illness

Petty theft

Minor Road accident

Student discipline

Travel delays

Level 2 Incident: (Potential Broad Impact)

Alcohol or drug abuse

Arrest / criminal charges

Family emergency

Serious injury or illness

Level 3 Incident: (Significant Impact)

Assault (sexual and other)

Epidemic outbreak

Hostage situation

Missing/Unresponsive student

Kidnapping

Natural or human disaster

Political or civil unrest

Death

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Emergency Incident Reporting

When handling a Study Away Emergency, it is pertinent to have the student's emergency contacts and the Director of Co-Curricular Academic Programming cellphone numbers accessible.

The priority is handling the emergency as it occurs. Once you have a moment, you should text the Study Away coordinator, **Chris Drewry**, at **(203) 577-7658** to notify him of the incident. Additionally, notify the student's emergency contacts. You have access to student emergency contacts via the class's health information spreadsheet, which was shared with you by the Office of Global Learning prior to the departure.

After the emergency has been taken care of, complete the Emergency Incident Report [here](#).

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Incident Specific Questions, Action Steps, and Resources

This section includes a checklist that should be consulted in all Study Away emergency situations, important questions that should be asked in each designated emergency, preliminary action steps to take to manage and address the emergency, and useful resources during emergencies.



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Checklist for Study Away Emergencies

Questions to ask:

- Collect information by asking questions related to the incident (see incident report and action the incident specific action plan for guidance)
- Collect contact information of individual reporting incident for follow-up
- Assess situation and provide direction to on-site students, faculty, staff, or third-party contact on next steps.
- Consult key University official's experts as necessary (e.g. Eastern's Health Services)
- Consult Eastern personnel abroad or third party contact for additional information
- If necessary, Director of Co-Curricular Academic Programming will convene the Crisis Management Team for emergencies that require support.
- Maintain communication with affected student(s) and faculty/staff abroad
- Inform and update key campus officials (see key contact list for guidance)
- Inform and update Office of Global Learning staff members as appropriate (maintaining confidentiality and adhering to FERPA, ADA, etc. regulations)
- Maintain communication and reassure concerned parties (i.e. family, friends, etc.) by returning calls, emails, and notifying emergency contacts as appropriate.
- Communicate with University Relations if public awareness is required.
- Refer any media inquiries to University Relations

Questions to ask in all emergencies:

1. What are the details of the emergency?
2. What is the current physical and psychological condition of affected participant(s)?
3. Who is supporting the affected student(s) in the country currently?
4. What is the imminent risk to participant(s) if they remain where they are? (Are they safe)
5. Are all program participants (directly involved or not), aware of the emergency?
6. If applicable, how are the students responding to the emergency?
7. Are the student(s) basic needs being cared for (e.g. food, water, housing, & medical care)?
8. What information do student(s) need to know if the situation worsens?
9. Should student(s) be evacuated / return home?
10. Who has been contacted and is aware of the emergency (e.g. parents, university officials, etc.)?

Resources to consult:

1. Emergency incident report
2. ECSU Emergency Response Committee
3. U.S. Department of State resources

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Serious Illness or Injury

Questions to ask:

- Has the student received emergency treatment?
- What is the medical diagnosis, prognosis, and prescribed treatment?
- What treatment has been received?
- Has the overseas insurance provider been contacted?
- Are other Eastern participants at risk?
- Contact information for physician, clinic, and other health professionals treating student(s).
- Contact information for any local law enforcement or public security officials involved?

Serious Injury or Illness

Actions Steps

Sample situations under the category of a serious injury or illness might include:

- an auto accident
- an accident resulting from recreational activities (mountain climbing, hiking, skiing etc.)
- a serious illness
- a loss of consciousness
- a drug overdose

Responding to a serious injury or illness:

- Assist the student in finding appropriate medical care at a reputable hospital/clinic.
- Talk to the physician treating the student to assess the severity of the situation.
- Keep a log of your discussions with the attending physician, the student involved, and/or staff from the host institution. Record the circumstances that led up to the accident/illness using the incident report form.
- Communicate with the third-party adviser and/or Eastern Faculty member. Depending on the severity of the illness/injury, Study Away may contact the student's "emergency contact." Study Away may also inform other campus officials if it appears necessary.
- Do not speak to the media unless you have been instructed to do so by University Relations or other officials.

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- Continue to monitor the situation by maintaining contact with the attending physician. In some situations, the student may need to be evacuated in order to receive appropriate medical treatment.
- Inform the student's professors that he/she will be absent from class.
- Provide appropriate information to the other program participants.

Resources to consult:

- Student(s) medical history
- Student(s) insurance documents
- Eastern Health Services
- Third-party contact
- Eastern Police
- Local Embassy or Consulate & U.S. Department of State Resources

Resources for Medical Emergencies

A consular officer from the U.S. embassy or consulate can assist in locating appropriate medical services and informing family or friends if a U.S. citizen becomes seriously ill or injured abroad. If necessary, a consular officer can also assist in the transfer of funds from the United States. However, payment of hospital and other expenses is the patient's responsibility. Local medical and emergency information can be found on the website of the U.S. embassy or consulate near the ill or injured person.

For Country specific information on U.S. embassies and consulates abroad:

[Official list of embassies from the U.S. Department of State \(usembassy.gov\)](https://usembassy.gov)

For an authoritative reference on physicians abroad, consult the American Board of Medical Specialists:

[ABMS | American Board of Medical Specialties](https://www.abms.org)

For information about student CISI coverage (medical and emergency evacuation) through Eastern:



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Mental Health

Questions to ask:

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- Is insurance provider involved/aware?
- What medical treatment has the student received?
- Is counseling available?
- Does the Emergency Response Team need to be convened?
- Have the student's parent/guardian(s) been contacted?

General Mental Health or Substance Abuse Problems

Action Steps

Behaviors that may be indicate mental health or substance abuse problem include:

- missing classes on a frequent basis
- withdrawing from friends and activities
- exhibiting unusual behavior

Each mental health case is unique and requires a personalized treatment plan developed with a mental healthcare professional.

If a student is exhibiting any of the above symptoms/behaviors, take the following actions:

- Consult Eastern Counseling and Psychological Services on how to support the student.
- Gather details of the situation by speaking to the student, the third-party adviser, Eastern Faculty involved. Record what you learn.
- Contact Eastern Counseling Services to discuss the potential causes of the student's behavior and ascertain an appropriate course of action.
- If recommended by Eastern Counseling Services, discuss the student's options for seeing a local psychologist/psychiatrist and next steps.

Severe Mental Health or Substance Abuse Problems

Actions Steps

A student with a more serious psychiatric or substance abuse problem might:

- exhibit severe disruptive behavior with a suspected psychiatric basis
- be severely emotionally disturbed, create disturbances, or be a danger to him/herself or others
- attempt suicide or speak to someone about doing so
- be severely disruptive due to alcohol or drug use

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Your response should be as follows:

- Call the Emergency Response Committee for a meeting to discuss the situation and student support. Consult Eastern Counseling and Psychological Services and discuss how to address the situation and support the student.
- Gather details of the situation by speaking to the student, the third-party adviser, Eastern Faculty regularly interacting with the student and record what you learn.
- Assess the extent of the emergency and the student's support network (family, friends, roommates etc.)
- Assess whether the student will voluntarily seek help. Refer below for next steps.

If the student will voluntarily seek help:

- Arrange for the student to see a counseling professional immediately. Have the student escorted to the appointment with one or two supportive people.
- If necessary, arrange for the student to be hospitalized. In some cases, a student may need to be evacuated in order to receive appropriate treatment.
- With the student's consent, Study Away will notify the student's designated emergency contact person and other involved parties on a need-to-know basis. Be prepared to talk to the emergency contact yourself, if requested.
- If the student does not give consent, work with the Faculty or Third-Party Supervisor to plan follow-up support.
- Prepare to assist and support other involved persons.
- If the student's condition continues to be a threat to their safety, others' safety, or if it is disrupting the educational process for his/herself or others the administrative management committee will determine next steps and whether to send the student home.

If the student will not voluntarily seek help, but does not appear to be dangerous to him/herself and/or others:

- Assess who can be called upon to persuade the student to seek help. Work with those persons to persuade the student to obtain treatment.
 - Consult Eastern Counseling and Psychological Services to discuss appropriate action.
 - Establish behavioral limits with the student. Put the limits in writing. Make it clear to the student that if the behavior continues, further limits, including dismissal from the program, will be instituted
- If the student will not voluntarily seek help and appears to be dangerous to him/herself and/or others:
- Assess who can be called upon to persuade the student to seek help. Work with those persons to persuade the student to obtain treatment.
 - If necessary, and if such procedures exist in the host country, the Faculty Director may petition to have the student involuntarily committed to a hospital. In most circumstances, however, arrangements will be made to have the student sent back to the United States for treatment.

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Resources to consult:

- Student medical record
- Student's insurance documents
- Eastern Mental Health Services
- Third-party contact
- Local Embassy or Consulate & U.S. Department of State Resources

Resources for Mental Health and Substance Abuse Abroad

For Country specific information on U.S. embassies and consulates abroad:

[Official list of embassies from the U.S. Department of State \(usembassy.gov\)](https://usembassy.gov)

For an authoritative reference on physicians abroad, consult the American Board of Medical Specialists:

[ABMS | American Board of Medical Specialties](https://www.abms.org)

For information about student CISI coverage (medical insurance and emergency evacuation) through Eastern:



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Sexual Assault or Harassment

Questions to ask:

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- What has been the on-site response?
- Has the student received medical treatment?
- What is the medical diagnosis?
- Is someone supporting the student in country?
- Has the local U.S. consulate or embassy been contacted for advice on reporting?
- Has appropriate local law enforcement been notified?
- Does the Response Team need to be convened?
- Contact information for any local law enforcement or public security officials involved
- Have the student's family been contacted?

Sexual Assault or Harassment

Action Steps

If a student is the victim of a rape, attempted rape, or other violent sexual assault, follow these procedures:

- Convene the Emergency Response Committee to discuss actions. Be sure to include Eastern's Chief of Police, SART Coordinator, Counseling and Psychological Services, Student Health Services.
- Gather as much information as possible using the Incident Report Form and Incident Specific Questions.
- Discern the level of physical injury or emotional disturbance and clarify with the victim the degree to which they wish to involve local authorities, the host institution and/or the local police.
- If there is obvious physical injury, ensure that the student receives urgent care. If there is no obvious physical injury, with the victim's consent, have them transported to a local health facility.
- If there are obvious signs of emotional disturbance, consult a psychologist/psychiatrist and provide immediate support to the victim.
- Determine the laws and procedures for dealing with sexual assault in the host country and inform the student of their rights
- Maintain a log throughout the crisis.
- With the student's consent, the Office of Global Learning will also inform the student's designated Emergency Contact person and aid the student in activating their support network.
- Any media inquiries should be referred to University Relations and adhere to FERPA.

