

The following information is provided to help employees prepare for the responsibility of leading or supervising registered students going outside the U.S. to engage in approved academic programs or other sponsored activities.

Issues of Data Collection and Institutional and Employee Liability

“One of the reasons campuses should be collecting data on all their students is that they need to know where they are if they are going to be able to ensure their safety.”

To reduce the risk of institutional and/or employee liability, the University and its employees must exercise reasonable care to protect the well-being of resident students—including those who travel abroad under the sponsorship of the university. The university at all times needs to be able to account for any student travelling abroad under NMSU sponsorship.

To identify employees leading or supervising study abroad programs, as well as the student participants, the university requires employees to file the *Study Abroad Agreement: Resident Student Travel Programs* for each activity in which they are involved. The *Agreement* should be submitted to the Office of Study Abroad 30 days in advance of the activity or in sufficient time for visa and/or insurance requirements to be met. The *Agreement* has been organized into two Sections: **Employee Notification** and **Student Participant List**.

The *Employee Notification Section* solicits information to determine (a) the type of program (group or individual student travel), (b) the academic purpose of the trip, (c) the activity type, (d) the length and location of trip, (d) the employee(s) responsible for the trip or the supervisor of the student's activities, (e) the arrangements made for Safe Travel Orientation, (f) verification of how accident insurance is being arranged (for trips of less than 30 days), and (g) which supervisor the employee has notified of the trip or student activity.

The *Student Participant List Section* has space for students to provide information to obtain accident insurance and enter them into the Study Abroad data base: (a) name, (b) social security number, (c) date of birth, (d) citizenship, (e) gender, (f) telephone number and email address, (f) emergency contact, and (g) medical or accident insurance policy. **Each student participating in the group or individual travel activity must be included in the list, provided all information requested, and signed the form before departure.** University liability protections are compromised if these procedures are not followed.

The Agreement also provides information about

- Definition of Resident Student Travel Programs,
- University Policy Governing Student Travel on Resident Credit Programs,
- Obligations of Employees Leading or Supervising Students in Resident Credit Programs,
- Terms of Agreement for Students Traveling on Resident Credit Programs,
- Student Travel Insurance Policy, and
- Obligation of Employees to Arrange Safe Travel Orientation.

Employees performing their duties while directing or supervising students on an approved study abroad program are provided indemnification while in the performance of their duties (unless acting out of fraud or malice or under the influence of alcohol or drugs). Employees are eligible for Workman's Comp. for work related injuries, and general liability coverage up to the limits of the Tort Claims Act. Contact Central Purchasing Office at 575-646-2916 with any questions concerning coverage.

Who Is Responsible for Arranging Safe Travel Orientation for Resident Credit Programs?

The university has a responsibility to inform all students traveling outside the U.S. under university sponsorship, **even for day trips to Mexico**, about proper travel procedures and safety and health risks inherent in participating in the activity.

Employees leading groups of students on field trips or **supervising students going unaccompanied** on programs of **less than 30 days** are responsible solely for providing health and safety orientation to students under their direction. Employees should consult this *Guide* which covers these student orientation topics: *Disclosure of Terms of Participation, Emergency Preparedness, Traveling Out of the U.S., Health and Safety, and Traveling Back to the U.S.* This *Guide* also has sections that cover specific issues related to day trips to Mexico and special advise for employees traveling abroad. The Office can also provide a 20 minute Safe Travel video.

For trips of **30 days or more** employees need to refer students to the Office of Study Abroad which will enroll them in the *WebCT Study Abroad Orientation 101* course that is available at all times. This course requires students to answer key questions to prepare them to handle basic travel, health and safety issues, and to conduct themselves appropriately abroad. It is supplemented with orientation sessions scheduled periodically by the Office of Study Abroad to answer questions and to cover country and program specific issues. **Faculty or staff members may request to cover country and program specific issues in lieu of that provided by the Office.**

What Should Employees and Students Cover in Safe Travel Orientation

The *Employee Guide* covers key items that every employee should address before the students depart the U.S. The items are organized around these themes:

- Disclosure of the Terms of Participation
- Compliance with University Policy
- Emergency Preparedness
- Traveling Out Issues
- Health and Safety
- Travelling Back Issues

DM notes exceptions for Mexico day trips. Employees requiring assistance with orientation may contact the Office of Study Abroad.

