

II. Liability Issues

Keene introduced the NAFSA: Association of International Education guidelines for safety and liability in study abroad. He said it might be good to endorse them and that there might be an advantage in utilizing them since they came from the major U. S. organization for international education, and that perhaps these guidelines would provide good legal coverage.

Coker utilized them in the USG handbook for developing study abroad programs and stated that these guidelines are a benchmark and make a good checklist.

Call distributed them to his colleagues on the international committee at GC&SU and said the committee will probably adopt them.

Langston stated that there is a Crisis Committee at GSU and that it seems everyone has a crisis plan to prevent and manage campus crisis situations, but have study abroad programs been addressed in the crisis plans of institutions? He asked whether endorsement of these guidelines is something that should be institutionally endorsed or is it something we might agree to endorse as a System? He asked if there were any elements in these guidelines as they stand that would cause a problem on your campus.

Adams wanted to know what was meant by the concept of endorsement from a legal perspective. What makes him nervous is if your own endorsement/rules said you would do something that you did not do, wouldn't you be even more liable? "These are good advisories - but endorsement is right next door to policy and it makes me feel like the cat in the room full of rocking chairs."

Welborn: It would be good to endorse the guidelines for the purpose of greater system continuity and that there was nothing in the guidelines that he would quarrel with and that furthermore it would establish a standard.

Langston was reading from an item listed in the guidelines and asked, "When is the last time someone did a health and safety study in Paris?" Biron addressed this with what she does to follow the guidelines in planning the France study abroad program. If it says someone should assess the health and safety conditions in an endorsed plan, then the first thing an attorney would say if there were an accident, where is your assessment? Call thought that what Biron did could be considered an assessment.

Baird: The guidelines were incorporated into the Handbook for VSU Study Abroad." He suggested giving the campuses input and ownership by having this body (the SCIE) recommend endorsement and then the campuses could decide to endorse them or not.

Bass: The Georgia Tech attorneys said that disciplinary history couldn't be considered in student applications for study abroad.

Call asked if our legal people could take a look at the guidelines from a liability perspective.

Adams asked if members of the Central Office staff have had conversations with the lawyers about their

experience in this arena.

Sutton: The legal arguments cut several ways. Do you have guidelines? Surely you have done basic things to insure the health and safety of participants. Have you set a standard that you have not met? In terms of litigation history - if an institution has made a good faith effort, then the institution is not at greater risk.

System endorsement of standards implies that institutions must do it. Sutton: If we had a system endorsement that each institution agreed to - then the institution's agreement would keep us from having to require it.

Coker: There is no device that will prevent a tort case from being filed. The fact that an institution runs a program makes you liable in the first place. What if there were a liability case and an attorney said, "Are you aware of the NAFSA guidelines on Health & Safety? If not, then why not." The rationale of the attorney would be that a reasonable person would do these things. Perhaps the verb support' should be used rather than endorse.' He stated UGA would

Adams: Coker was right that you can be sued for anything and that what you adopt can be used against you or for you. There was no protection from being sued and gave an example from his campus.

Action To Be Taken: Sutton suggested that the members go back to their institutions and get feedback on the guidelines and endorsement or support. He said there could be a list-serve discussion and that the topic of whether a system action is warranted will be taken up at the USG Study Abroad Committee meeting on February 5th. He said he would look to Dr. Reiff's committee to come forward with a recommendation.

Coker: "I don't know that the system cannot take a stand on this - the chancellor is typically named in a law suit like this - the chancellor is named as the responsible authority - I don't know if the System office doesn't need to take a stand."

Langston: If you read these and you think of someone adopting it, this is not a general kind of orientation - there are specific requirements - I have marked seven things that we do not do, for example: "clear information that cannot be replicated to serve students." We are not going to have counselors on this trip.

Murphy: The guidelines are to be used as applicable and that they could be adopted.

Sutton: If the guidelines were too prescriptive, they would lose their value as guidelines. To the extent that the concept of guidelines can set a standard or a direction toward a standard, they are good.

Clarification was requested. What are we going to do on our campuses? Sutton said to take these guidelines back to all of your campuses for response.