If the student declines assistance:

- Escort/transport the victim to home or designated location, if not already there.
- Inform the victim that you will contact them later to determine if assistance is desired.
- Provide the victim with the phone number of reputable hospital/clinic, psychologist/psychiatrist, and any other sexual assault resources that may exist.
- Provide law enforcement information as well.

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- Contact the psychologist/psychiatrist and brief him/her of the situation. Inform her/him that the victim has refused assistance, but that he/she may be in contact.
- Contact the SART Coordinator for advice on next steps. With the student's consent, the Office of Global Learning will also inform the student's designated emergency contact person and aid the student in activating her/his support network.
- Write a log and clearly note the circumstances surrounding the offer of assistance and the student's refusal to accept such assistance. Update the log as the crisis continues.
- Brief the Emergency Response Committee on a regular basis.
- Refer all media inquiries to University Relations.
- Inform the victim that you will contact them later to determine if assistance is desired.
- Provide the victim with the phone number of reputable hospital/clinic, psychologist/psychiatrist, and any other sexual assault resources that may exist.

Resources to consult:

- Student medical record
- Student's insurance documents
- Eastern Health Services
- Eastern Mental Health Services
- Local Embassy or Consulate & U.S. Department of State Resources

Resources for Mental Health and Substance Abuse Abroad

For Country specific information on U.S. embassies and consulates abroad:

[Official list of embassies from the U.S. Department of State \(usembassy.gov\)](https://usembassy.gov)

For an authoritative reference on physicians abroad, consult the American Board of Medical Specialists:

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Missing Student

Questions to ask:

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- When was the student last seen? Does anyone have any idea where the student might be?
- What was the date and time of expected return (if known)? Did the participant notify anyone of plans to be absent?
- Has local law enforcement been notified? (e.g. missing persons' officer or public security officer)
- Are search and rescue operations available on site? Are these reliable? Have they already been initiated?
- Contact information of appropriate officials at the U.S. Embassy:
- Are other Eastern student participants aware of the emergency? How are they responding?
- Have the other Eastern student participants been briefed on what to do if they have communication with or find the missing participant?
- Is assistance through health insurance or travel available and/or needed?
- Does the response team need to be convened?
- Have the student's parent(s) been contacted?
- Have Eastern authorities been contacted?

Missing Student

Action Steps

If a student is reported missing take the following action:

- Convene the Emergency Response Committee to discuss actions. Work closely with Eastern's Chief of Police to determine appropriate actions.
- Gather as much information possible using the incident specific questions and the incident report form.
- Talk to the individual who has reported the student missing and any others (friends, third-party staff, faculty, host family members, and roommates) who might have knowledge of the student's whereabouts.
- Try to determine when the student was last seen and/or the circumstances around which the student has been missing.
- Find out if they left information with anyone as to where s/he might be going. Also, find out if the student was engaging in any unusual behavior.
- If you are unsuccessful in determining where the student is, inform host institution authorities of the situation. Contact the local police and check hospital admissions.
- If the student has not been located within 24 hours of the first report of a disappearance, file a report with the local police and contact the student's emergency contact.
- Provide appropriate information to other program participants, faculty and the third-party staff.
- Once the student has been located, inform the Office of Global Learning and all appropriate persons on-site. Global Learning will notify the appropriate persons in the U.S. If necessary, activate procedures for "Serious Accident or Illness" or "Crime Against a Student".
- Refer all media inquiries to University Relations.

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Resources to consult:

- Student's insurance documents
- Third-party contact
- Eastern Police
- Local Embassy or Consulate & U.S. Department of State Resources
- University Relations

Resources when Students are Missing

For specific information about students missing abroad:

[U.S. Citizens Missing Abroad \(state.gov\)](https://state.gov)

Contact information for U.S. Embassies and Consulates can be found at the website below:

[Official list of embassies from the U.S. Department of State \(usembassy.gov\)](https://usembassy.gov)

For information about student CISI coverage (medical insurance and emergency evacuation) through Eastern:



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Crime Against a Student

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Questions to ask:

- What was the crime committed against the student?
- What are the details of the incident (including identifying information about the person(s))?
- Is someone supporting the student in country?
- Has the local U.S. consulate or embassy been contacted for advice on reporting?
- Has appropriate local law enforcement been notified?
- Does the Response Team need to be convened?
- Contact information for any local law enforcement or public security officials involved?

Crime Against a Student

Action Steps

If a crime is committed against an Eastern student abroad proceed with the following:

- Contact Eastern Chief of Police for advice on appropriate steps.
- Convene the Emergency Response Committee for support and decision making.
- Determine the identity and present location of the victim(s) and perpetrator(s).
- Ensure that the physical and emotional needs of the victim(s) are being attended to.
- Gather as many facts as possible using the incident specific questions and incident report form.
- Keep a log of all information you gain.
- Contact campus security (if applicable) and the local police.
- Contact the Office of Global Learning and inform them about the incident. Global Learning will determine if any other individuals or offices at UI or the host institution should be involved, especially in regard to supporting the victim.
- Brief Administrative Committee on a daily basis until situation resolved and fully addressed.
- Inform University Relations of any media inquiries.

Resources to consult:

- Third-party contact
- Eastern Police
- Local Embassy or Consulate & U.S. Department of State Resources

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- University Relations

Resources for Crime Victims

Consular duty personnel are available for emergency assistance 24 hours a day, 7 days a week, at embassies, consulates, and consular agencies overseas and in Washington, D.C.

If you need to contact the Office of Overseas Citizens Services in the U.S. or Canada, call 1-888-407-4747, or from overseas call 202-501-4444.

Consular personnel know the local government agencies and resources in the country. They can help you:

- Replace a stolen passport
- Contact family, friends, or employers
- Obtain medical care
- Address emergency needs that arise as a result of a crime
- Obtain general information about the local criminal justice process and information about your case
- Obtain information about local resources to assist victims, including crime victim assistance and victim compensation programs
- Obtain a list of local English-speaking attorneys

For more crime specific information on assistance overseas visit:

[Help for U.S. Citizen Victims of Crime \(state.gov\)](https://state.gov/help-for-u-s-citizen-victims-of-crime)

Contact information for U.S. Embassies and Consulates can be found at the website below:

[Official list of embassies from the U.S. Department of State \(usembassy.gov\)](https://usembassy.gov)

For information about student CISI coverage (medical insurance and emergency evacuation) through Eastern:



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Arrest and Detention

Questions to ask:

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- What are the details of the arrest? Is the student currently in police custody?
- What are the conditions of the jail? How is the student reacting to the arrest?
- What agency made the arrest and filed the charges? Have they indicated when the student will be released or procedures for release?
- Contact information for arresting authorities?
- Official case number?
- What are the rights of the student?
- Is the student entitled to phone or email privileges?
- Has a local or international attorney been contacted?

Arrest and Detention

Action Steps

If a student is arrested, follow these procedures:

- Consult the Chief of Police for advice on appropriate actions.
- Assess the situation as quickly as possible. Determine who, what, when, where, how and why using the Incident Report Form and Incident Specific Questions.
- Contact the U.S. Embassy Consular Officer. Ask the Consular Officer for the names of lawyers who can give the student legal help s/he requires and provide this information to the student (if possible). The Consular Officer should also work to ensure that the student's human rights are not violated.
- Contact the student's emergency contact person and connect them with the U.S. Embassy Officer.
- Make sure the student is informed of their rights while being held. Explain the legal procedures of the host country. Maintain close contact with the U.S. Embassy Officer assigned to the student.
- Provide regular updates to the Office of Global Learning until the crisis is resolved. Global Learning will maintain contact with the student's emergency contact person.
- Refer all media inquiries to University Relations.

Resources to consult:

- Student medical record
- Student's insurance documents
- Third-party contact
- Eastern Police
- ECSU Judicial Affairs
- Local Embassy or Consulate & U.S. Department of State Resources

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Resources for Arrest and Detention

The Department of State is committed to ensuring fair and humane treatment for U.S. citizens imprisoned overseas. We stand ready to assist incarcerated citizens and their families within the limits of our authority in accordance with international law, domestic and foreign law.

Consular Assistance to U.S. Prisoners:

- Provide a list of local attorneys who speak English
- Contact family, friends, or employers of the detained U.S. citizen with their written permission
- Visit the detained U.S. citizen regularly and provide reading materials and vitamin supplements, where appropriate
- Help ensure that prison officials are providing appropriate medical care for you
- Provide a general overview of the local criminal justice process
- Inform the detainee of local and U.S.-based resources to assist victims of crime that may be available to them
- If they would like, ensuring that prison officials are permitting visits with a member of the clergy of the religion of your choice
- Establish an OCS Trust so friends and family can transfer funds to imprisoned U.S. citizens, when permissible under prison regulations

For more crime specific information on arrest overseas visit:

[Arrest or Detention of a U.S. Citizen Abroad \(state.gov\)](#)

Contact information for U.S. Embassies and Consulates can be found at the website below:

[Official list of embassies from the U.S. Department of State \(usembassy.gov\)](#)

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Hostage

Questions to ask:

- What events led to up to the hostage taking?
- Is the current physical and psychological condition of the student known?
- Has the U.S. Embassy been notified? If so, who is the contact person at the Embassy abroad, and at the State Department in Washington, D.C.?
- What are the imminent risks to the other Eastern participants?
- Have the parent(s) been contacted?

Hostage

Action Steps

- Convene the Emergency Response Committee to discuss next steps and appropriate actions.
- Contact the local U.S. Embassy or Consulate and inform them of the situation and gather information on next steps.
- Contact overseas citizen services (from the U.S. & Canada: 1-888-407-4747 / From Overseas+1 202-501-4444).
- Notify the student's emergency contact

Resources to consult:

- Student medical record
- Student's insurance documents
- Third-party contact
- Eastern Police
- Eastern Emergency Contacts
- Local Embassy or Consulate & U.S. Department of State Resources

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- U.S. State Department
- University Relations

Resources for Hostage Abroad

For Country specific information on U.S. embassies and consulates abroad:

[Official list of embassies from the U.S. Department of State \(usembassy.gov\)](https://usembassy.gov)

For an authoritative reference on physicians abroad, consult the American Board of Medical Specialists:

[ABMS | American Board of Medical Specialties](https://www.abms.org)

For information about student CISI coverage (medical insurance and emergency evacuation) through Eastern:

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Political Crisis, Terrorism, Natural Disaster, & Man-Made Disaster

Questions to ask:

- Does the response team need to be convened?
- Is evacuation necessary?
- Has there been communication with the students?
- Have parents been contacted?
- Has the U.S. Embassy advised participants to take specific actions (e.g. evacuate)?
- Have participants been briefed on precautions?
- Has travel in or out of the country been restricted in any way?
- What kind of military, security, and/or public safety personnel present?
- Is adequate food, water, medical care, and housing available?
- Is airlift a desirable and viable action?

