Understanding the Imperative of Incident Reporting

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Outline of session

• Introductions
• Definitions and Background
• Current Legislative efforts in the US
• Current data known and efforts by The Forum
• Perspective from a US campus
• Case studies
• Discussion
1977
Doug Beasley
Background

1986
Jeanne Clery

1990
The Jeanne Clery Act

"...all colleges and universities who receive federal funding [are required] to share information about crime on campus and their efforts to improve campus safety as well as inform the public of crime in or around campus." (www.clerycenter.org)
Background

1994

Violence Against Women Act (VAWA)

Improve the criminal justice response to violence against women, specifically related to sexual and domestic violence.

2013

VAWA amendment to the Clery Act

“...expand the rights afforded to campus survivors of sexual assault, domestic violence, dating violence, and stalking....Colleges and universities must provide data regarding incidents of sexual assault, dating violence, domestic violence, and stalking.”

(www.clerycenter.org)
Title IX of the Education Amendments of 1972

"...prohibits discrimination on the basis of sex in any federally funded education program or activity." (www.justice.gov)

- Access to Higher Education
- Athletics Under Title IX
- Career Education
- Education for Pregnant and Parenting Students
- Employment
- Learning Environment
- Math and Science
- Sexual Harassment
- Standardized Testing
- Technology
Background

U.S. is a litigious society
The truth is that Americans don't sue that much at all....

But because the myth has been so successfully propagated, Americans have to live with the consequences of excessive law suit avoidance that tramples on the one thing that is supposed to be truly sacred in this country – our liberty.
The Guardian, 24 Oct 2013

U.S. is a society of consumers
1960s – Consumer rights
1980s – Affluence encouraged consumerism

Consumer rights vs.
Consumer responsibility
Informed Decisions
Today

- Growth in study abroad and proliferation of study abroad programs and organizations
- Perceived litigiousness
- Consumerist attitude
- Legislation
- Law of averages

EDUCATION ABROAD
Recent History, Current Trends
State Law: Minnesota

According to Minn Statue 5.41, postsecondary institutions offering credit for study abroad must:

- report deaths and hospitalizations that occurred during, and as a result of, program participation
- report country, primary program host, and program type of each incident
- request, but not mandate, incident disclosure from students upon completion of their program
- report whether the institution is committed to complying with the health and safety standards set by the Forum on Education Abroad
### Minnesota Data, First Year of Reporting

#### Study Abroad Participation and Incidents by Institution, 2014-2015

<table>
<thead>
<tr>
<th>Institution</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>Participants</th>
<th>Hospitalizations</th>
<th>Deaths</th>
</tr>
</thead>
<tbody>
<tr>
<td>All Minnesota Institutions</td>
<td></td>
<td></td>
<td></td>
<td>10032</td>
<td>29</td>
<td>0</td>
</tr>
</tbody>
</table>

**Reporting by Institution, 2014-15**

Institution reporting includes compliance with Forum Standard 8 parts 1, 2 and 3 described below, student participation, hospitalizations and deaths. When <10 is displayed, the data is suppressed to protect student identity.