Disclosure of Terms of Program Participation

- 1 Provide students (and your department) with a detailed day-by-day itinerary. Make clear in the itinerary when it is free time and students are on their own. For unaccompanied student programs, make sure the student knows the in-country contacts who will support the program. This includes name(s), address(es), telephone number(s) both during working hours and off hours, e-mail, and any other information that will help them arrive safely and receive support at their destination.

DM For a day trip to Mexico, students should know the day's itinerary and when they can expect to return home.

- 2 Provide all students detailed information about student financial responsibilities during the trip, such as purchasing meals, cost of hotels, etc. Ask students to prepare a budget for long-term trips and help them determine the best way to handle financial transactions (credit cards, travelers checks, cash, etc.). Advise students to check on current currency exchange rates (<http://www.xe.net/ucc/>) and to determine the stability of these rates.

DM Let students know if they will have to buy meals and how much money they should have for the day. U.S. dollars are fairly easy to use on field trips across the border. Advise students to take what they need but not a lot of extra cash and to use credit or debit cards sparingly.

- 3 Request students (in confidence) to disclose any special medical, physical, psychological, and/or dietary condition before departure so that you may determine how these can be accommodated during the trip. (Check with legal counsel to determine to what extent you have to accommodate a person with physical disabilities who wants to participate. As a general rule, you cannot prevent a person from participating in a program for which that person is "otherwise qualified." Review Mobility International USA's site at www.miusa.org. Both student and employee travelers with a pre-existing medical condition that may require treatment should carry a letter from a doctor describing the condition and any prescription medication that may be needed, including the generic names of prescription drugs.

DM Field trip supervisors should be informed of potential problems that could occur even for day trips into Mexico. For example, if somebody suffers from asthma but fails to take an inhaler, a serious emergency could arise that threatens the health of the individual and will disrupt any carefully organized schedule.

- 4 Give clear expectations to students applicable to class or structured times. Be prepared to discipline, and even dismiss a participant (with predetermined guidelines to back you up) if necessary. Dismissal should be related to academic expectations, although behavioral acts could be disruptive of academic expectations and grounds for dismissal. Remind students that the NMSU Student Code of Conduct extends to them while outside the U.S. on official university activities.

Especially advise students when travelling in **Mexico** or many other countries where the drinking age is lower than in the U.S. that use of alcohol while engaged in official field trip activities is not acceptable. Employees should never encourage student use of alcohol, even in off-hours away from official activities. Inform students who choose to use alcohol that the university cannot be held responsible in the event of an alcohol related illness or injury. (University employees should not drink with students, and should never use program money to pay for alcohol purchases. Employees who choose to buy, supply, or otherwise distribute alcohol to a student under the age of 21, even if that is legal in the country of travel, does so at their own risk and may jeopardize their University risk management protection.)

Advise students that any type of sexual harassment must be reported to program supervisors, who will notify appropriate university officials. Provide advice to women travelers of any special concerns they should be aware of while in the country of travel. Employees are advised that Title IX applies overseas since university sponsored activities are considered an extension of the university campus. If a student complains about inappropriate sexual conduct, make sure this is reported to campus authorities and is investigated thoroughly.

Compliance with University Travel Policy

- 5 **Make sure students sign or fill out all required forms before they depart.** Do not take any students who have not signed the forms which declare they understand risks and take on personal responsibility of any costs associated with the program.

- 6 **Inform students that are traveling for 30 days or less that they are required to have insurance that includes medical evacuation benefits.** Students going on trips of more than 30 days duration are required to have Medical and Accident Insurance with medical evacuation benefits. If they do not have insurance, they can purchase BETA or HTH insurance which meets university requirements.

DM For a day trip across the border into Mexico, only medical evacuation insurance sold by the Office of Study Abroad is required.

Emergency Preparedness

- 7 **Develop an emergency action plan** and meet with students prior to departure to discuss this plan (who to call at the University, how to report an accident or incident, etc.). Students should prepare an Emergency Information Card to fill out and carry. This is a convenient way for students (and employees) to record emergency information (contacts, phone numbers, e-mail) for both the U.S. and in the country of travel.

DM Yes, serious accidents can happen just going over the border! Make sure you have an emergency plan for these day trips too.