Political Crisis, Terrorism, Natural Disaster, & Man-Made Disaster

Action Steps

- Contact all Eastern students and the third-party contacts to make sure all students are accounted for and safe.
- Make sure any injured students have access to medical care.
- Advise students to wait for clear information before contacting their family or friends in the U.S.
- Contact the students Emergency Contacts to update them on the situation as needed.
- Contact the U.S. Embassy or other official government agency and ask for advice and assistance. If the U.S.
- Convene the Emergency Response Committee to determine next steps.
-

Resources to consult:

- Third-party contact
- Eastern Police

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- Local Embassy or Consulate & U.S. Department of State Resources
- Eastern Emergency Contacts
- University Relations

Resources for Natural Disaster, Act of Terrorism, or Political Upheaval

If a natural disaster, act of terrorism, or political upheaval occurs, and it's unsafe for U.S. citizens to remain in country, the embassy and consulates will work to contact and assist U.S. citizens. While the U.S. government cannot order U.S. Citizens to leave a foreign country, embassy and consulate staff can provide information and assist those who wish to leave. In addition, staff will make all efforts to keep U.S. citizens safe overseas.

NOTE: If you U.S. Citizens receive evacuation assistance; they are required to sign a promissory note agreeing to reimburse the government for some of the evacuation costs.

For Country specific information on U.S. embassies and consulates abroad:

[Official list of embassies from the U.S. Department of State \(usembassy.gov\)](https://usembassy.gov)

For information on natural disasters abroad:

[Natural Disasters \(state.gov\)](https://state.gov)

For information on non-natural disasters (terrorism, missile/drone strikes, nuclear/chemical disasters):

[Non-Natural Disasters \(state.gov\)](https://state.gov)

For information about student CISI coverage (medical insurance and emergency evacuation) through Eastern:

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Student Death

Questions to ask:

- Have the parents been notified?
- Have the local police been notified?
- Has the U.S. Embassy been notified?
- Have plans been made to repatriate the body?
- What coordination is needed to take care of student's personal belongings?
- Are other Eastern students receiving adequate counseling support?
- Has the response team been convened?

Student death

Action Steps

The death of a student should be handled in the following manner:

- Verify the identity of the student. Gather as much information about the circumstances surrounding the death. Record all information that you gain.
- Notify the U.S. Embassy or Consulate in the host country.
- Convene the administrative management committee
- Determine who will contact the deceased students designated emergency contact person and offer appropriate support
- Work with the Dean of Students to determine next steps and communication to the Eastern community and public.
- Do not provide information to the media until emergency contacts notified and the appropriate action steps determined with the administrative management committee.

Resources to consult:

- Eastern Emergency contacts
- Student's insurance documents

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- Third-party contact
- Eastern Police
- Local Embassy or Consulate & U.S. Department of State Resources
- University Relations

Resources for Student Death Abroad

When an U.S. citizen dies abroad, the Bureau of Consular Affairs assists the family and friends. The Bureau of Consular Affairs attempts to locate and inform the next-of-kin of the U.S. citizen's death. The Bureau of Consular Affairs provides information on how to make arrangements for local burial or return of the remains to the United States. The disposition of remains is subject to U.S. and local (foreign) law, U.S. and foreign customs requirements, and the foreign country facilities, which are often vastly different from those in the United States.

When a U.S. citizen dies abroad and the death is reported to the U.S. embassy or consulate, Consular Officers:

- Confirm the death, identity, and U.S. citizenship of the deceased.
- Attempt to locate and notify the next-of-kin.
- Coordinate with the legal representative regarding the disposition of the remains and the personal effects of the deceased
- Provide guidance on forwarding funds to cover costs
- Serve as provisional conservator of the estate if there is no legal representative in the country.
- Prepare documents for the disposition of the remains in accordance with instructions from the next-of-kin or legal representative.
- Oversee the performance of the disposition of the remains and the distribution of the effects of the deceased.
- Send signed copies of the Consular Report of Death of an U.S. Citizen Abroad to the next-of-kin or legal representative for possible use in settling estate matters in the United States.

For country specific information on U.S. embassies and consulates abroad:

[Official list of embassies from the U.S. Department of State \(usembassy.gov\)](https://usembassy.gov)

For information on death abroad:

[Death Abroad \(state.gov\)](https://state.gov)

For information about student CISI coverage (medical insurance and emergency evacuation) through Eastern:

Information on the return of the U.S. Citizens remains can be found at the link below:

[Return of Remains of Deceased U.S. Citizens \(state.gov\)](https://state.gov)

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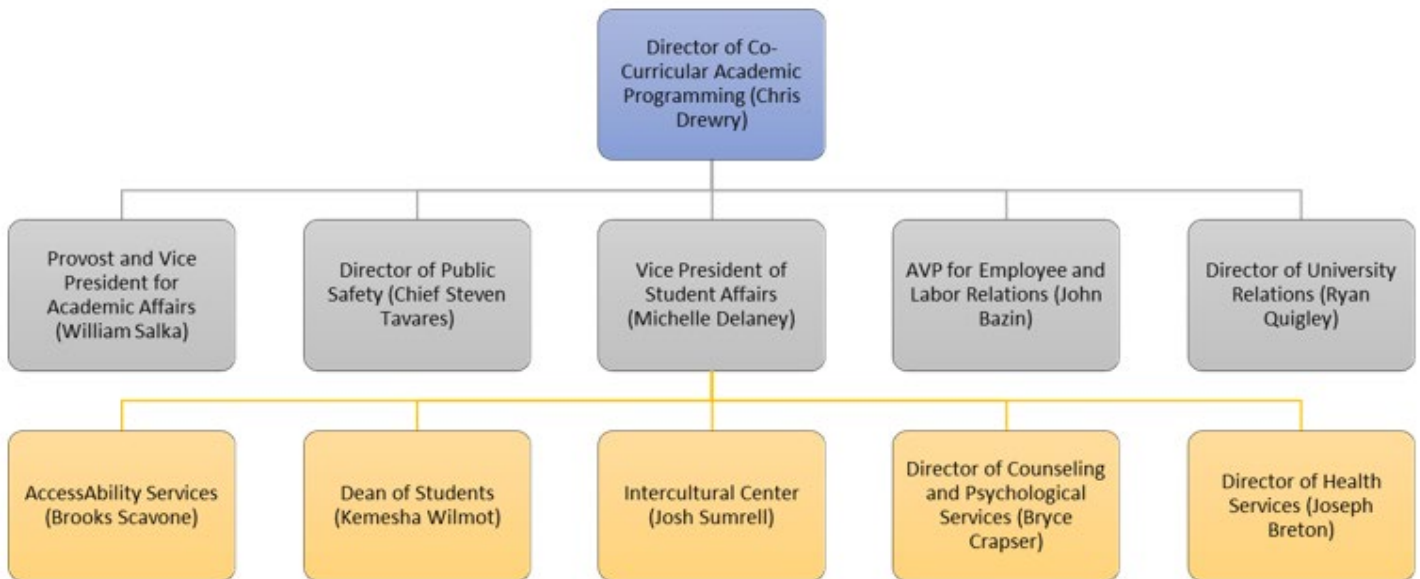
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Eastern Emergency Response

This section includes a call tree, a description of the Emergency Response Committee, and contact information of relevant Eastern officials and staff to be used when responding to Study Away emergencies.

Study Away Emergency Call Tree

The first responder to assist a student in a Study Away Emergency is the Director of Co-Curricular Academic Programming. In Emergencies determined to have level 2 and 3 impact, the Emergency Response Committee will convene to review the situation and decide next steps.



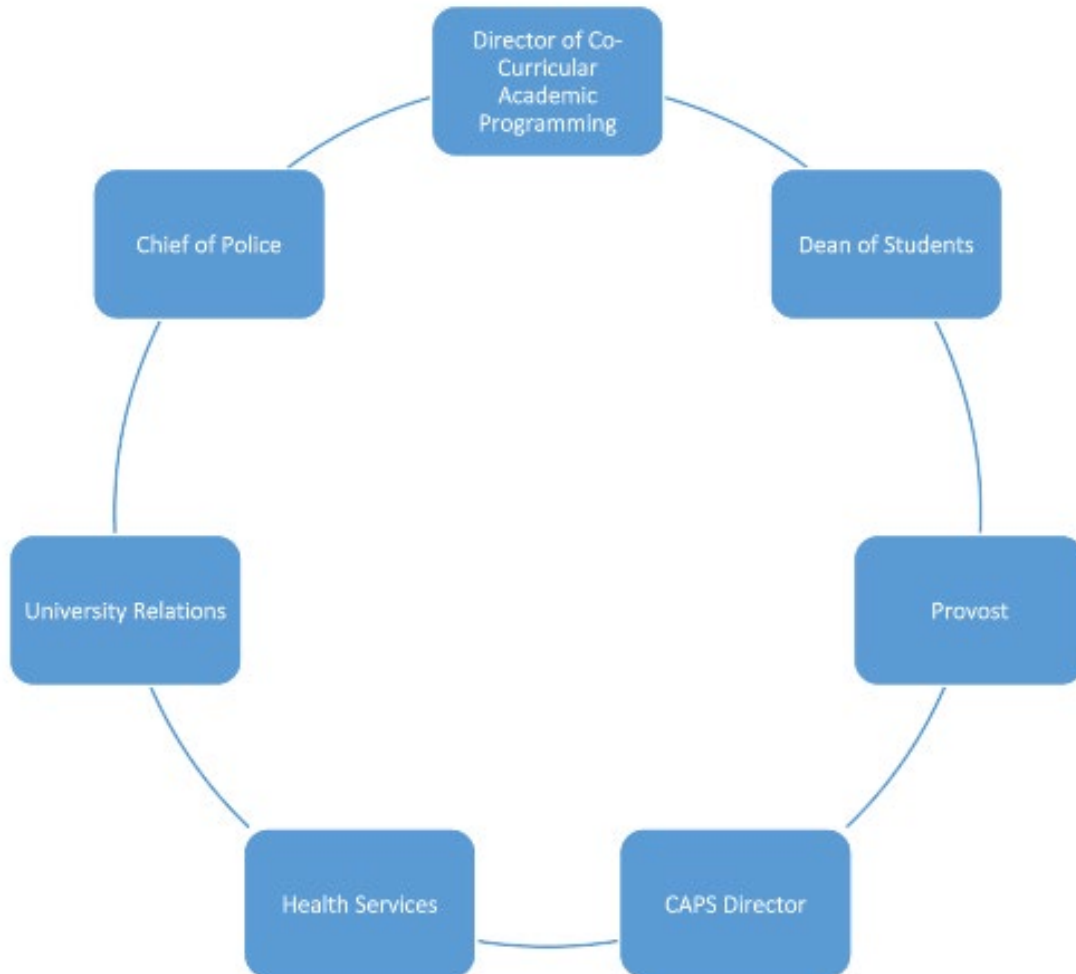
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Emergency Response Committee

If the Director of Global Learning determines that a Study Away emergency needs additional support and action, the Emergency Response Committee will be called or requested to meet. At the meeting, all members of the Emergency Response Committee will determine action steps and delegate follow-up responsibilities. Depending on the nature of the emergency, other offices or personnel may be requested in the Emergency Response Committee meeting. The purpose of the committee is to ensure appropriate action, timely and continued communication, and additional support in Study Away emergencies.