<table>
<thead>
<tr>
<th>Institution</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>Participants</th>
<th>Hospitalizations</th>
<th>Deaths</th>
</tr>
</thead>
<tbody>
<tr>
<td>Augsburg College</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>216</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Saint Benedict/Lake Superior College</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>36</td>
<td>&lt;10</td>
<td>0</td>
</tr>
<tr>
<td>Bethany Lutheran College</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>&lt;10</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Bethel University</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>263</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Carleton College</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>575</td>
<td>&lt;10</td>
<td>0</td>
</tr>
<tr>
<td>Central Lakes College (Bismarck)</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>23</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>College of Saint Benedict/Saint John's University</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>515</td>
<td>&lt;10</td>
<td>0</td>
</tr>
<tr>
<td>College of Saint Scholastica</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>207</td>
<td>&lt;10</td>
<td>0</td>
</tr>
<tr>
<td>Concordia College</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>217</td>
<td>&lt;10</td>
<td>0</td>
</tr>
<tr>
<td>Concordia University-St. Paul</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>37</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Crown College</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>&lt;10</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Dunwoody College of Technology</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>&lt;10</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Gustavus Adolphus College</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>320</td>
<td>&lt;10</td>
<td>0</td>
</tr>
<tr>
<td>Hamline University</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>617</td>
<td>&lt;10</td>
<td>0</td>
</tr>
<tr>
<td>Itasca Community College</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>14</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Lake Superior College</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>24</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Macalester College</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>293</td>
<td>&lt;10</td>
<td>0</td>
</tr>
<tr>
<td>Martin Luther College</td>
<td>Y</td>
<td>Y</td>
<td>N</td>
<td>27</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>McNally Smith College of Music</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>&lt;10</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Minneapolis College of Art and Design</td>
<td>Y</td>
<td>N</td>
<td>Y</td>
<td>12</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>
Minnesota institutions must also send survey to students upon return asking if they were hospitalized.
## US Deaths Abroad – Non Natural Causes

<table>
<thead>
<tr>
<th>CAUSE</th>
<th>TOTAL</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>MV Accident</td>
<td>2260</td>
<td>33%</td>
</tr>
<tr>
<td>Homicide</td>
<td>1324</td>
<td>19%</td>
</tr>
<tr>
<td>Suicide</td>
<td>985</td>
<td>14%</td>
</tr>
<tr>
<td>Other accident</td>
<td>792</td>
<td>12%</td>
</tr>
<tr>
<td>Drowning</td>
<td>821</td>
<td>12%</td>
</tr>
<tr>
<td>Disaster</td>
<td>149</td>
<td>2%</td>
</tr>
<tr>
<td>Air Accident</td>
<td>170</td>
<td>2%</td>
</tr>
<tr>
<td>Drug Related</td>
<td>133</td>
<td>2%</td>
</tr>
<tr>
<td>Terrorist Action</td>
<td>112</td>
<td>2%</td>
</tr>
<tr>
<td>Maritime</td>
<td>73</td>
<td>1%</td>
</tr>
<tr>
<td>Execution</td>
<td>11</td>
<td>0%</td>
</tr>
<tr>
<td>Train accident</td>
<td>8</td>
<td>0%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>6840</td>
<td>100%</td>
</tr>
</tbody>
</table>

(7.1.08 – 6.30.16) US State Department

http://travel.state.gov/content/travel/english/statistics/deaths.html

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Higher Education Study Abroad Insurance Claims 2005 – 2014 (United Educators)

Total Claims = 126

Average is 12 claims per year

Average Claim loss ≈ $50,000
April 2016
Critical Incident Database

The Critical Incident Database (CID) is a free tool for use by Forum member institutions in tracking critical incidents that occur while students are abroad. The CID serves as a method for tracking required information on incidents that should be reported in a member’s Annual Security Report as required by the Clery Act, including all incidents that meet the Violence Against Women Act (VAWA) definitions. In addition, all incidents that should be reported to a Title IX officer are tagged.

The CID provides:

- An easy and convenient way to track what happens to your students while off campus (types of incidents, locations, etc.):
  - On-line and accessible from anywhere
  - Tablet, smartphone friendly
  - Easy access to your own data; downloadable and printable reports (coming soon)

- A reliable method to identify which incidents should be reported in your Annual Security Report to the Department of Education to comply with the Clery Act:
  - Incidents to be reported to a campus’ Clery and Title IX officers are clearly tagged
  - Definitions provided based on the Clery Act, VAWA and Title IX

- A way to track critical incidents so that risk management decisions about education abroad programs can be made using appropriate data in context:
  - Institution/organization and program identity protection
  - Annual reports generated in the aggregate

