Managing Safety and Liability in Study Abroad Programs

OVERVIEW.................................................................................................................................2
TYPES OF PROGRAMS ..................................................................................................................6
The On-Site Campus Model ..........................................................................................................6
Temporary Campus Abroad Model .............................................................................................7
Independent Study Abroad Model..............................................................................................7
The Exchange Student Model ....................................................................................................8
ORGANIZATIONAL RELATIONSHIPS AND LEGAL EXPOSURE..............................................8
The Impact of the Organizational Model on Student and Staff Conduct ..................................12
PREPARING FOR DISASTERS ......................................................................................................15
Checklists ....................................................................................................................................16
Student Handbooks ....................................................................................................................17
In the Event of an Emergency .....................................................................................................17
Insurance .....................................................................................................................................18
Types of Insurance ...................................................................................................................18
Managing Safety and Liability in Study Abroad Programs

OVERVIEW

Not too many years ago, Study Abroad Programs were mostly for a few thousand students from exclusive private universities; students who would take a "junior year abroad" and study at a foreign university while staying with a local family. Outside of Europe, other American students, often the children of faculty, might study at American universities that were established primarily to benefit local students. Today that is no longer the case. According to the International Institute of Education, approximately 100,000 American students are now studying abroad in approximately 5,000 different venues. Every year the volume is increasing. Unfortunately, if inevitably, the number of accidents and other casualties is increasing too.

From Argentina to Zanzibar, American students are engaged in studying everything from agriculture to zoology. In this imperfect world, tragedies will inevitably take place and despite the best efforts of everyone involved, students will suffer serious injuries and will die. For the most part, the kinds of risks to which students are exposed are similar to those they face in the United States. Unfortunately, the consequences that flow from mistakes committed abroad may often be more severe.

Take, for example, the automobile accident. It may come as something of a surprise to discover that Americans are not the worst drivers in the world. And while we may complain to our governors and our congressional representatives about the quality of our roads, they are generally the envy of the world. Safety equipment that is required on cars sold in America is not always present even on those same models sold elsewhere. Moreover, in many parts of the world the cars on the road are not as new and are not as well maintained. Add to the mix, the common culprits of alcohol, speed, bad weather, poor lighting, and fatigue, and the risk of a serious accident increases.

Then consider the emergency and follow-up medical care. Most Americans live within close proximity to an interstate highway and a first rate trauma emergency room. Most people in the rest of the world do not. Hence, while students who have auto accidents
in many countries of western Europe may get rescue treatment equal to or better than that available at home, the same cannot be said for many parts of the globe. The question of automobile safety can also be analogized to other health and safety issues. The adage "don't drink the water" still obtains in many parts of the world and the consequences flowing from food and water poisoning or from building and fire codes that are either non-existent or poorly enforced can be considerably more severe than a case of diarrhea. While recent cases of criminal acts against students have garnered headlines, the problem of crime against students is often not worse and in many places much better than at home. But the lack of awareness as to "safe" neighborhoods and common criminal scams can make traveling students more vulnerable than they would normally be at home.

Added to these risks is the apparently widespread belief of many travelers that the laws of physics don't apply away from home. At any warm beach resort, from Bermuda to Thailand, you can routinely see scores of otherwise sane vacationers busily imbibing and then tearing around on motor bikes or scooters, often without even a helmet. The resorts, of course, don't advertise the accident rate but it is significant.

An additional factor that often increases the risk of study abroad is the nature of the study activity itself. Reading books in a library is a relatively safe activity whether done in Trenton, New Jersey or Timbuktu, Mali. Scuba diving, mountain climbing, exploring archeological ruins, and other types of field research can be dangerous whether done at home or abroad. Often the study abroad component of a student's curriculum will be heavily loaded with field study. Educationally this makes a great deal of sense but it does increase the risk of harm.

While an increase in the number of accidents is an inevitable by-product of the increasing number of students studying abroad, managing programs well can make an enormous difference in the frequency and severity of the accidents and in limiting the liability of institutions against lawsuits.

The principles of managing study abroad programs well are similar to the standards used as home. These include:
• Understanding the nature of the program activity so that the educational benefits can be measured against the risks of harm. Absent extraordinary circumstances, program administrators and faculty should have a good knowledge of the "lay of the land" before taking a group of students on the first trip. This means having someone on staff actually view the places that will be visited and experience the itinerary including the food, housing, transportation, and study venues.