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Emergency Contacts

Use this as a guide to contact different departments/offices in case of a Study Away emergency:

In all emergencies:

Christopher Drewry

Director of Co-Curricular Academic Programming

J. Eugene Smith Library, Room 227

Office Number: 860.465.4543

Cell Phone: 860.577.7658

drewryc@easternct.edu

For additional support in emergencies:

William Salka

Provost/Vice President for Academic Affairs

Gelsi-Young Hall, Room 229

Office Number: 860.465.5246

salkaw@easternct.edu

Stephen Tavares

Director of Public Safety/Police Chief

Public Safety Building, Room 205

Office Number: 860.465.4521

tavaresst@easternct.edu

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Kemesha Wilmot
Dean of Students
Gelsi-Young Hall, Room 222
860.465.5247
wilmotk@easternct.edu

In Medical Emergencies:

Joseph Breton
University Physician
Health Services, Room 104A
860.465.5320
bretonjo@easternct.edu

In Mental Health Emergencies:

Bryce Crasper
Director of Counseling and Psychological Services
182 High Street
860.465.5779
crasperb@easternct.edu

In Sexual Assault Emergencies:

Starsheemar Byrum
SART Coordinator
Director of Arthur L. Johnson Unity Wing
Student Center, Room 109
860.465.4314

[Type here]

byrums@easternct.edu

Lamar Coleman

Vice President for Equity and Diversity

Office Phone: 860.465.0072

Gelsi-Young Hall, Room 255

colemanla@easternct.edu

Sara Madera

Title IX Coordinator

Office Phone: 860.465.5012

Gelsi-Young, Room 253

maderas@easternct.edu

In emergencies that require external communication:

Ryan Quigley

Interim Director of University Relations

Gelsi-Young, Room 129

Office Number: 860.465.0509

quigleyry@easternct.edu

In emergencies involving students with disabilities:

Brooks Scavone

Director of AccessAbility Services

Wood Services Center, Room 200

Office Number: 860.465.4667

scavionek@easternct.edu

[Type here]

In emergencies involving staff or faculty:

Jianguo (Jay) Zhu

Director of Institutional Research/Human Resources Manager

Gelsi-Young Hall, Room 248

Office Number: 860.465.5344

zhuj@easternct.edu

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Emergency Contacts for Third Party Providers

This section includes emergency and general contact information for all Eastern's Study Away Third-Party Providers.

Academic Programs International (API)

[Find Your Experiential Program Abroad, Study, Gap, Intern - API \(apiabroad.com\)](http://apiabroad.com)

Emergency contact information:

Students should **contact their on-site staff**. Students are given the direct number of the person they should contact on-site.

Emergency Number (Texas Office After Hours: 1-512-600-8900

VP of Health and Safety, Carolyn Lutes, Phone: (512) 394 - 4301

General contact information:

Representative: Susanna Shigo

Phone: (512) 763 - 5525

susanna.shigo@apiexperience.com

Cultural Experiences Abroad Global Education (CEA)

[Study Abroad Programs | Study Abroad Scholarships & Internships \(ceastudyabroad.com\)](http://ceastudyabroad.com)

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Emergency contact information:

24/7 Emergency Number:

1-800-266-4441

Emergency, health and safety guidelines:

[International Student Safety | CEA Student Safety & Support \(ceastudyabroad.com\)](#)

General contact information:

Representative: Thomas Durigan

tdurigan@ceacapa.com

Main Office:

Email: info@ceaStudyAbroad.com

Center for International Students (CIS)

[Study Abroad & Intern Abroad Programs | CIS Abroad](#)

Emergency contact information:

24/7 Emergency Number: 1-413- 210-7091

Contact information for **site coordinators** are provided to students, which can be used in any type of emergency.

Emergency guidelines:

[Emergency Communication - CIS Abroad](#)

General contact information:

Representative: Ian Lim-Bonner

[Type here]

Work Phone: 413.582.0407

ilimbonner@cisabroad.com

International Studies Abroad (ISA/TEAN)

[Study Abroad Programs | ISA - International Studies Abroad](#)

Emergency contact information:

Students should **contact their on-site staff** during emergencies. All students are given a local emergency number in their program location of their Resident Director during orientation.

U.S. Office: 1- 512-480-8522

If parents/guardians have an emergency back at home and need to reach their student, they can call: 512-632-9284.

Emergency, health & Safety information:

[Study Abroad Guidance & Health Insurance | Student Support | TEAN \(teanabroad.org\)](#)

General contact information:

Representative: Stacy Phelps

Work Phone: 303-285-1109

stacy.phelps@worldstrides.com

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Laws and Policies

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

According to the explanation in the Department of Education’s *Handbook for Campus Safety and Security Reporting*:

If ECSU sends students to Study Away at a location or facility that they don’t own or control, they don’t have to include statistics for crimes that occur in those facilities. However, if ECSU rents or leases space for students in a hotel or student housing facility, ECSU is considered in control of that space for the time period covered by the agreement. Host family situations do not normally qualify as non-campus locations unless your written agreement with the family gives your school some significant control over space in the family home.

Note: see appendix for detailed information about Clery compliance compiled on behalf of NAFSA

Title IX

Title IX is a comprehensive federal law that prohibits discrimination on the basis of sex in any federally funded education program or activity. The principal objective of Title IX is to avoid the use of federal money to support sex discrimination in education programs and to provide individual citizens effective protection against those practices. Title IX applies, with a few specific exceptions, to all aspects of federally funded education programs or activities.

Third-party Study Away programs should have specific policies in place for Title IX adherence. If a Eastern submits a Title IX complaint the institutions procedures should be followed for reporting and action. See the Eastern Connecticut State University Clery & Title IX Reporting Information for Campus Security Authorities.

Americans with Disabilities Act (ADA)

See appendix for specific information regarding students with disabilities and Study Away programs.

According to Federal Disability Discrimination Laws the following should be considered when working with students with disabilities:

Section 504 of the Rehabilitation Act (“Section 504”) and Titles II and III of the Americans with Disabilities Act (“ADA”) and their implementing regulations all apply in the higher education context and prohibit discrimination on the basis of disability against otherwise qualified individuals with disabilities. Section 504 prohibits discrimination against individuals with disabilities in connection with programs and activities that receive federal financial assistance (and thus applies to almost all colleges and universities); Title II of the ADA applies to state and local government-operated higher education institutions; and Title III applies to various categories of private providers of public accommodations – including, specifically, private colleges and universities.

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Section 504 and the ADA protect only individuals who (1) qualify as an individual with a disability under the applicable statutory definitions and (2) are “otherwise qualified” for the programs in question. With regard to the first requirement, the ADA defines an individual with a disability as one who has “a physical or mental impairment that substantially limits one or more major life activities; . . . a record of such an impairment; . . . or [is] regarded as having such an impairment.” Section 504 uses the same definition. Higher education institutions must also consider whether the individual is otherwise qualified, i.e. “able to carry out the essential requirements of the program with or without reasonable accommodation.” Recent amendments to these laws and their implementing regulations clarified and greatly expanded the scope of their coverage.

The Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA) is a Federal law that protects the privacy of student educational records. In accordance with FERPA, students 18 years of age or older have the right to their academic records and schools may not release any personal information without consent. Under FERPA, SF State Abroad and the university may NOT release any of student information listed below:

- Contact information while abroad
- Student's program status
- Grades and transcripts
- Course and/or schedule information
- Medical information
- Housing

The Office of Global Learning is committed to preparing and supporting your student in studying abroad. We encourage parents to talk with their students throughout the Study Away process, to gain relevant information from them, and to maintain contact with their students while abroad.

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External Communication

This section provides advice for responding to media inquiries and speaking to the public in Study Away emergencies. Please consult Eastern's University Relations before speaking to the media.

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Suggestions for Responding to Media Inquiries

Communicate with University Relations in a case of a Study Away Emergency to determine the plan for external communication and the point of contact for all media inquiries. It is important that family are consulted regarding the media response and that no information is released to the media before the family is consulted. Additionally, any affected student(s) should be advised of their right to decline to speak to the media and helpful tips for communicating with reporters.

Suggestions managing the media and engaging with a reporter:

1. Do not feel obligated to respond or answer questions until you are ready and the Emergency Response Committee has determined an external communication plan with University Relations.
2. Determine a uniformed message that will be shared to the public regarding the emergency situation and direct reporters to official University Communication first.
3. Document the reporter's name, affiliation, and phone number.
4. Ask the report details about the story they are sharing and direct them to University Relations or other determined sources of information on the situation if you are not prepared to be interviewed.
5. Ensure that affected student(s) are briefed on handling media communication.
6. If a reporter requests you comment off the record, decline the offer and assume any information shared will be incorporated into a story.
7. Don't allow the reporter to guide the interview. Make your main points straightforward and at the beginning of the interview.
8. Avoid evading questions. If you are not sure of the answer, feel comfortable saying so.
9. Be as clear, concise and brief. Avoid using legal jargon that may confuse the viewers and complicate the message.
10. If there are any errors in the finalized story that aired to the public, ensure you contact the reporter to correct the errors.
11. Be available for follow-up in case the report as additional questions or needs clarification. This will help you ensure the story is truthful and accurate.

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Appendix

The appendix includes additional resources and information relevant to Study Away emergency prevention and response.



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International Study: Safe Travel Resources

Description	Website Link
Preparing for a Study Abroad Trip	U.S. Students Abroad (state.gov)
Traveler Demographics to Consider for Safety (travelers with disabilities, travelers identifying as part of the LGBTQ+ community, faith-based travelers, etc.)	Travelers with Special Considerations (state.gov)
Center for Disease Control and Prevention: Travel's Health	Travelers' Health CDC
General Information on Health Abroad	Your Health Abroad (state.gov)
Eastern CISI Insurance Coverage	
Overseas Security Advisory Council: Featured Stories	U.S. Department of State: Consular Affairs Washington D.C. DC Facebook
Crisis Abroad Resources	How to Prepare for a Crisis (state.gov) Ways to Locate your Loved One in a Crisis Abroad (state.gov) What the Department of State Can and Can't Do in a Crisis StudentsAbroad.com - Study Abroad Handbook Worldwide: Emergency Action Plan Steps
To Report Lost/Stolen Passports * Report your passport lost or stolen immediately to protect yourself from identity theft. Once you report a passport lost or stolen, it is invalid and cannot be used for international travel.	U.S. Passports (state.gov)
FAQs About Lost/Stolen Passports	Lost or Stolen Passports Abroad (state.gov)

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Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act: Applicability to Education Abroad Programs

Written by:

- *Joanna Holvey Bowles*, Executive Vice President and COO, Institute for Study Away, Butler University
- *Stacey Tsantir*, Director of International Health, Safety and Compliance, Global Programs and Strategy Alliance, University of Minnesota
- *Maureen Powers*, Consultant, The Presidents' Network, Executive Educational Consultant

On behalf of the NAFSA EA KC Health and Safety Subcommittee.