Faculty Program Directors are covered by institutional liability policy as long as they are in employee status;

new ones are jumpy about it. The answer is that if it is in the scope of their duties - what's the limit of that professional liability for the system?

Financing of cooperative programs

Sutton: There have been several successful, collaborative study abroad programs coming from the European Council which have grown each year. The success of these collaborations has suffered in the area of funding for faculty. There have been discrepancies from one institution to another in how much they pay faculty teaching on these multi-institutional collaborative programs. A letter has gone out from Senior Vice Chancellor Jim Muyskens to the academic vice presidents offering some best practices that might be followed. We need a long-term solution on how to fund cooperative (collaborative) education. The most obvious arena for looking at this issue is in distance education. The grid in your handout is of a variety of ways to offer and fund courses offered by a variety of institutions. We want to be sure cooperative study abroad programs fit in with the other cooperative education movements - want ours in alignment with the system collaboration. Muyskens has suggested that a task force brings recommendations to him by June 1st - include distance education, study abroad, and other academic collaborations.

Sutton asked the council, "What are your thoughts on where this effort might go?"

Welborn: If we are going to meet the Chancellor's goal for 2% - when I pushed on my campus for support, it was the System standard (policy directive) I turned to - as a faculty member you are literally on your own. - As a system this would be very beneficial.

Keene: They have had very extensive discussions on this when we were first trying to sort out how to do collaborative programs and that there were two basic models: "Tuition follows instruction" or "tuition stays at home." We let both models go forward to see what worked. I hope the task force will not be bound to take what is on this grid and that they will look at what has been successful. We have a model to contribute that is not yet part of the distance education models.

Keene clarified that students register, pay tuition, and get credit on their own campus. These are common elements of both models. What was not common to the models was the mechanism for paying faculty

Faculties are paid by the institution that employs them and therefore there are discrepancies in pay for faculty teaching in collaborative programs.

where students register and where the dollars go.

IV. Curriculum Inventory Report (CIR)

Sutton: He had met with the staff in Planning and Policy Analysis at the BOR and that they were concerned that the registrars capture the correct "instructor of record" for study abroad course work. He explained that if your student registers for a class, then every course listed for credit given has to be cross-checked with an approved faculty member. A flag is automatically applied to any coursework given by an instructor not listed as a valid instructor at that student's home institution. There would need to be a letter to registrars with the official professors' names for the "instructor of record" to all institutions that have students enrolled in the course.

Baird: Almost all institutions list the European Council courses now except Georgia Tech and GSU.

Someone asked what happened to cross-listing.

Lund: Cross-listing of study abroad courses done for the System by UGA's study abroad office was abandoned because each year, fewer schools participated until this past year, there were no schools participating. Schools have found less labor-intensive ways to register students for study abroad credits, particularly transient credit. A common study abroad indicator would address item VII - possibility it will emerge - why don't we have a better way to count students.

V. Dual registration policies and procedures on one-to-one student exchanges

Joiner: They have a problem at West Georgia in that this is the first year they have had a University of Northumbria (UNN) student and no one could register a student due to their rules based on the BOR rules. The student had no official letter or grades. She needs a system-supported method for having exchange students. She presented how VSU and UGA do it to the folks at West Georgia, but they said no unless the BOR sanctioned it.

Almost all in attendance that operate student exchanges do use the out-of-state fee waivers. UGA, AASU, Tech, VSU, SPSU, and in some cases GSU said they have been able to get around the obstacles involved in having student exchange.

What are the obstacles that prevent student exchange on your campuses?

- If you have a registration, you need tuition to go with it.
- If you have admissions without an application, they cannot be input into the student information system.
- Without registration, students cannot get a health card, library card, access to other campus/student privileges.

Only Call reported that GC&SU is not using the 1% out-of-state fee waivers for exchange students. The GS&SU international office notifies the business office and they in turn back out the fees. Other campuses have their business offices telling them that they cannot back out student fees.

Adams: How they made it work at AASU was the chief academic and business officers called in the registrar and others involved parties and said (essentially) make it happen. Two days later it worked.

Janis of SPSU: She hand delivers the exchange students to the various campus offices to get them identification cards and all the documents needed as though they were going to register, they do not pay tuition, they do back out the room and board. They would like to count exchange students as FTEs since they take five to ten times as much time as other students.

