To Disclose or Not to Disclose: Communication with Partners re. On-Site Issues

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Who we are...

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Outline

- Lightning Round
- Survey Results
- Legislative Motivations & Implications
- Case Study: Yale University
- Discussion
Lightning Round!

Red = Do Not Disclose
*I would not expect to be notified / I would not notify*

Green = Disclose
*I would expect to be notified / I would notify*
Lightning Round (1 of 10)

Student goes home mid-semester for a funeral, returns to program after missing one day of classes
Student tells program staff he is gay, has never told anyone before, asks for advice on telling the other students
Lightning Round (3 of 10)

Student falls, cuts hand, goes to ER for stitches, not admitted, no further medical treatment needed
Student moves dorm rooms due to roommate’s excessive snoring
Rowdy partier vomits on his apartment roof, neighbors complain of loud music at all hours. Program places student on disciplinary probation.
Student approaches on-site staff to seek professional counseling
Student changes preferred gender pronoun (identifies as different gender than before going abroad)
Lightning Round (8 of 10)

Student tells staff he/she was sexually assaulted and asks the program not to tell anyone
Lightning Round (9 of 10)

Program staff learn that student has been living with a terminal illness. Student has not informed & does not wish to inform the home university.
Resident Director learns that a student with a disclosed mental health condition has stopped taking his/her medication
BONUS ROUND!

Account for all students in Europe after terrorist attack in Brussels???
Survey: Do you expect to be notified if...

What we asked about on the survey:
Medical treatment
Mental health
Behavioral issues
Involvement in a crime
Violating academic regulations
Policies for different sending institutions
When home school is notified
Incidents happening to another student

Data Analysis Caveat
DIS Partner Universities (U.S.)
180 U.S. colleges & universities (mostly private liberal arts)
● 86 responses

Middlebury & Yale Partners
Affiliate overseas programs/providers/universities (incl direct-enroll)
● 20 responses
Do you expect to be notified if on-site staff learn that your student has sought medical treatment? (choose one)
...of any mental health information regarding your student? (check all that apply)
...if student behavior resulted in disciplinary action? (check all that apply)
...if your student was [alleged to have been] involved in a crime? (check all that apply)
...if your student is in violation of the program’s academic regulations? (check all that apply)
Do your expectations differ from one institution to another? (check all that apply)

*NB! Overseas partners were not asked about geography or type.*
How are / should students be notified of program guidelines regarding contacting home schools? (check all that apply)
So....now what?

At DIS?
- We’re doing pretty well
  healthy students, happy partners, web + contract language
- Should we draft guidelines, or wait for partners to do so?
- Challenges of agreeing to treat individual institutions differently
- More partners asking our policies, telling us increased scrutiny is coming...
Legislature--NOT Clery and Title IX, rather the Minnesota Law
Minnesota LAW

• To be reported, the incident must:
  - be on credit bearing programs
  - be during the program dates
  - be a result of program participation

• Deaths and hospitalization

• Required to disclose the safety of college programs abroad
<table>
<thead>
<tr>
<th></th>
<th>SENDING INSTITUTIONS</th>
<th>RECEIVING INSTITUTIONS</th>
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<tbody>
<tr>
<td><strong>Legal &amp; Internal Reporting</strong></td>
<td>Title IX, Clery, VAWA Program evaluation, risk management</td>
<td>Do not fall under U.S. law Different approach to risk &amp; liability</td>
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<td><strong>Duty of Care</strong></td>
<td>Often more ‘high touch’ institutional culture, information sharing across campus</td>
<td>Varying cultural values/definitions of student support, less information sharing</td>
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<tr>
<td><strong>Communication</strong></td>
<td>Proactive comm with parents, university, media</td>
<td>Conservative comm. with parents, univ, media</td>
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<td><strong>Student Advising</strong></td>
<td>Similar to campus culture; “our” students</td>
<td>Reflects program structure/culture; “our” students</td>
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<td><strong>Monitoring Partnerships</strong></td>
<td>Confidence in support &amp; ability to comply; expectations often set in MOUs</td>
<td>Staffing resources and priorities might not align with expectations in MOUs</td>
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Tell me everything (except that!)

You might get more or less than you need or want.

Consider how this impacts your protocols for:

- Roles
- Response
- Reporting
Before You Ask …

1. Consider what you’ve been asking before
2. Explain why you’re asking for this now
3. Be consistent across different student experiences
4. Think about timing of your request
5. Understand the challenges of your partners:
   • Everyone requests something different
   • Different privacy laws
   • Staffing & resources
   • Time to accommodate request
Reasonable Compliance?

If you set expectations with your partners about what they need to disclose....

...you need to set expectations about what you will do if they don’t.
OK... NOW WHAT?
Where to Go From Here

- Find out what you “need to know” to comply legally
- Find out what you “want to know” to align with your organizational culture around duty of care
- Clarify expectations, limitations, and protocols with stakeholders at your institution, such as legal counsel, risk management, Title IX coordinators, and student affairs
Where to Go From Here

- Be transparent with students about what information is being shared: in student agreements, handbooks, pre-departure information, etc.
- Think about your process of handling, and reporting, incidents
- Make your expectations and limitations clear with your partners and decide what to do if a partner can not reasonably comply
Communicate Your Expectations

National/State Level
- What are your legal obligations?

University Level
- What are you required to report to your risk management officers?

Study Abroad Office Level
- What is your institutional expectation around duty of care?

Reasonable Compliance
- What if they cannot comply?

Student Resources
- Your international health and/or evacuation insurance and policies for students abroad
- Access to mental health resources
- Resources for sexual assault survivors
- Any overlaps in the partnership with your institution

Who they should Contact, and When
- SA Office, Title IX Coordinator, Campus Police, Family
Discussion Questions

1. What do you NEED to know? What do you WANT to know?

2. Have your answers changed from the lightning round?

3. What would you do if a partner cannot comply / you cannot comply?
Where does that leave us?

“The climate of study abroad and global safety has changed, and parent involvement has also changed. I feel far more compelled to be informed and rely on providers abroad to be a partner in this effort.”

“I would like to see an industry standard disclosure practices document which states program practice next to university expectation.”