Disclaimer: This document is intended to prompt considerations and further conversations on U.S. campuses. It is not legal advice and the authors recommend that readers consult their own legal counsel and campus Clery expert(s).

INTRODUCTION

The [Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act](#) (20 USC § 1092(f)) requires U.S. colleges and universities who participate in Title IV federal student financial aid programs to disclose information about crime on and around their campuses, or in off-campus facilities as described by the Act. The “Clery Act” is named in memory of [Jeanne Ann Clery](#), a university freshman who was raped and murdered in her campus residence hall in 1986.

The Clery Act currently requires institutions to act or report in the following ways:

- publish an annual report disclosing three years of crime statistics and campus security policy statements;
- provide *timely warnings* to the campus community about crimes that pose an ongoing threat to students and employees;
- maintain and make available a public crime log in their police or security department (if one exists);
- maintain a daily residence hall fire log and report and publish an annual fire safety report alone or along with the annual crime statistics;
- provide certain rights to sexual assault victims and make specific statements about sex offenders;

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- take action within 24 hours when students in residence halls are *reported missing*.

A major intention of the Clery Act is to provide accurate and timely safety information to the public, parents, students and potential students about the level of crimes, and student alcohol and drug violations that occur on a campus. This means making all incident data readily available in a complete and accurate manner for all parties who inquire at your institution, thus enabling them to make an informed decision about their safety.

The Clery Act also requires yearly reporting for specific crimes: Murder/non-negligent manslaughter; negligent manslaughter, sex offenses (forcible and non-forcible), robbery, aggravated assault, burglary, motor vehicle theft, arson, and arrests and disciplinary referrals for violations of weapons, and drug and liquor laws. In addition, universities must also report hate crimes.

Failure to comply with the policy requirements can result in substantial fines for an institution (in the tens of thousands of dollars) or in an extreme case, in the loss of all participation in Title IV federal financial aid programs.

THE YEARLY REPORT: APPLICATION TO EDUCATION ABROAD

The [2011 Handbook for Campus Safety and Security Reporting](#) (hereafter referred to as the Handbook), available through the U.S. Department of Education, recommends that each campus designate an individual or office to coordinate and oversee the Clery reporting process. In addition, each campus, depending on size and structure, will have at least one [Campus Security Authority](#) (CSA) for the purpose of providing incident reports to the coordinating office or person.

The Clery Act has a real role in the operational actions of education abroad programs. In fact, as an education abroad professional you may be considered a CSA for your campus. The Handbook provides language about education abroad situations where institutions are subject to reporting crimes that occur in and around property that is controlled or owned by your institution abroad. For example:

If your institution sends students to Study Away at an institution that you don't own or control, you don't have to disclose statistics for crimes that occur in those facilities. However, if your institution rents or leases space for your students in a hotel or student housing facility, you are in control of that space for the time period covered by your agreement. Host family situations do not normally qualify as non-campus locations unless your written agreement with the family gives your school some significant control over space in the family home. (Handbook, page 30).

Understanding your obligations

Each Title IV institution will interpret and create procedures for adhering to the Clery Act. As a result, education abroad professionals should confer with the Clery expert(s) on your campus. A good place to start is with your legal office or the Academic Dean or Dean of Students who supervises education abroad. Other resources might include your campus police or campus safety office. They will be well acquainted with the institutional obligations for Clery on campus.

The following questions can be used to discuss your obligations with your campus Clery expert(s).

- What is the process for our campus year report? IF we have reportable crimes, how would education abroad fit into this system?

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- How does our timely warning system work on campus? What are your thoughts on how this should apply overseas?
- Which office maintains our public crime log (if one exists)? Do they want to receive immediate reports of our crimes on education abroad programs?
- What rights do we provide sexual assault victims? What are our statements about sex offenders? Share practices and processes in place for education abroad.

Reporting incidents and crimes abroad

Determine who on your campus is responsible for producing the institution's Clery report and set up a meeting with them. Take time to explain the types of education abroad activities that your institution provides. You may find it helpful to start an inventory of all of your education abroad programs and any related property contracts to facilitate conversation with the campus Clery expert(s).

Once you have determined that you have any programs that have property that your institution "owns or controls", work collaboratively with your campus Clery expert to develop a recording and reporting process for Clery incidents and crimes from education abroad sites. Any education abroad incident or crime data collection practices that you currently follow may or may not compliment Clery reporting timelines and procedures, so you will need to consult with your campus Clery expert(s) to determine your campus process.

Some campuses use the Campus Authority Form (see sample form on page 249 of the Handbook) and require the same timely reporting required by Clery for U.S. incidents—as close to the date of the incident as is possible but usually within 48 hours of the victim's reporting of the crime. Others require only a yearly incident report from their education abroad office with a summary of incidents for possible inclusion in the yearly report.

Whichever process your campus uses, work with your campus Clery expert(s) to create a process that comports with your existing campus procedures.

Verify whether obtaining a police report from the country/locale involved is required and if so, determine whether this is even possible in that location. Faculty/staff leading programs will need to be briefed and trained on how to carry out the procedure according to the wishes of the home institution.

When you don't own or control

You need only report incidents or crimes on programs where you own or control housing, classroom space, office space etc. Therefore, if your institution sends students abroad on exchanges or programs run by other universities or third party providers, you don't need to report any incidents that occur in those locations. To be sure you understand these definitions as applied to your institution, consult with your campus Clery expert(s) to ascertain if you "own or control" any of your program locations as defined by Clery. It is a good idea to make your campus Clery expert(s) aware of the types of programs and any contractual arrangements your international office has made to send students abroad. If you work for a third party provider organization that is not a Title IV institution, you are not subject to the rules of the Clery Act and will not need to report crimes according to the Clery Act.

When you do own or control

The Handbook indicates that not all Clery type crimes on the program that you do own or control will be included in reports. Rather, in most cases, only those incidents in the locations you own or control, during the time specified in your contract will be reported. The following examples illustrate the complicated nature of the Clery requirements that we hope will motivate discussions on your campus.

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Example 1: If your university owns classroom and housing space in London, you are required to report incidents in that space. You are not required to report incidents on the program that occur in public places (restaurants, bars, public transportation) or when students are away on independent weekend travel.

Example 2: If your university rents classroom space in Paris, you are required to report incidents that occur in that space. However, depending on your contract, it is possible that you will only report incidents that occur within the specific hours, days or months included in your contract. Additionally, depending on the contract, your reporting may be further limited to those incidents occurring in the specific rooms and required passageways to those rooms. You may not need to report incidents that occur on the other floors or sections of the building.

Hotels and Host Families

The Handbook clarifies the reporting requirements for hotels and host families. If your institution rents hotel rooms for students to stay for an overnight as part of an excursion, you may not have to record and disclose crimes that occur there because such a location likely does not meet the frequently used criteria. However, you will have to report incidents that happened in a hotel that is rented and the agreement establishes “control” by your institution. For example, it may depend on whether the hotel can assign students to any room in the hotel or whether the agreement is for a specific block of rooms on a specific floor. Be sure to discuss hotel agreements with your campus Clery expert(s).

Much of the same reasoning applies to host families. In many cases, Clery incidents or crimes that occur within host family placements won’t be reportable. However, depending on the nature of your agreement and the level of institutional “control”, it is possible the incident will fall under the Clery requirements.

It would be wise to review these descriptors with your campus Clery expert(s) to ensure you agree on the reporting conditions.

INCIDENT REPORTING AND TRACKING GENERALLY

Despite the narrow scope of incidents and crimes that must be reported to Clery, there is good reason to take the opportunity to examine your institutional practices related to incident reporting and tracking. The following are a few of the reasons to develop a robust process of reporting and recording incidents on your education abroad programs:

- (1) Some of the data may now be required for Clery and if not today, the data may be required tomorrow.
- (2) One of the key philosophies behind Clery is that information facilitates individual safety decision-making. This informed decision-making philosophy also guides advising and orientation discussions with our students. If your institution has data to provide publicly, or when specifically asked, you will be further assisting student in making their own safety decisions as adults.
- (3) Incident data will assist with program staffing decisions. More incidents generally mean more work.
- (4) Incident data will assist with important programming decisions and inform orientation topics. If you see trends in data, you might move student housing to another part of town or change orientation messages to stress certain risks and provide targeted mitigation advice.

SUMMARY

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act has implications for policy and procedure in the education abroad offices of Title IV campuses. The Handbook for Campus Safety and Security Reporting, published by the U.S. Department of Education in February 2011, details all aspects of compliance with this act. In order to comply, consult your campus officials and appropriate university leadership for guidance. Remember, education abroad professionals don’t have to be experts on Clery. Our job

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is to know our programs, consult with the Clery expert(s) on our campus. We also must be sure to have incident reporting and tracking procedures in place so we can provide the information required for the yearly Clery report.

RESOURCES

Handbook for Campus Safety and Security Reporting (February, 2011)

<http://www.ed.gov/admins/lead/safety/handbook.pdf>

Campus Safety and Security Reporting (Video Training) <http://www2.ed.gov/admins/lead/safety/campus.html>
Related Information

http://www.securityoncampus.org/index.php?option=com_content&view=article&id=271&Itemid=60

ACKNOWLEDGEMENTS

Special thanks to *Inés DeRomaña*, Principal Analyst, Health, Safety and Emergency Response with the University of California's Education Abroad Program, *Julie Friend*, International Analyst for Travel Health, Safety and Security at Michigan State and *Carl Herrin*, Senior Partner, Global Education Solutions LLC, who also contributed to this article.

Source:

http://www.nafsa.org/Professional_Resources/Browse_by_Interest/Education_Abroad/Network_Resources/Education_Abroad/The_Clery_Act_and_Education_Abroad/



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Family Educational Rights and Privacy Act (FERPA)

[Family Policy Compliance Office \(FPCO\) Home](#)

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students."

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- Parents or eligible students have the right to inspect and review the student's education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.
- Parents or eligible students have the right to request that a school correct records which they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent or eligible student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.
- Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):

School officials with legitimate educational interest;
Other schools to which a student is transferring;
Specified officials for audit or evaluation purposes;
Appropriate parties in connection with financial aid to a student;
Organizations conducting certain studies for or on behalf of the school;
Accrediting organizations;
To comply with a judicial order or lawfully issued subpoena;
Appropriate officials in cases of health and safety emergencies; and
State and local authorities, within a juvenile justice system, pursuant to specific State law.

Schools may disclose, without consent, "directory" information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. However, schools must tell parents and eligible students about directory information and allow parents and eligible students a reasonable amount of time to request that the school not disclose directory information about them. Schools must notify parents and eligible students annually of their rights under FERPA. The actual means of notification (special letter, inclusion in a PTA bulletin, student handbook, or newspaper article) is left to the discretion of each school.

