



TO: University Council

FROM: Dr. Chris Keller, Dean of the Honors College and Senior International Officer
Kay Lennon-McGrew, Assistant University Counsel and Policy Counsel

DATE: May 4, 2021

RE: Policy on Risk Assessment and Management for Education Abroad Programs

I. Introduction

The attached policy specifies how East Tennessee State University will assess and manage risk related to students and employees traveling in conjunction with education abroad programs that are explicitly endorsed by the university. It defines the types of students and employees to which the policy applies, the type of programs to which the policy applies, the application process students and employees must follow, the responsibility of students and employees, how risk will be assessed, and the requirements related to travel.

II. Comments Received

Below is a summary of the substantive comments and/or questions received during the public comment period, as well as the applicable response from either the policy originator or legal counsel. Technical, grammar, and organization comments were considered by the policy originator and incorporated as deemed appropriate.

Comments from Randy Wykoff: "Research" is only mentioned once, on page 6. A case could be made that this policy only applies to students travelling for education and not for research. That may need to be clarified.

Policy Originator's Response: We agree with your comment that research should be addressed in the body of the policy. The policy has been updated to include research in the opening paragraph.

The major concern: CDC's travel advisories routinely recommend pre-travel vaccinations, malaria prophylaxis and other necessary steps for a traveler to be healthy in the host country. This current policy, by being silent on these issues, (except where it refers to "health and safety risks have been reasonably mitigated") may make it possible for a student to travel to a very high risk area (from a "health" standpoint, as opposed to a "safety" standpoint) without taking appropriate precautions. While ETSU cannot force a

student to take malaria prophylaxis (for example), I believe that we should be able to prevent a student from participating in an ETSU-sanctioned activity, if they fail to follow CDC guidelines.

Office of University Counsel's Response: If a vaccination is required by the CDC or host country, the student will be unable to travel until the student complies with the requirement. If a vaccination is recommended by the CDC, students cannot be required to receive a vaccination under a policy. Vaccination requirements must go through the formal rule making process. In addition, exemptions must be permitted in certain circumstances (e.g. medical conditions, religious reasons, etc.). Students will be strongly advised to follow CDC guidelines, and the Committee has the authority to deny travel based on a serious health concern.

Comment from Susan Epps:

Why are "Students" and "Employees" capitalized?

Office of University Counsel's Response: These are defined terms as detailed in the Defined Terms section. A defined term is a noun; therefore, it is capitalized.

C. Travel to Level 4 Countries or Mandatory Evacuation Zones ~~Not Permitted~~.

This would be consistent with A. and B. and since the paragraph included that travel is not permitted, seems redundant.

Policy Originator's Response: The headings are informational to help the user locate information in the document quickly. The headings are not binding; therefore, the information is restated in the paragraph.

B. International travel that is not ~~deliberately~~ supported or endorsed by ETSU.

What does "deliberately supported mean" (is it different from "supported"?)

Policy Originator's Response: Yes, the intent was to indicate that a supported program (e.g. a flyer posted or emailed by a professor) is different from a deliberately supported program (e.g. a program endorsed by the institution). This language has been changed to: explicitly endorsed.

Procedures-The policy is about risk management. The procedures appear to be about applying for travel, not about the procedures for risk management. Is the procedure section necessary?

Policy Originator's Response: Section I of the policy states that the student is required to file an application to travel. Thus, it is appropriate that the procedure section detail how the application should be filed and the procedure for reviewing the applications.

III. Legal Review of the Proposed Policy

This policy is authorized under Tenn. Code Ann. §§ 49-8-203 (a)(4).