Traveling Out of the U.S. Issues

- 8 **Identify any international students who are participating in the program** and tell them to make sure they are permitted to enter the country of travel (including Mexico) and require them to carry their passport and all their official immigration documents so they may reenter the U.S. Have them check with Mary Jaspers in the International Student Services office to determine what they have to do to leave and return to the U.S.

- 9 Make sure all students have a passport** (valid 6 months beyond the end of the program) before allowing them to participate in the program. Double check that they have their documents before going to the airport. Travellers without proper documentation will not be able to leave the U.S. For longer trips, provide essential packing information and check on current airline weight and luggage restrictions (and what items may be banned on flights)

Mexico Note: Persons going into the interior of Mexico (about 20 miles by land south of Juárez) need proof of U.S. citizenship (passport, birth certificate). We advise all persons traveling long-term in Mexico to carry a passport for identification and ease in completing official transactions, such as money exchange. A tourist visa may also be required and a fee of \$20 is usually assessed by paying at an authorized bank. The U.S. Government will need proof of U.S. citizenship for students to return to the U.S. and a passport is the best proof of citizenship.

DM For a day trip across the border, no passport is required, but students should carry some form of official identification.

- 10 Determine whether a visa is required to enter the countries of travel.** Many countries require a visa for any travel into them (such as Brazil), and others provide a visa stamp upon entering the country (usually for short stays of 30-90 days). Students going on longer-term programs may need a student visa. Check with www.embassy.org for visa regulations for all countries of the world.

DM For a day trip across the border, no visa is required. However, in some cases special permits have been required by Mexican authorities to visit the maquiladoras. Field trip organizers should check with their Mexican hosts about any special permits or other official permissions required for the visit.

Health & Safety

- 11 Advise all students to avoid taking valuable items with them and to take out property insurance for any valuable items taken abroad.** Theft is quite common and professional pickpockets operate in many places. Also advise students to **make copies of all important documents** they are taking with them, and leave a copy with a trusted person at home. If documents, such as passports and other IDs, are lost or stolen, it is easier to get replacements if copies can be secured. Students also should carry copies with them somewhere safe away from the originals.

DM Advise students to avoid taking valuables (expensive watches, jewelry, cameras) across the border unless they are willing to lose them. They should be aware of pickpockets in public places who steal wallets and other items.

- 12 Deal with any known safety conditions openly and frankly** so students feel fully informed to make a decision to travel or not. Keep informed about changing conditions by consulting <http://www.travel.state.gov/> regularly. Keep in touch with any in-country contacts to assess changes in conditions of health and safety that may not yet have been reported through routine channels of communication.

DM Field trip supervisors should be aware of safety issues along the border, especially if students become separated from the group. Keep an accurate count of every person on the trip before moving on to the next stop.

- 13 Address any relevant medical requirements and concerns:**

Advise students to take any medicines needed in original containers (and advise students that supervisors cannot dispense medicines).

Discuss common food, water, insect borne diseases and road safety risks for the country of travel. Consult CDC and WHO and Student Health Center for international health advisories.

Determine availability of medical services in all cities or areas visited beforehand.

DM It is easy to become sick from food and water borne disease even on day trips across the border. Avoid using ice in drinks, even in fancy restaurants, and avoid eating food from vendors on the streets.

- 14 Inform students of any local laws and customs they need to respect and remind them that U.S. jurisdiction does not carry over to other countries.** If taking private vehicles, make sure the vehicle does not harbor anything illegal (drugs, guns, other prohibited items).

- 15 Ask students to think about executing power-of-attorney documents** before departing on a longer trip so that legal, financial, and medical affairs may be handled by a trusted person in the U.S. during their absence. (This is good advice for employees, too.) Sample forms are available from the Office of Study Abroad. We have had students lose passports and other identity documents which had to be replaced before leaving the host country. Somebody with power-of-attorney to obtain these documents will save a lot of time and avoid a lot of grief.

DM This should not be necessary for day trips to Mexico.

Travelling Back to U.S. Issues

- 16 Check on customs regulations for bringing in goods into the country** of travel, plus check on U.S. custom regulations governing importation of items into the U.S. Only students 21 or older may bring back alcohol and cigarettes.

DM Most plant items, such as flowers and fruits, may not be taken from Mexico into the U.S. These and other plant items are sold by vendors at the bridges. So don't waste money buying items on the Mexican side of the bridge that may be confiscated on the U.S. side of the bridge.