For additional information, you may call 1-800-USA-LEARN (1-800-872-5327) (voice). Individuals who use TDD may use the [Federal Relay Service](#). Or you may contact us at the following address:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-8520

Source: <https://www2.ed.gov/policy/gen/guid/fpc/ferpa/index.html?src=rn>



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Americans with Disabilities Act (ADA)

U.S. Department of Justice
Civil Rights Division
Coordination and Review Section

The Americans with Disabilities Act (ADA) gives civil rights protections to individuals with disabilities that are like those provided to individuals on the basis of race, sex, national origin, and religion. It guarantees equal opportunity for individuals with disabilities in employment, public accommodations, transportation, State and local government services, and telecommunications.

I. Employment

- * Employers with 15 or more employees may not discriminate against qualified individuals with disabilities. For the first two years after July 26, 1992, the date when the employment provisions of the ADA go into effect, only employers with 25 or more employees are covered.
- * Employers must reasonably accommodate the disabilities of qualified applicants or employees, unless an undue hardship would result.
- * Employers may reject applicants or fire employees who pose a direct threat to the health or safety of other individuals in the workplace.
- * Applicants and employees are not protected from personnel actions based on their current illegal use of drugs. Drug testing is not affected.
- * Employers may not discriminate against a qualified applicant or employee because of the known disability of an individual with whom the applicant or employee is known to have a relationship or association.
- * Religious organizations may give preference in employment to their own members and may require applicants and employees to conform to their religious tenets.
- * Complaints may be filed with the Equal Employment Opportunity Commission. Available remedies include back pay and court orders to stop discrimination.

II. Public Accommodations

- * Public accommodations such as restaurants, hotels, theaters, doctors' offices, pharmacies, retail stores, museums, libraries, parks, private schools, and day care centers, may not discriminate on the basis of disability, effective January 26, 1992. Private clubs and religious organizations are exempt.
- * Reasonable changes in policies, practices, and procedures must be made to avoid discrimination.
- * Auxiliary aids and services must be provided to individuals with vision or hearing impairments or other individuals with disabilities so that they can have an equal opportunity to participate or benefit, unless an undue burden would result.
- * Physical barriers in existing facilities must be removed if removal is readily achievable (i.e., easily accomplishable and able to be carried out without much difficulty or expense). If not, alternative methods of providing the services must be offered, if those methods are readily achievable.

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- * All new construction in public accommodations, as well as in "commercial facilities" such as office buildings, must be accessible. Elevators are generally not required in buildings under three stories or with fewer than 3,000 square feet per floor, unless the building is a shopping center, mall, or a professional office of a health care provider.
- * Alterations must be accessible. When alterations to primary function areas are made, an accessible path of travel to the altered area (and the bathrooms, telephones, and drinking fountains serving that area) must be provided to the extent that the added accessibility costs are not disproportionate to the overall cost of the alterations. Elevators are required as described above.
- * Entities such as hotels that also offer transportation generally must provide equivalent transportation service to individuals with disabilities. New fixed-route vehicles ordered on or after August 26, 1990, and capable of carrying more than 16 passengers, must be accessible.
- * Public accommodations may not discriminate against an individual or entity because of the known disability of an individual with whom the individual or entity is known to have a relationship or association.
- * Individuals may bring private lawsuits to obtain court orders to stop discrimination, but money damages cannot be awarded.
- * Individuals can also file complaints with the Attorney General who may file lawsuits to stop discrimination and obtain money damages and penalties.

III. Transportation

Public bus systems

- * New buses ordered on or after August 26, 1990, must be accessible to individuals with disabilities.
- * Transit authorities must provide comparable paratransit or other special transportation services to individuals with disabilities who cannot use fixed route bus services, unless an undue burden would result.
- * New bus stations must be accessible. Alterations to existing stations must be accessible. When alterations to primary function areas are made, an accessible path of travel to the altered area (and the bathrooms, telephones, and drinking fountains serving that area) must be provided to the extent that the added accessibility costs are not disproportionate to the overall cost of the alterations.
- * Individuals may file complaints with the Department of Transportation or bring private lawsuits.

Public rail systems

- * New rail vehicles ordered on or after August 26, 1990, must be accessible.
- * Existing rail systems must have one accessible car per train by July 26, 1995.
- * New rail stations must be accessible. with new bus stations, alterations to existing rail tions must be made in an accessible manner.
- * Existing "key stations" in rapid rail, commuter rail, and light rail systems must be made accessible by July 26, 1993, unless an extension of up to 20 years is granted (30 years, in some cases, rapid and light rail).
- * Existing intercity rail stations (Amtrak) must be made accessible by July 26, 2010.

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* Individuals may file complaints with the Department of Transportation or bring private lawsuits.

Privately operated bus and van companies

* New over-the-road buses ordered on or after July 26, 1996 (July 26, 1997, for small companies), must be accessible. After completion of study, the President may extend the deadline by one year, if appropriate.

* Other new vehicles, such as vans, must be accessible, unless the transportation company provides service to individuals with disabilities that is equivalent to that operated for the general public.

* Other private transportation operations, including station facilities, must meet the requirements for public accommodations.

* Individuals may file complaints with the Attorney General or bring private lawsuits under the public accommodations procedures.

IV. State and local government operations

* State or local governments may not discriminate against qualified individuals with disabilities. All government facilities, services, and communications must be accessible consistent with the requirements of section 504 of the Rehabilitation Act of 1973.

* Individuals may file complaints with Federal agencies to be designated by the Attorney General or bring private lawsuits.

V. Telecommunications Relay Services

* Companies offering telephone service to the general public must offer telephone relay services to individuals who use telecommunications devices for the deaf (TDD's) or similar devices.

* Individuals may file complaints with the Federal Communications Commission.

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Resources for travelers with disabilities: [Traveling with Disabilities \(state.gov\)](#)

EDUCATION Abroad

By Eve Katz

Students with Disabilities Studying Abroad

YOU ARE AN ENTHUSIASTIC STUDENT of the writer James Joyce, eager to study at Trinity College in his beloved Dublin, a picturesque Irish city with many narrow, crowded, cobblestone streets. But you use a wheelchair. Is your dream realistic?

You have long yearned to study in England. The University of Sunderland, in the heart of England's buzzing Northeast, beckons. But you are blind. Is it realistic to think you will be able to travel there by yourself and keep up with the coursework?

You struggle with bipolar disorder, dealing with dramatic mood swings and marked changes in energy and behavior. Can you handle the challenges of this mental health problem while taking classes in Buenos Aires, Argentina?

Yes, yes, and yes.

One of the most encouraging trends in recent years is the increasing number of students with disabilities who have been able to take advantage of education abroad opportunities. Their experiences overseas—almost always life-enhancing and sometimes transforming—are made possible through their courage and realism, and the leadership, encouragement, and assistance of many.

Leadership and Teamwork

A pioneer group in the field is Mobility International USA (MIUSA), now in its 26th year. The organization was cofounded by Barbara Williams and Susan Sygall, who serves as its CEO. Sygall, who uses a wheelchair, has had a personal and professional commitment to disability rights and women's issues for more than 25 years. The organization's



Editor's Note: The information below is a summation of best practices based on the University of Minnesota's federally funded Access Abroad project, the authors' experience with education abroad and students with disabilities, and consultation with colleagues in the field.

Students with Disabilities Self-Study for Advisers

By Heidi M. Soneson and Roberta J. Cordano

TO PREPARE for the growing number of students with disabilities interested in studying abroad, education abroad advisers need to implement procedures in key areas on their home campus and overseas. The procedures outlined below are designed to encourage early disclosure so that accommodation needs can be identified and discussed well in advance of the education abroad experience, and to provide study abroad advisers with the necessary resources and tools for comprehensive guidance to interested students. The critical questions at the end of this overview are designed to help advisers consider ways to assess and expand overseas accommodations for students with disabilities.

Have an Advising Plan in Place

- Develop office procedures on steps to be taken when a student with a disability requests accommodations overseas. Train all staff on these procedures to maximize advising access for students.
- Create a handout to have available in your office and on your Web site with specific steps students with disabilities should take to identify a program and assess accommodation possibilities. This handout should include suggested timeframes for notifying the study abroad office of specific accommodation needs.
- Implement an assessment survey that allows students with disabilities to identify their accommodation needs in consultation with their disability services adviser.
- Train staff on effective advising approaches to utilize when working with students with disabilities.

Foster Early Disclosure

- Include wording in your advising and promotional materials that invites students with disabilities to disclose their interest in study abroad.
- Display photos of students with disabilities in your promotional materials.

- Provide a place for disclosure in your acceptance materials.
- Include language in your predeparture materials that encourages students to share their accommodation needs.

Develop Linkages with Key Offices on Campus

- Build your disability services office into your advising plan.
- Identify a contact in disability services that can help assess and identify reasonable accommodation needs.
- Arrange a meeting with disability services and study abroad staff to develop joint advising strategies.
- Determine whether additional offices (such as the dean of students) should be included.

Provide Information on Overseas Accessibility

- For your own program locations overseas, discuss accommodation possibilities in advance.
- For programs offered by other organizations/institutions, know in advance what procedures they have in place to assist students with disabilities.
- Create a binder of information on accessibility at your most popular locations.

Assessment Questions to Determine Accessibility in the Education Abroad Environment

The following questions can help programs identify some of the accommodations that might be needed for the four major functional categories listed above.

- Do you have the ability to identify a ground floor classroom if this accommodation is needed?
- Can you identify faculty that utilize PowerPoint or provide lecture notes in advance for students?
- What arrangements (classroom, housing, and transportation) can be made for accommodation, such as sign language interpreters, service dogs, etc.?
- Do you have a list of mental health providers in the community?

Heidi M. Soneson is program director in the Learning Abroad Center at the University of Minnesota-Twin Cities.

Roberta J. Cordano is assistant dean of the Hubert H. Humphrey Institute of Public Affairs at the University of Minnesota-Twin Cities.

Additional helpful tools and resources for U.S. and overseas advisers and students are available at the University of Minnesota's Access Abroad Web site: www.umabroad.umn.edu/access.

[Type here]

Any effective adviser needs to gain the trust of the student and encourage planning while remembering that even with good planning students could well encounter unanticipated challenges.

Web site is a rich source of information. In underscoring that the communities of international education and disability need to work together, Michele Scheib, project specialist of MIUSA's National Clearinghouse on Disability and Exchange, echoes a theme repeated by many who are active in helping students with disabilities to study abroad, a theme vividly elaborated in the film *Making It Happen, Study Abroad for Students with Disabilities*. The documentary was written and produced by Jeff Whitehead and Carol Larson, University of Pittsburgh, and shown this past May to the International Education for Persons with Disabilities Specific Interest Group (IEPD

SIG) during NAFSA's annual conference, in conjunction with MIUSA and the affiliates who sponsored it. The film was also shown at the July meeting of the Association on Higher Education and Disability (AHEAD), the professional group for disability service providers. Larson, assistant director of study abroad at the University of Pittsburgh, emphasizes that only with a team approach—she works closely with Lynnett Van Syke, director of disability resources and services—can a university offer the best service to a disabled student interested in overseas study. Heidi Soneson, program director of the Learning Abroad Center at the University of Minnesota, also makes the point: "This is a partnership involving the student, the study abroad office, the disability services office, and the overseas colleagues."

