

The Importance of Pre-Departure Orientation for Independent K-12 Schools

Prevention and Protection
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JOE: Hello and welcome to this United Educators Risk Management Podcast. I am Joe Vossen, risk management counsel for UE, and today we'll be discussing the importance of pre-departure orientation for independent K-12 schools that are sending students overseas. Joining me today is my colleague Hillary Pettegrew, senior risk management counsel at UE. Welcome, Hillary.

HILLARY: Thanks, Joe. You and I have both worked quite a bit on study abroad risk management, and I am really glad we're getting this chance to talk.

JOE: Before we get started, I want to let listeners know that in addition to this topic, you can find other podcasts and risk management publications on our website, edurisksolutions.org. Most of UE's independent K-12 school members are aware of the \$41 million-plus jury verdict three years ago, against the Hotchkiss School arising from an insect bite a student claimed she suffered on a study abroad trip. That verdict is on appeal, but we continue to get many member questions about managing the risks of their study abroad programs for students.

Hillary, this is a very broad topic, but I think we agree that having a robust pre-departure orientation is one of the most important things a school can do to improve its study abroad practices.

HILLARY: Yes, Joe, we definitely agree on that point. In my view, orientation is critical regardless of whether the school or a third-party provider is sponsoring the study abroad trip. And as an aside in the latter case, I would strongly recommend that as part of the vetting process for a third-party providers, schools should definitely ask specific questions about how the providers handle orientation, just to make sure that the items we'll talk about today are being addressed.

JOE: Hillary, speaking more about orientations, do you think they should be mandatory?

HILLARY: Yes, I definitely do think they should be mandatory, meaning that if you don't attend, you can't travel. And part of the reason for that is that I do understand that schools that implement study abroad programs are really responding to competitive pressures and both parental and student demand. But as that Hotchkiss case certainly underlines, no overseas travel is risk-free, and I really do believe that schools have an obligation to make sure that both parents and students who will be traveling have a full understanding of the risks they'll be facing on the trip.

JOE: Well, who should be participating in these pre-departure orientations?

HILLARY: On the school side, definitely all trip leaders and chaperones, and that would include any parent volunteers who might be going along. In addition, anyone in the school's administration who has any oversight of the study abroad program. And finally, others who may be involved with different aspects of a particular program. For example, if you have a school doctor or nurse, he or she may be the best one to address certain items related to health care on the trip.

On the trip participant side, I would recommend that not just students but also parents or guardians, ideally, should be required to attend orientation. And I understand that can be burdensome, but I do think it's important, especially given that parents are the ones who will be signing releases for their minor students, so they really need a full understanding of the program risks and not just its potential benefits to their student.

And I would also say you want to plan ahead to help make that effective. So for example, boarding schools can facilitate parental participation via Skype or conference calls. It does not necessarily need to be in person. Schools that have high proportions of international students should really make sure they are going to have sufficient translators available.

JOE: Okay, so we have all these people involved, what topics should be addressed during the pre-departure orientation?

HILLARY: There are certainly many topics that you can address. I would say, probably, you would want to focus particularly on four of them. They are the most important for any trip.

First, you want to cover the general risks of any overseas travel and any known risks that are specific to the location you are going to. For example, if there are any political sensitivities in the area, high crime areas that you might be visiting, and finally risky features of the terrain such as jungles or mountains.

Second, I would strongly recommend addressing health issues, and that can cover a couple different aspects. For example, any required or recommended vaccinations for the location, general medical care including available facilities that may fall short of U.S. standards, particularly in developing countries. Health insurance as well. For example, will students be covered by their parents' insurance while they are out of the country? Is supplemental insurance needed or recommended? And finally, food and other allergies. What, for example, would be the school's protocol for dispensing medication overseas?

The third item would be student conduct. I think all schools want to make it very clear that the school's code of conduct will apply during the trip, and what the consequences for violating it might be. For example, students can be sent home. In addition, I would suggest giving some examples of the type of misconduct that would be covered here, so for example sexual harassment, theft, and things like that.

And finally, the school's crisis response procedures. Now, crisis likely brings to mind first something like a natural disaster or a terrorist attack, and certainly I think the school and the trip leaders should summarize the protocol for dealing with large scale crises of that type. But other things that are really more likely to happen on any given trip can also be crises. For example, the number one allegation that UE sees in our claims involving study abroad is some type of sexual misconduct. So I'd suggest that you briefly explain how the trip leaders and the home campus would respond to such an allegation on a trip.

And finally, just make sure that everyone on the trip, both trip leaders and trip participants, have contact information for officials on the home campus in case they need it.

JOE: And Hillary, I might add that transportation accidents are also likely to happen abroad. In fact, the CDC [Centers for Disease Control and Prevention] says these accidents are the No. 1 cause of death for Americans abroad, not just terrorism. So you mentioned releases, in one of your points earlier. I wonder if you can go into more detail about those.

HILLARY: That was a great point about the transportation issue, Joe. Yes, a release is certainly very important, and I strongly recommend discussing them—they may also be called waivers—during the orientation process as part of explaining the risks that travelers may face. I would suggest distributing your release forms at orientation, but that you not require them to be signed and returned on the spot. I think it's very helpful to let people ask questions about them, take the forms home, and think it over before they have to sign and return them.

Releases should also be written individually for each trip and they should disclose known specific risks of the location and any risks for specific planned activities. For example, if students will be hiking, if they may be swimming in oceans or rivers, things of that nature. And incidentally, since enforceability of release is typically controlled by state law, you should be sure to have an attorney licensed in your state draft or at least review the releases you'll be using.

Some people may back out of the trip if you give them sufficient time to sort of ponder the releases before they sign. But my view would be that's probably a good thing all around, because it suggests that they really didn't understand the risks of the trip before it was explained to them in detail.

JOE: And Hillary, are there any other forms that UE recommends using and discussing during orientation?

HILLARY: Yes, there are several, Joe. The first one would be an authorization for medical care and treatment for minor students that you would want parents and guardians to sign. The second one would be an assumption of risk form, and that can be a part of the release or it could be a separate document that describes the risks of the trip and specific activities that are planned, and states that the trip participant understands those risks and is voluntarily assuming them. I think it should be signed by both the minor, and I would suggest having parents sign it as well. It's a little bit of a belt-and-suspender approach to making sure that parents are fully recognizing the risks. And finally, I think you want a written acknowledgment that the school's code of conduct still applies overseas and both parents and students understand that they're bound by it.

JOE: That's all the time we have for today. We at United Educators hope you found this topic interesting and helpful to your work managing risk on your campus. Let me again remind you that you can find additional resources on our website at edurisksolutions.org, and that does include several resources that deal specifically with independent school study abroad, such as our *What Heads of School Should Know* publication, and also, a co-study we did with the National Association of Independent Schools called *Study Abroad Risk Survey and Summit Report*. I also want to let you know that we have additional podcasts coming very soon, so stay tuned. Finally, I'd like to thank Hillary Pettegrew for joining me today.

HILLARY: Thanks, Joe. I enjoyed it.



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