Report of 2014 CID Data
Dartmouth College

• 4-year private liberal arts university based in Hanover, NH
• 4,200 undergraduate, 2,000 graduate
• Quarter system, year-round enrollment
• 40+ faculty-led study away & 20 exchange programs
• Programs operate at 52 locations across 35 countries
• ~650 student participants, 50 Dartmouth faculty
• > 50% participation rate
Dartmouth College – Incident Reporting

Critical Incident Reporting Goals

• Safety & security of participants
• Collect information about all critical incidents affecting study away programs, not limited to federally mandated reporting
• Satisfy federally mandated reporting requirements
• Satisfy broader goals in terms of information sharing, reporting (program oversight, inform program improvement efforts)
How Information About Critical Incidents is Used

• Keep informed about program safety – program specific & overall
• Focus on participant safety & program improvement
  • Address safety concerns via program orientation, printed and online resources
  • Data used to inform faculty and staff training
  • Adjustments to program design, program operations
  • Brief narratives (what happened and how resolved)
• Satisfy mandatory reporting requirements
• Collect and share information
  • Campus decision-makers
  • Oversight committees
  • Forum on Education Abroad
Dartmouth College – Incident Reporting

Faculty-led programs

• Communications to faculty directors each term
  • Pre-departure briefing
    • Incident reporting responsibilities (all incidents vs. Mandated reporting)
    • CSA obligations
    • Need to identify Clery reportable locations & local law enforcement offices w/jurisdiction
    • Budget and logistical matters
  • Email conveying:
    • Reporting instructions, incident & location definitions
    • Afterhours contact info
Dartmouth College – Incident Reporting

Faculty-led programs – cont.

- Sharing of information
  - Clery, Title IX, VAWA
    - College staff responsible for Clery and Title IX Reporting (as incidents occur)
    - Locations and local law enforcement information (annually)
  - Campus decision-makers, oversight committees (annually)
  - Forum on Education Abroad
Dartmouth College – Incident Reporting

Ongoing Challenges/Areas for Improvement

• Underreporting
• Exchange programs
• Need to develop online options for submitting incident reports
• Improved outreach to local staff, partners, third parties
• Expand use of post incident debriefs
• Identifying best option for incident reporting database
• Increase awareness of importance of incident reporting across campus, other College entities sponsoring programming off-campus (internship, volunteer, service and research activities)
Case 1

Your program sends 24 students and 2 faculty members to San Jose, Costa Rica for 2 months every summer. In researching the US State Department web site you discover the following data:

Deaths of US citizens in Costa Rica
Jan 1, 2015 - Dec 31, 2105

- Drowning: 7
- Drug related: 2
- Homicide: 3
- Maritime accident: 2
- Other accident: 3
- Suicide: 1
- Motor vehicle accident: 1

How will this data influence your programming and pre-departure preparation?
Case 2

From your analysis of incidents that occur on your institution’s campus you find that 55% of the sexual misconduct incidents involve alcohol.

How will that inform your pre-departure preparation for all of your programs?
Case 3

In looking at the latest available data from the Critical Incident Database, it is clear that the most incidents are reported as happening during “free time”. How do you define “free time”? What are your policies for responding to incidents that occur not while on program time?
Case 4

An administrator presents you with the following slide that they discovered on the web. They are using this one slide as justification to discontinue existing programs in Africa and South America. What questions might you have for this administrator? What other data do you need to explore before making such a decision?
Case 5

In a meeting with your Director of the Counseling Center on your campus, she reports to you that there has been a sharp increase in the number of students seeking mental health assistance from the past year – in fact, it has risen 28%! How does that information affect what you do in the Education Abroad office?
Case 6

At the recent Forum conference you picked up a copy of the Insurance Claims Data and Mortality Rate for College Students Studying Abroad. The major finding of this report is that compared to students who stay on campus, students who study abroad are much less likely to die while off campus.

What do you do with that report? Who do you share it with?