• Breaking down the program into distinct components and assigning clear staff responsibility for each component. This is important during the normal running of any program but it is essential during a crisis and can be more complicated when happening abroad. The sorts of relationships with local hospitals, government officials, police, and media upon which the institution can rely on at home are usually not present in the foreign locale. Hence, the foreign study administrator should make an effort to develop these relationships abroad.

• Requiring appropriate adherence to safety standards when negotiating contracts with entities providing tours, housing and transportation. Insurance policies with well rated companies must also be required and reviewed so that if an accident occurs, medical services and, if necessary, repatriation of students and staff can take place without concern for finances. Whenever possible, it is important that the college or university be named as an "additional insured" on the tour company's policy. This ensures that when all parties are named in a lawsuit, the insurance company for the transportation service whose driver had the accident will actually defend and indemnify the sponsoring college or university. Finally, the sponsoring school representatives should make on-site inspections and do background reference checking to make sure that the vendors are, in fact, meeting safety standards.
• Promulgating for all staff and students a clear statement of all standards of safety and behavior that will be expected of them. If home-institution policies are going to be applied to the foreign locale this should be made explicit. Additional and/or different policies should be carefully discussed and uniformly disseminated.

The well managed study abroad program requires that additional steps be taken. These include:

• A review of applicable law regarding enforcement of contracts, particularly those clauses dealing with choice of law and choice of venue. Choice of law refers to the law that will be applied by a court when considering a legal question. Different countries have different laws and the decision of which country's law to apply to a case often will determine its outcome. Venue refers to the location and court where the lawsuit will be heard. If contract requires that any controversy arising under a contract must be decided in the courts of Thailand and the would-be plaintiff resides in Pennsylvania, it will be far more difficult to maintain a lawsuit in Bangkok than in Philadelphia. While venue and choice of law are related, they are not identical. A court in New York may well be called upon to interpret and enforce the laws of France if the parties have a contract containing such a requirement.

• A review of applicable tort laws. Some jurisdictions limit the ability of parties to "contract away" what otherwise would be their legal responsibilities. In the United States "contractual waivers" that purport to absolve one side of all responsibility, regardless of cause are generally not enforceable. Although parties may contract away their responsibility for negligence, even if the contract is on the back of an airline ticket, but it is against "public policy" to attempt to avoid responsibility for deliberate wrongful acts. An example would be if a hotel had a deliberate policy of turning off its fire protection system at night in order to save electricity and the absence of such a system resulted in needless injury and death following a fire.
• A review of local social and political standards and the development of an orientation program that alerts students and staff to them.

• A review of local public health conditions that might affect staff and students.

• A review of local climactic conditions that might significantly affect staff and students.

In sum, the responsibilities for conducting a successful study abroad program are not unlike those obtaining on the home campus.

TYPES OF PROGRAMS

Study abroad programs range from those where a single student engages in independent study in a foreign locale and gets academic credit upon returning home to one where the American college or university maintains a physical campus in the foreign country and employs professional and administrative staff on-site on a full-time basis. Each type of program has its advantages and disadvantages.

The On-Site Campus Model

Some American colleges and universities operate branch campuses abroad. Under this scenario, the American institution owns or leases on a long term, the real estate on which the campus is located. The American school also hires local staff, pays local payroll and other taxes and is subject to local employment rules. It is also subject to local building code and health and safety requirements. The faculty may be locally hired, may be sent from the American campus or both. This model provides the home institution with a great deal of control and allows for an environment where American students can be "gently" immersed into a foreign culture while having an American "home" to which they can retreat. Worries about the acceptability of credits, academic major requirements, and other academic administrative issues don't exist any more than they would on the home campus. With this added control, however, comes added responsibility and the likely student expectation that the foreign branch campus will have all of the standards and services available at home.
**Temporary Campus Abroad Model**

The temporary on-site campus where the American institution rents a facility for a short term and provides instructors from the home campus shares many of the pluses and minuses of the permanent foreign campus model but avoids, in many instances, the need for concern with foreign labor laws which can be very cumbersome. Because there is no long term capital investment, schools are more easily able to start up and discontinue programs as demand warrants. The use of home-campus faculty makes staffing easier but as a practical matter the American school without a permanent campus will require the aid of local contractors and it is therefore incumbent on the institution to engage in a thorough vetting process. Similarly, the foreign venues may not live up to American health and safety standards and an American court may not excuse that failing, particularly in the absence of a clear warning to the students, in the event of a disaster.