As universities encourage their students to study abroad, they are making conscious efforts to include those with disabilities.

Access Abroad is the name given to the 1999 grant that started the University of Minnesota's formal process for supporting and assisting students with disabilities to study abroad, and its Web site, too, is used nationally and internationally. With support from the U.S. Department of Education's Fund for the Improvement of Postsecondary Education, Minnesota worked with other universities in the U.S. and in other countries, as well as with various education

the student and the host institution. Stephen Ferst, director of study abroad at Rutgers University, and one of the five founding members of NAFSA's IEPD SIG, says "It is not altogether clear if there is really more disclosure or if we are seeing more students with disabilities who are studying abroad."

Any effective adviser needs to gain the trust of the student and encourage planning while remembering that even with good planning students could well encounter unanticipated

challenges. Students may not like to talk about the "what if," but those who have gone abroad know how important it is to plan. The more information an adviser can share with the host school, the better.

Resources

Mobility International USA www.miusa.org
National Clearinghouse on Disability and Exchange <http://www.miusa.org/ncde>
Enable Link www.enablelink.org
Ability www.abilityinfo.com
Global Access News <http://www.globalaccessnews.com>
Emerging Horizons <http://emerginghorizons.com/>
Disabled Student Services in Higher Education (DSSHE) List Serv
listserv.buf@lo.edu/archives/dsshe-l.html

abroad organizations, to develop processes and materials to use in the advising process. One of the project's imperatives was to create products that would encourage students to disclose their disability.

Disclosure and Planning

Many people may have a wrongly limited view of what constitutes a disability. All those interviewed for this article observed that most student disabilities are hidden. These might involve processing disabilities (such as learning difficulties, attention deficit disorders, psychological problems, or brain injuries) or chronic systemic disorders (such as severe allergies or diabetes). A university encourages and relies on self-disclosure to discuss the kind of accommodations that a student may need; and while it is true that not every student does or needs to disclose, failure to do so—or to disclose in a timely manner—can cause complications for both

The process can take many months. Cindy Felbeck Chalou, associate director, in the Office of Study Abroad at Michigan State University, recommends 9–12 months for planning, starting the conversation in early fall, for example, for the following summer. Pittsburgh's Van Syke cites the example of a student who needed a guide dog. Like all visitors, students must abide by the laws of the host country for bringing in an animal, and in this case the Latin American country had a six-month quarantine requirement necessitating many preparatory steps over a long period.

Flexibility

Together with disclosure and planning, flexibility is another factor that is key to success. Uniformly, advisers and others in the field shun the notion of discouraging students with disabilities. The attitude all bring to the enterprise is a will to make it work. This includes recognizing that there may be some

programs that are not appropriate for some individuals. A good adviser does not encourage or discourage but explains in concrete terms the reality of participating in a particular program and guides the student to consider a range of options. "Our responsibility is to find the right match between student and program and that includes students with disabilities," says Ferst. This could mean choosing a different country or a different program or a different length of stay. "No two students, even with the same disability, are the same," Cerise Roth-Vinson, manager of MIUSA's National Clearinghouse, reminds us. "They may request different accommodations based on factors such as energy level, environmental conditions, lighting, or medication side effects that influence the barrier they are experiencing." And as Minnesota's Soneson observes: "We must be prepared that not every site can accommodate every student." She underscores the need to ex-

plore the issues of where, for how long, for what kind of experience: course work in a big city, a rural internship, special classes at a center; for three weeks or a semester or a year. "All the variables," Soneson says, "are part of the conversation to identify an appropriate experience."

Third-party providers offer universities a choice of programs that, individually, the institutions would not be able to provide. These organizations have long and deep experience in many places throughout the world and are able to educate the students about what possible challenges they may face. And with the information, the student makes the final decision. MIUSA's Web site allows a user to search the globe for exchange programs. One group, this year marking 60 years of activity, is the Council on International Educational Exchange (CIEE). Although its work with students with disabilities goes back to the 1980s, its

concerted effort to attract students with disabilities began in the mid-1990s. Catharine Scruggs, CIEE's program director for Western Europe, credits MIUSA with playing a critical role in prodding others to encourage more people—students and others—to go abroad. Scruggs serves on MIUSA's Roundtable Consortium, joining colleagues from 25 international exchange and disability organizations, usually once a year, with the goal of encouraging more people with disabilities to go abroad. CIEE currently offers 97 programs in 35 countries, located in Africa, the Middle East, Eastern and Western Europe, the Asia-Pacific region, and Latin America. Another example of a third-party provider is International Studies Abroad (ISA), now 20 years old, which concentrates on Spanish-speaking countries but is expanding to include Italy, France, England, and other places. "We expect to send close to 4,000 students overseas in 2007," says

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15 people offered to help her. "There are countries," says Soneson, "where a student with a mobility disability may find the buildings have no elevators but where people find it natural to offer assistance in other ways, for example to lift a student over an embankment." In the U.S., students are likely to view independence as the ability to do what they want with little or no assistance, or with assistance they can control, and that the law guarantees. But in other cultures, to achieve independence they may also need to rely on help from others—friends or strangers.

Anyone who goes abroad has to be somewhat adaptable; a student with a disability must be very adaptable. Even what may at first seem like a helpful public accommodation may pose a problem. As Paul Jarmin, learning development officer for Students with Disabilities at Queen Mary College (part of the University of London), and himself blind, points out in the docu-

mentary *Making It Happen*, London has more cut curbs (called "dropped kerbs" in the U.K.) than in the past, which is good news for wheelchair users but not so good for the blind using guide dogs, since the dogs depend on curbs. "What suits some, doesn't necessarily suit others," Jarmin says. Even apparent progress may pose challenges.

Statistics on Trends

There are few firm numbers about students with disabilities. A survey of the American Council on Education found that the number of full-time freshmen with disabilities increased from 7 percent to 11 percent between 1988 and 1999. MIUSA's Scheib says currently the most widely used figure is that 9 percent of college students have some kind of disability. Informally, individual university study abroad programs have noted that the number of participating students with disabilities is growing. But more statistical

information would be welcome. Disability is the only underrepresented category not included in the *Open Doors* survey of the Institute of International Education (IIE). MIUSA is working with a number of groups and with the IIE to test pilot a question about disabled U.S. students going abroad for inclusion in the spring 2008 *Open Doors* survey.

The trend line, however, is clear: there is much more awareness; professors and administrators are becoming more educated, and students more confident. ISA's Hauser observes that as more are involved in the field, more become open to the possibility of doing something similar. She sums up her experience: "The field has become a community and a growing one." **IE**

EVE KATZ is a freelance writer/editor based in Bethesda, Maryland. Her most recent article for *IE* was "Creating Leaders for Tomorrow," which appeared in the January/February 2007 issue.

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A Brief Guide to Title IX Compliance for Study Away

Notes from Dr Ann Olivarius' Keynote Speech
Association of American Study Away Programs (UK) Meeting
10 October 2014

At the request of meeting attendees, McAllister Olivarius has prepared notes based on Dr Ann Olivarius' presentation on Title IX compliance issues for Study Away programs.

INTRODUCTION

Title IX gained prominence originally as a way to ensure equal access for women to the athletic programs of schools and universities, and, indeed, has significantly improved female sports participation in the United States. According to the New York Times, the year before Title IX was enacted, there were about 310,000 girls and women playing high school and college sports; by 2012, that number had multiplied almost tenfold. However, the law has broad application, as its core provision makes clear:

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance.

In the last 40 years, Title IX has radically expanded beyond athletics to promote equal access for women in all areas of education. Perhaps most significantly, Title IX has been expanded to cover sexual assault and harassment.

Title IX has become a hot-button issue thanks to campus activists and ground-breaking litigation. Today, it is more important than ever that universities make sure they are in compliance both at home and in their Study Away programs.

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- An invisible epidemic that has existed for decades on campuses is starting to become more visible – according to current best estimates, one in six students will be a victim of rape or attempted rape, and the culture of silence is starting to fall apart.
- The regulatory environment is getting more serious. President Obama's task force spurred Congress to consider legislation to improve information-gathering, institute standardised reporting and disciplinary procedures, and financial penalties for violations.
- Right now over 55 universities are under investigation by the federal government for mishandling sexual assault cases.

In the current climate, the stakes are high - colleges can face press coverage, expensive litigation or time-consuming investigation if they fail to adequately deal with student complaints of sexual assault or harassment – and the standard of adequacy is set by the government.

What happens if you don't do the job the government has set out for you?

- Financial penalties that can be significant and probably not covered by your insurance carrier
- Civil law suits
- Severe reputational damage
- Time and resources will have to be spent on time-consuming investigations if universities fail to adequately deal with student complaints of sexual assault or harassment.

Some recent high-profile stories:

- Emma Sulkowicz, a Columbia University student, is carrying her mattress around campus as a protest at the mishandling of her rape complaint. She has become a poster-woman for sexual violence activism in the US and her story has been picked up by almost every major news outlet, putting a great deal of pressure on the institution.
- Jameis Winston is the star quarterback at Florida State University, who allegedly sexually assaulted a student. The University allegedly ignored its obligations to investigate the complaint, and the police neglected to investigate for 9 months. The extreme uninterest of the University in pursuing charges against him became the subject of an expose in the New York Times and a national story. The student is now working with attorneys and looking at legal options to recover damages from both Winston & FSU, which could be millions of dollars.

TITLE IX AND STUDY AWAY: AN OVERVIEW

Types of Title IX Cases

In Title IX litigation, we tend to see three types of behaviour: student-student, stranger-student and professor-student.

Student-student and stranger-student sexual violence

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The dynamics of Study Away programs mean that student-student sexual assault may be curtailed by social constraints - they are often close-knit programs, and students are mostly going to be familiar with one another, so the costs of violent behaviour are higher to the perpetrator. On the other hand, they are away from familiar environs and on “an adventure” in a foreign country.

Risk factors for **stranger-student violence** include:

- The students are foreigners, not in familiar territory; they may not understand local social signals, how to get around safely at night, or where they can turn for advice and help. Also, drinking ages are lower in Europe than in the US.

Detailed Case Study - 2014 University of Connecticut Lawsuit

The University of Connecticut recently settled a case involving several plaintiffs for \$1.3m. One of the plaintiffs had suffered sexual assault when she was on a Study Away programme.

The University of Connecticut recently settled a case involving several plaintiffs for \$1.3m. One of the plaintiffs had suffered sexual assault when she was on a Study Away programme.