Other Employee Considerations

- Check how your medical insurance covers you while out of the U.S. Determine if you have accident insurance with medical evacuation coverage? (NMSU employees who have the Accident and Dismemberment Benefit need to call Janet May (6-1741) for a special card for Travel Assistance Services). Medical evacuations are costly (\$25,000-\$50,000 is not uncommon) and all travellers should consider having this benefit while abroad.
- If taking valuable items with you (like computers), check that you have property insurance to cover loss or damage. Some home owners' insurance may cover this, but check first.

- ❑ Since transportation accidents are the one area that results in most student and employee injury and death abroad, it is important to think through all methods of transportation, routes, drivers, insurance, and policy regarding use of private vehicles, rented vehicles, or university vehicles. Check the background of any employee driver (students not employed by the university should not drive university vehicles unless arrangements have been made in advance to have them covered by liability insurance). With regard to liability, if an accident abroad occurs and it is found out later that the employee had a suspended license in the U.S. because of DUIs, speeding tickets, unsafe driving, or other reasons, the person responsible for the program would not want to defend in court their role as drivers for your program.

Mexico Note: If taking university vehicles into Mexico (even just across the border), do you have official title and proper car insurance? If taking your own vehicle, do you have Mexican car insurance? (While you can drive into Juárez without this insurance, if you have an accident, your vehicle can be confiscated while the accident is investigated and settled legally. Mexican insurance gives you representation and legal assistance). Also, do all drivers of university vehicles have the University license and clean driving records?
- ❑ **Understand how to report vehicle accidents.** In general, immediate notice of accidents is required by New Mexico Statutes. Never tell a person that the University will cover their expenses; Risk Management Division will deal with these matters. Contact Central Purchasing Office for forms to be filled out.
- ❑ **Develop a post-trip evaluation form** to have students fill out to determine what went well and what needed improvement (especially important if field trip is to be on-going and to gauge success of each trip). It is probably a good idea to keep a record of activities and occurrences. Keep the record factual and objective. This record will be useful to protect yourself if any thing goes wrong and your conduct is challenged.

Assistance from Office of Study Abroad

It is expected that the leaders of short field trips will provide orientation to their students covering the items listed above. Faculty needing assistance with these orientations should call the Office (646-5107).

Students going on longer-term programs (more than 30 days) are required to complete the WebCT Study Abroad Orientation 101 which covers Health and Safety and Academic and Cultural Adjustment. The course has quizzes that students must pass. Supplemental orientation meetings are also scheduled to deal with program or country specific issues and answer questions. Students going on programs 30 days or longer may receive this supplemental orientation from their supervisor.

Once a student has completed WebCT Study Abroad Orientation 101 the students has no further orientation requirement unless the student is going to a different country. The Office of Study Abroad will keep a record of those who have completed the WebCT course or who claim they received their Safe Travel Orientation from an employee.

Other Valuable Resources

Many organizations have expended a lot of effort to prepare valuable materials that any traveller can access on line. Below are a number of these sites that may be reviewed.

- NMSU Study Abroad Web site “Safe Travel” section contains extensive information for all travellers.
http://studyabroad.nmsu.edu/Safe_Travel/
- International programs Web site Overseas Emergency Information Sheet allows employees to register with the university when travelling abroad plus access contacts who may have traveled recently in the same area.
<http://www.nmsu.edu/~ip/travelinfo.htm>
- To learn about health conditions around the world go to the web sites for the Center for Disease Control or the World Health Organization at:
<http://www.cdc.gov/travel.html> • <http://www.who.org>
- To learn about SARS go to:
www.cdc.gov/nicod/sars/
- To learn about local road safety conditions, students should go to:
<http://www.horizon-web.com/asirt>
- For assistance with obtaining medicines while traveling, employees may consult the International Society of Travel Medicine or Travel Medicine, Inc.:
<http://www.istm.org> • <http://www.travmed.com>
- Employees should check with their in-country hosts to determine what medical services will be available (doctors who speak English, clinics, hospitals, etc.). They should check that students who disclosed any special health conditions may be accommodated abroad. The Access Abroad web site provides advising guidelines, forms, and resources to assist persons with disabilities who wish to study abroad:
<http://www.umabroad.umn.edu/access/>
- The State Department also provides a wealth of country specific information at
<http://www.travel.state.gov/>