**Independent Study Abroad Model**

While many students attending foreign universities do so under special programs for foreign students, some will simply enroll in the normal curriculum and be given credit for the effort at their home institution. Some American institutions will simply give a semester's credit for a semester's work while others will transfer the course grades and combine them with the student's cumulative grade point average. The obvious advantage of this model is that the student truly experiences living abroad and in a non-English-speaking environment the opportunity to learn the local language is greatly enhanced. The downside is that the support services to which many American students have become accustomed are likely to be absent in the foreign locale. Getting help when dealing with a crisis is even more problematic. The *Going It Alone* model changes the home institution's level of responsibility and the direct burden on the American campus for health and safety abates. However, the American student, and an American court, is likely to expect that the home institution that has approved the foreign university course of study is an "expert" in these matters and that many, if not all, problems unforeseen by the student should have been foreseen by the home institution. In
addition to the health and safety concerns study abroad at foreign institutions can raise accreditation issues for the home campus. Most accreditation organizations have detailed requirements regarding what courses may be taken for credit, what courses make up an academic major and the background of the faculty teaching the courses. The strictness varies, of course, so that a nursing curriculum, both at home and abroad, might be somewhat more detailed than comparative literature.

The Exchange Student Model

A variant on independent study abroad are those programs where American students enroll in foreign universities as formal "exchange" students; programs where students take classes at a foreign university but may have a home institution-sponsored living arrangement usually with a home institution on-site program director. Often the exchange program will involve a formal agreement between the foreign and the American university that will outline the nature of the courses to be taught, the allocation of tuition and fees and the articulation of credits that may be applied to the respective institutions' academic majors. While the American student may study alongside his or her foreign counterparts the host institution recognizes the Americans as special students and may provide certain support services as part of its agreement with the American school. This model can provide the "best of both worlds" by offering a genuine "foreign" experience while at the same time ensuring that a safety net exists for the American student who is without the support of the family-and-friends network available at home. However, because of the shared institutional responsibility, there is an increased risk of a "dropped ball" with this model. With this model it is essential that each institution understands and meets its obligations and that the students fully understand the nature of the program.

ORGANIZATIONAL RELATIONSHIPS AND LEGAL EXPOSURE

Very few American colleges and universities are financially able to create a stand-alone study abroad program that will service the needs of all its students. Even where an institution can afford to do so financially, it will often make sense to take advantage of economies of scale that permit a broader range of offerings than would be available
when created by a single campus. Therefore, even where a college or university solely owns and operates a branch campus in England, it may want to join with other schools in a consortia or partnership to foster a program in Slovakia or Malawi where the demand for study abroad opportunities is less. Participating with other schools greatly expands the opportunities for study but it expands the complexities of operation and, without careful planning, it increases the risks.

Colleges and universities are legally established in a variety of forms and consequently each can create different models for promoting study abroad programs. American colleges and universities are constituted as:

- a unit of government, such as a state owned and operated college or university;
- a public corporation, such as a state college or university which while owned and operated by the government, nevertheless has a measure of independence from the traditional branches of state government;
- a nonprofit corporation which is the legal form taken by most independent colleges and universities;
- a religious corporation which may include an educational entity within it.
- The legal form of a study abroad program, in addition to one run by an individual institution, can be:
  - a partnership;
  - an unincorporated association such as an academic consortium; or
  - an academic consortium that is separately established as a nonprofit corporation; or

Each of these types has its advantages and disadvantages and for most colleges and universities its legal identity has long been determined and is likely not to be changed in order to meet study abroad concerns. Of course, one can combine several models together in a single study abroad program as where a public college, a religious
university, and a sectarian school join in a study abroad consortium. Mixing these different types of legal entities into a single study abroad program raises interesting risk-management and liability challenges.