The facts of the UConn case:

- *The plaintiff was on a Study Away program with UConn in Grenada, Spain.*
- *The program was managed by UConn and students were charged UConn tuition.*
- *The plaintiff was hospitalised with an intestinal disease early in the programme.*
- *The Resident Director suggested that it was due to too much alcohol, even though the doctor did not concur with the diagnosis.*
- *At a school meeting, the Resident Director threatened to send people home if they got themselves into "bad situations".*
- *This made the plaintiff and others fearful of making sexual harassment complaints.*
- *The plaintiff then experienced two incidents of sexual assault:*
 - *she was groped by a man on the street;*
 - *She was groped a second time by a man in the elevator of her apartment building.*
- *When other students reported incidents to the Resident Director, she would brush them off.*
- *The students who reported assault and harassment organised an advocacy project when they returned to UConn, with the assistance of an administrator from the Study Away office.*

Why was UConn vulnerable in this case?

- *It provided no training for students on the risks of sexual assault and how to avoid it.*
- *It provided no training for the resident director in how to counsel victims or report.*
- *The Resident Director did not take action when other students reported incidents.*
- *The students disclosed their stories to the administrator who helped them set up the advocacy project. But the administrator didn't report any of the incidents up to the University's Title IX Coordinator despite the fact that she was a "mandatory reporter" under the law.*

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For those managing Study Away programs, the risks and responsibilities connected with Title IX compliance are particularly acute. Women who are sexually assaulted abroad not only face the trauma associated with assault, but also face it in greater isolation, separated from most of their closest friends, mentors and family members. The practical result is that universities can expect Study Away students to want well-functioning systems of reporting and support.

Prevention

Arguably more important than reporting or redressing is prevention. Study Away students are at a much higher risk than their on-campus counterparts. For example, a 2013 study published in the journal *Psychological Trauma: Theory, Research, Practice and Policy* showed that female undergraduates experience a significantly increased risk of rape and other forms of sexual assault while studying abroad.¹

- This article was based on a survey of 218 female undergraduates at a single institution.
- 27% of students reported at least one instance of unwanted touching while abroad; 6% reported an attempted sexual assault, and 5% reported rape.
- Researchers also calculated the "semester risk" - that is, the percentage of the sample that was likely to have an unwanted sexual experience during a given semester.
 - The risk of rape was found to be five times higher during a semester abroad compared to a semester on campus
 - The risk of attempted sexual assault was 3.2 times greater
 - The risk of unwanted touching was 4.3 times greater.

Clearly, prevention of these incidents is better than having to deal with them, both for the student and the university.

What are the key things to consider when thinking about training, monitoring and mentoring participants in Study Away programs?

- Alcohol: rarely do you find a sexual assault case with college students where alcohol isn't involved.
 - Host countries usually have a lower drinking age
 - A sense of experimentation and living beyond normal constraints may be part of the attraction of Study Away programs.
- Lack of familiarity with culture and surroundings: generally, people are more vulnerable (and appear more vulnerable) in unfamiliar surroundings. Repeat perpetrators of sexual violence will be able to recognise this vulnerability.

Professor-student

Sexual harassment by faculty of students -- which in many cases begins with some kind of consensual relationship - constitutes a substantial proportion of Title IX cases. These may also be more prevalent in Study Away programs, because:

- most non-US countries don't have frameworks similar to Title IX, and faculty may not have the same concerns or training about teacher-student relationships;

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- foreign universities, from which faculty may be drawn, may not have policies on the subject or very different ones from US universities.

WHAT ARE THE REGULATIONS REGARDING TITLE IX?

The law is not settled in this area.

Prudent administrators would do well to assume that all federal laws and regulations that apply to college and university programs in the US will continue to apply abroad.

- Title IX specifically applies to "any program or activity receiving federal financial assistance", courts have interpreted the statute to include universities' overseas programs (King v. Bd of Control, 221 F.Supp 2d 783)[2002]. This is the only reported case to address whether Title IX's operates outside US territory to American students at US institutions. Subsequent cases have found it does not apply to foreign universities despite American ties, and the Supreme Court has generally been restricting the "extraterritorial" application of US law abroad. Congress did not explicitly state that Title IX applies abroad, which is usually required for a law to be given extraterritorial application. However, the fact that Study Away programs are extensions of a US university experience, with tuition (usually) paid as usual to the home university, academic credit being awarded, and staff reporting back to the home university, give these programs a high likelihood of being subject to Title IX. It is prudent for legal, financial and reputational reasons to assume that it will apply, and in so doing the Study Away program may also protect students against painful experiences and protect the university's reputation.

Requirements under Title IX for college administrators:

- Identify the scope of the problem through campus climate surveys, which assess the prevalence of sexual violence and attitudes about it
- Work towards preventing sexual violence
- Respond effectively when a student is sexually assaulted/harassed
- Provide a safe learning environment for all its students.

1. Reporting obligations

- University employees are obliged to report incidents of sexual violence to school officials (a Title IX coordinator must be appointed in every university receiving federal funds).
- The University must identify and publicize the names of certain "responsible employees" -- those who have been given the authority to take action to redress sexual violence, or given the duty to report, or whom a student could reasonably believe might have this authority or duty.
- Responsible employees are obliged to report the names of the people involved in any incidents reported to him/her, and any relevant details of the incidents, to the Title IX coordinator

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- Before a student reveals information that they may wish to keep confidential, the staff member should notify the student that certain details may have to be reported to others.

It's important to make clear who the "responsible employees" are in your Study Away program are.

This category should include at least the program director, but it's good practice to have a number of responsible employees, so that there aren't any gaps.

2. Conducting Investigations

The Department of Education's 'Dear Colleague Letter', which provides formal guidance on Title IX compliance, says that an investigation into an incident should normally be completed within 60 days.

- This includes the entirety of the investigation namely,
 - fact-finding
 - holding a hearing or another decision-making process, and
 - imposing discipline and organizing relief for the victim, if appropriate.
- Complainant must be apprised of the status of the investigation and disciplinary process if applicable.
- Complainant must be notified of case outcomes.

3. Discipline

Courts have confirmed the right that colleges have to discipline students for behaviour that occurs on or away from the main campus. In Title IX cases, punishments can include:

- no-contact orders (to separate complainant from perpetrator)
- suspension
- expulsion and other sanctions.

How to manage this process?

- **HAVE A POLICY!**
 - Have some form of written procedure and follow it.
 - This permits the University to explain its actions to students who may find the experience traumatic and be upset at whatever outcome the process reaches
- Make sure the procedure reflects due process considerations –
 - the need to have sufficient opportunity to respond to allegations.²
 - This does not always involve a formal hearing, but if one is held, both the complainant and alleged perpetrator may be assisted by others, including attorneys
 - In some cases, a simple meeting with an administrator can be OK.
- Staff must be trained how to administer the policy.

4. Interim measures and remedies to protect the student

What do you do to support a student who has experienced sexual violence?

[Type here]

- There is no mandated system under the law, but experience demonstrates a number of things you can and should be doing
 - Counselling
 - Medical care
 - Assuring day-to-day safety
 - Organizing escorts
 - Ensuring that they can be kept separate from the perpetrator
 - Arranging alternative accommodations
 - Paying to return a student to the US or for parents to come and visit.

Note: The UK police has 'Specially Trained Officers' who are trained to interview survivors of sexual violence; they are a free resource.

Note that Title IX procedures may operate in parallel to local law, including police investigation, arrest and criminal charges.

The White House Task Force recommendations include a new provision: Schools will be prohibited from punishing a student who admits to another rule violation (like underage drinking) as they report their assault.

5. Clery Act responsibilities

Study Away programs may have reporting responsibilities under the Clery Act, so it should have someone trained in Clery.

The revised Clery Act requires universities to report to the US government the following acts that occur “on campus” (which has a complex definition):

- Sex crimes
- Aggravated assault
- Arrests or referrals for campus disciplinary action for liquor and drug law violations
- Arson
- Burglary
- Certain hate crimes
- Illegal weapon possession
- Manslaughter
- Motor vehicle thefts
- Murder
- Robbery

This information must be made public in an Annual Safety Review. The definition of 'on campus' depends on each university's policies, so it is a good idea to have your own procedures for reporting this information.

Previously, the Clery Act covered only sexual assault.

[Type here]

Recently, Section 304 of the Violence Against Women Reauthorization Act of 2013 added the mandatory reporting by universities of:

- domestic violence
- dating violence
- stalking

Clery Act violations can result in fines of up to \$35,000 for each violation. Students cannot sue a university for violating the Clery Act, but penalties are going up.

THREE KEY QUESTIONS TO EVALUATE YOUR PROGRAM

1. What are you doing to prepare staff?

Staff are often the area of greatest risk to a university, because their failures are attributed to the institution. Educating students in prevention is important, but educating staff is vital.

- Administrators are often unaware of their obligations to the students & university under the law –
- what do administrators have to report to the university,
- what do administrators have to tell the students?

2. What are you doing to prepare students?

The Violence Against Women Reauthorization Act places obligations on colleges to train incoming students in the following areas:

- Rape, acquaintance rape, domestic violence, dating violence, sexual assault & stalking, definitions of consent, and the sanctions or protective measures that are available to them.
- Also, the 2014 guidance from the OCR states that the school should provide training on Title IX and sexual violence, including what constitutes sexual violence, what the reporting options are, and any confidential reporting options.

All of this should have been covered already in the students' initial first-year orientation, but Study Away programs would be prudent to conduct further orientation covering three key areas:

a) Alcohol

Very rare that an incident of sexual violence happens without alcohol involved.

- Students must understand that under law, if someone is drunk, they cannot consent. It is a crime to have sex when a person cannot consent.

[Type here]

b) Previous sexual relationship

- Does not itself imply consent or preclude a finding of sexual violence

c) Process

- Make sure that the students know what to do if anything happens to them - who they should talk to, what will happen if they report, what kinds of remedies they will have available to them if they complain.
- A criminal investigation does not relieve a school of its duty to itself investigate and respond
- The school is obliged to protect complainants from reprisals

Orientation should NOT stop once the student has arrived at the Study Away program.

3. Are you conducting evaluation?

Another area of best practice - ongoing evaluation

- Make sure you ask your students what they have experienced, and what your program can do to improve their experience in the future. Use confidential questionnaires so that there is honest reporting of events.
- The State University of New York system has developed a “federal” approach to problems of sexual violence, creating solutions based on the problems arising on each campus.
 - after receiving notice of two assaults abroad, **SUNY Purchase** took action to provide extra training for Study Away students
 - **SUNY Delhi** reported that it was adopting 'healthy breakups training' after it noticed a trend involving ex-boyfriends and ex-girlfriends.

The moral of this story: collect your own research, and take initiative to find the correct solutions.

¹ Study Away increases risk for sexual assault in female undergraduates: A preliminary report. Kimble, Matthew; Flack Jr., William F.; Burbridge, Emily *Psychological Trauma: Theory, Research, Practice, and Policy*, Vol 5(5), Sep 2013, 426-430.

² Goss v. Lopez, 419 U.S. 565 [1975]