The typical public college enjoys at least a measure of immunity from lawsuits as a result of the doctrine of sovereign immunity. This doctrine, borrowed from the English common law, assumes that since the King (now the government) is infallible, no lawsuits may be maintained against him since the outcome of the liability question when dealing with someone who is infallible is a forgone conclusion. This archaic notion has been leavened in many states through the acts of the legislature or court decisions. In most cases, however, the rights given to plaintiffs are far narrower than those enjoyed by most persons visiting the court house. Typically there is a dollar limit placed on the government's potential exposure and often the plaintiff is denied a right to a trial by jury. Instead, all suits are brought to a claims commission composed of salaried government employees. Many public colleges also enjoy the benefits of a state tort claims fund so that any dollars that are paid out to injured persons are not deducted from the college's operating budget. Moreover, in many states, public colleges are defended in court by lawyers from the office of the Attorney General, even where they employ their own counsel on campus. These legal expenses are customarily not charged back to the campus. Finally, public college and university employees often enjoy the protection of the state's policies of indemnification so that if they are sued personally for acts committed within the scope of their employment, they will be defended and indemnified for any money that must ultimately be paid out. From a liability perspective the forgoing is all good news for the study abroad director and her or his public institution. On the other hand, a public institution is subject to laws and rules that private schools need not follow. Typical state procurement and employment rules are not drafted with study abroad programs in mind. The milieu can become even trickier when there are collective bargaining agreements. Hence, a public school study abroad administrator may have trouble convincing a state-capital bureaucrat that the doctrine of sovereign immunity doesn't apply abroad and special insurance above and beyond that called for...
in the "state contract" is warranted. Engaging the services of even temporary help overseas may require waivers from state employment rules and practices which may conflict with the laws of the overseas country. These are obstacles that can and are overcome but they require persistence and administrative savvy.

Public corporations are units of governments that are established to act somewhat independently of the typical government framework. In some circumstances they can act very much like other corporations enjoying a freedom from state rules and are free to sue and be sued in their own name. The level of independence granted to colleges and universities that are public corporations vary considerably from state to state.

Nonprofit or not-for-profit corporations are creations of state statutes. While the specifics vary from state to state, most nonprofit corporation laws prescribe, within broad parameters, a method of operation and organization and provide for a limit of liability for the corporation's directors, employees, and volunteers. The laws also exempt nonprofit corporations from certain state taxes. Most religious organizations are, legally, nonprofit corporations and many that own or operate colleges and universities establish them as separate nonprofit corporations. Under federal law, nonprofit educational entities are excused from paying income tax so long as they conform to certain rules of the Internal Revenue Service.

Partnerships and associations such as a typical academic consortium are also creatures of state law. While rules governing partnerships are generally defined in state codes, many states have no specific statutory provision controlling the establishment and operation of nonprofit associations. However, there are principles governing associations that exist at common law. The common law is law created by judicial decision on a case by case basis over time and while it may not always be as precise as statutory law, it is every bit as controlling. Perhaps the most important common law principle regarding associations is that, for liability purposes, each member of the association is fully liable for the losses caused by any act of the association. Hence, if a college joins a consortium which runs a study abroad program and a liability is created due to the negligence of another institution's employee engaged in consortium work, the
first college along with every other college or university in the consortium is liable to the full extent of their assets. The association can, however, purchase liability insurance and establish rules of operation to which the members pledge themselves through contracts. But it is obvious that a school should pick its association partners carefully.

Subject to certain constraints, it is also possible to create separate legal entities for limited purposes such as study abroad programs. Hence, a public college can join with private colleges to create a separate nonprofit corporation for the purpose of conducting study abroad programs.

Still another organizational model is for a university to simply contract or arrange for its students to contract with another university's study abroad program. This model limits the sending institution's liability but also means that the sending institution and its students get a study abroad program on a "take it or leave it" basis.

There is no one "best" model and risk management and liability issues shouldn't dominate but should inform the organizational decision. The ultimate objective should be to run a challenging program well. A well managed program will reduce or eliminate unnecessary risk and will include a program of insurance coverage that will absorb the financial shock of the inevitable accident.

The Impact of the Organizational Model on Student and Staff Conduct

When a student leaves her or his own campus and studies abroad under the auspices of another institution the question arises whose rules apply? When the faculty member teaches a course or leads a group of students in a program run by a consortium that includes those from her own campus but from five other schools as well, whose rules apply?

The time to think about the answers to these questions is before the trip gets underway. Generally the questions can be answered by creating an legally binding agreement. But some answers may not be readily apparent and indeed may be unknown. For example, because of the dearth of cases addressing the issue, it is not clear to what extent the American's With Disabilities Act applies to overseas programs. However, a prudent
institution will ponder the question and make at least some preliminary decisions in advance of the issue coming to the fore.

A not uncommon case study is illustrative. A young woman from a public college, travels to Singapore on a six week program run by a consortium to which her institution belongs. The consortium is an unincorporated association comprised of fifteen colleges and universities. Seven of the schools are public and are located in four different states. Eight of the schools are private and are located in four states in which the publics are located plus three additional states. Four of the independent schools are religiously affiliated. The faculty on the program are "supplied" by their respective campuses. That is, they are permitted to teach this program as part of their annual course load and the consortium pays them their travel expenses and a daily per diem. Students enrolled in the course are academically registered on their home campuses. Grades earned in study abroad courses are first sent to the consortium's central office and then passed on to each school. The grades appear on each student's transcript as credit earned in the home university of college's curriculum.

Near the end of the program's last week the student goes to see the on-site director, an employee of one of the other public college consortium members. She alleges that a female faculty member from one of the religiously affiliated private colleges sexually harassed her by physically touching her and propositioning her during the course of the program.

The program director contacts the home office of the consortium and discusses the case with the consortium's executive director. Among the questions they ponder are:

- Should the student be advised of her right to file a criminal or civil complaint under the laws of Singapore? The answer is probably yes but the likely consequences of doing so should be ascertained and explained.

- Does the student have a right to file a sexual harassment complaint under her home school's policy? This should have been explored before she enrolled.
Since she is getting credit from her home school the answer is probably a theoretical "yes."

- If so, how does that home school exercise jurisdiction over faculty and staff who are not employed there? In theory, this can be addressed by a contract but it is unlikely that faculty of one school will agree to be bound by the rules of another.

- What sanctions, if any, would the student's home institution be able to apply to employees of other consortium schools? Again, in theory, this can be addressed by a contract.

- If the student's home school advises the student that it can do nothing to pursue the complaint because the alleged perpetrator is not an employee, is the student's home school liable to her for breaching its policy? Of course, this depends on the agreement the college or university has with the student.

- If the consortium has its own rules of conduct and, after conducting an investigation, determines that the student's complaint was well founded may it impose sanctions against the offending faculty member? Certainly it may, if those ground rules were established in advance.

- What if the procedural rules used by the consortium in conducting the inquiry are different from those that would normally be used by the offending faculty member's home institution? There is nothing inherently wrong with this but again, the ground rules should be established, as far as is practicable, in advance.

- Suppose that the consortium's inquiry determines that no sexual harassment took place but that unwise drinking on the part of both parties took place. Under the religious strictures of the faculty member's home institution, the consumption of alcohol is forbidden. May the consortium's finding be used to discipline the faculty member? Probably, but it depends on the employment agreement between the faculty member and her home institution.
• Suppose that the consortium conducts an inquiry and reaches a formal conclusion. Is that conclusion binding on both the student and the faculty member at their respective institutions? Again, it depends on the nature of the agreement between the home institutions and the student and faculty member.

• The answers to these questions are not easy to divine and there may be more than one that is "correct." Regardless, they should be pondered before, not after, the crisis that brings them front and center. If there are agreements clearly in place as to what rules apply and how they will be enforced much of the confusion and its risk of liability can be minimized and avoided. Clear and adequate advance notice as to those applicable rules is the other important factor in limiting problems.

• Through contractual agreements and full disclosure of potential risks, study abroad programs can be managed with no greater risk of liability than those operated at home. The key is to think through all the steps of the process and then to clearly establish and assign program responsibilities.

PREPARING FOR DISASTERS
Despite the best efforts of all concerned, the ever increasing number of students studying abroad virtually guarantees that the number of annual accidents will increase as well. When tragedy strikes, the study abroad administrator and the home institution will avoid and limit liability primarily depending on whether they behaved "reasonably" under all the circumstances. This is the major legal standard by which liability is often determined. The standard of "reasonableness" is perforce a flexible one and the harsh backward-facing lens following a severe accident can be troubling. At a minimum, however, the college or university facing a lawsuit will be expected to have met the "standards of the industry" in the conduct of its programs. The "standards of the industry" are simply the practices maintained by similarly situated study abroad programs.
The standards, referenced below, are a helpful starting point. In some cases one may decide not to follow a particular practice and in other cases one may wish to take much bolder steps.

There are a variety of resources available. Among the most helpful websites are:


- The Forum on Education Abroad; *Standards of Good Practice for Education Abroad* and *Standards of Good Practice for Short-Term Education Abroad Programs*, [http://www.forumea.org/standards.cfm](http://www.forumea.org/standards.cfm)

- The Center for Global Education training videos: [http://globalscholar.us/index.asp](http://globalscholar.us/index.asp)

- The Association for Safe International Road Travel: [http://asirt.org/](http://asirt.org/)

- U.S. Department of State, Travel Advice: [http://travel.state.gov](http://travel.state.gov)

- The Overseas Advisory Council, [https://www.osac.gov/Pages/Home.aspx](https://www.osac.gov/Pages/Home.aspx)

One cannot eliminate the risks of studying abroad any more than one can eliminate the risks of staying at home. Life is uncertain and tragedies happen all too frequently. But colleges and Universities are not obliged to curtail or avoid programs that are inevitably dangerous. Many of humanity's most important discoveries have come out of dangerous explorations. What an institution can and must do if it is to avoid or limit its liability is to make sure that it apprehends and communicates to students and their parents the risks that obtain with study abroad programs. It must also manage its programs in a way that minimizes, to all reasonable extent, the risk of accidents and other misfortunes.

**Checklists**

In the world of aviation the use of safety checklists is commonplace. Dr. Peter Pronovost, of Johns Hopkins Medical School, developed a simple checklist that has
saved thousands of lives by preventing deadly bloodstream infections linked to central lines or catheters used in intensive-care units. It directs doctors to:

1. Wash their hands with soap.
2. Wear a sterile mask, hat, gown and gloves and put sterile drapes over the entire patient except for a hole where the line goes in.
3. Clean the patient’s skin with chlorhexidine antiseptic soap when the line is put in.
4. Avoid veins in an arm or leg, which is more likely to get infected than veins in the chest.
5. Check the line every day for infection and remove when no longer needed.

Nothing but common sense, right? But as has long been observed, common sense is very uncommon. Checklists simply recognize that the human brain cannot store, order, and keep handy endless numbers of tasks required for the successful management of a project. Checklists also the myriad of tasks required to be performed by each team member. Finally, if the several items are actually "checked" it provides valuable evidence of reasonable conduct in the event of a disaster. The formal "check off" can be done verbally with another staff member or physically. Appendix A provides two examples of program directors' checklists.

**Student Handbooks**

As most of you know, delivering information to students is an art not a science. If one hopes to convey important information to students it is essential to have face to face orientations, more orientations, notices and handbooks. Providing students, (and their parents) with early access to handbooks will be helpful starting to get "the message" across. Here are some examples: Cooperative Center for Study Abroad: http://www.ccsa.cc/participant/traveltools/handbooks and the School for International Training: http://www.sit.edu/studyabroad/922.htm, (link to "SIT Study Abroad student handbook.")

**In the Event of an Emergency**

Every disaster presents unique problems but some general principles are applicable to every situation. The first priority should always be to address the immediate needs of
program participants. Aside from that it is always prudent, the immediate aftermath of an event to:

- Keep students and staff informed to the maximum extent but avoid making promises that may not be able to be kept
- Contemporaneously document what one has learned, what one has done and when one has done it.
- Speak with one voice. Ensure that all staff understand who the organization's spokesperson is.
- Communicate with the student’s parents or other contact person directly and not through the media.
- Avoid being stampeded into a decision or a public comment. If additional information is required before a responsible decision or recommendation to the Executive Director can be made take the time to acquire it.
- Refrain from speculating when speaking with parents, other faculty, directors, and students. If facts are unknown don’t try and fill in the blanks
- Refrain from laying public blame on others.
- Refrain from accepting blame.

**Insurance**

Obtaining proper insurance is vital! Unlike the typical American homeowners policy, study abroad program insurance is most definitely not "one size fits all." A comprehensive review of the subject of insurance is beyond the scope of this paper but some basic issues are worth mentioning.

**Types of Insurance**

Sound insurance coverage will address:
• health and accident coverage for all study abroad participants, students, staff, and faculty, from the time they begin their trip in America until the time they have returned home.

• repatriation of all participants including bodies of participants who die while on the trip.

• liability coverage for personal injury or death resulting from acts committed by any person against a program participant, and

• liability coverage for non-personal injuries, such as discrimination, committed by any person against a program participant.

• Other insurances against fire, theft, business interruption, etc.

• Geographic exclusions

• The kinds of legal defense that will be provided regardless of the locale

If there are any exclusions whatsoever these need to be carefully evaluated. Often even brokers will not fully understand the nuances of the different coverages so it is useful to outline a "worst case scenario," in writing for the broker and make clear in insurances is required against all of the risks mentioned thereby making the broker liable for obtaining the necessary coverage.