Someone said that they were counting exchange students as two for one.

There is a cross-registration among schools in the Metropolitan area - a sort of local students exchange - all the tuition stays at home - this is BOR approved, so maybe there is a way to utilize that board policy for exchange.

UGA registration is tripped by the admissions office - the international office ships the exchange student's records to the office. The issue to admissions folks is taken care of in a category called non-degree seeking. The exchange student is a different category for admissions and processing and the distinction degree or non-degree-seeking makes it easier because non-degree students at UGA are dealt with manually - no question about tuition fees - we create a program account for that exchange - it's a bucket -we know who is going on it that year - tuition is paid to institution - then moved to program bucket - those funds are used for the in-bound students - so there is no free UGA exchange.

Georgia Tech uses their waivers to support exchange - put it into a special account - it does come from the 1% allocation. Bass only counts them once. UGA flags them but Tech cannot input them into the student information system because of Banner. For tuition payment purposes - there's no difference between degree and non-degree seekers. Admissions goes through documents of the exchange student who will be here for a year.

Someone thought there were more degrees of freedom of using the non-degree categories with (admission, registration, advising,) except as relates to tuition. VSU and CSU have the exchange students listed as transient students.

Sutton: It might be time for another working group or task force to deal with international exchange issues. This issue could be a good issue for an open discussion on the SCIE list.

Coker: There has got to be some task force that deals with the debilitating fiscal policy at the Board level. To not deal with fiscal policy at the board level - "we might as well chew on the whole bone and not just nibble on one end of it." It is the board's fiscal policies that hinder or stop innovation.

Georgia Tech wants the fee to go away - we would like to have the fee back out but we would need BOR approval.

Sutton: We would have to address it. He said we might try to buy into a small policy change on this

exchange issue.

Langston: There are two problems: one that comes from the auditors who say this is a violation of fiscal

Langston: He wouldn't want to have to seek approval every year - he suggested that 60 or 72 months would be a more reasonable period.

Shumaker: We have programs for fifteen years with periodic evaluation; new programs for approval. Langston said that would be reasonable.

Coker: He sent a memo to Lund last year stating that he found the approval process laborious and onerous. - If a faculty committee reviews a program, it is not efficient and perhaps not effective to have a program review at the System level. I think the study abroad program review process should be like the academic program review on a five or seven year cycle. I don't know why we would hold it out separate. The Chancellor's Policy marginalizes international education. The Cortona Program at UGA has been there for umpteen years. Are we supposed to say, "Daddy can I continue?"

Biron: If the programs have some kind of universal stamp of approval, it makes other institutions more comfortable in allowing credit to programs from other schools.

Call: Universal standard could be achieved by having an approval at the local level of the institution - having guidelines in place and receiving reporting information.

Ricks: In 1997, he tried to make a program to Germany and that Reiff had some funds to help us and he helped review our program.

Hankins: "Did you submit a program for review?"

Once a program was approved, the program did not have to be done over and over.

The point of the cumbersome process, to insure that people creating the study abroad program had covered the bases sufficiently.

Biron: The program offerings are uneven - how is an individual institution to know - anyone can put something in the catalog - it implies USG approval.

Shumaker: In order for those courses to offer credit - they must have gone through some academic approval for course offerings - the home institution could guarantee that much.

Are there liability issues according to your own procedures?

Academic Issues are separate from the Liability, Safety, and General Program issues.

Gille: Campuses without much experience could go to the study abroad committee to get consultation and assistance.

Keene: Different institutions have different needs. Some institutions have lots of experience and can

Sutton: The ideas going into this policy could be those we would follow from now on. When I was developing a program, if I had to go through this extensive level of pre-approval, I would never have done one. I know well the sorts of stuff that gets through the gate of quality control, but many problems now are with liability issues. I would like to follow an academic affairs policy where study abroad is more than a course and less than a degree.

If it were possible that we had true buy-in from institutions, including liability and attesting to academic integrity, then we could look primarily at duplication and resource issues. I think certification is a more efficient approach - I am more interested in a post-audit review process on a two or three year cycle. Those

degree and non-degree seeking, headcount or full-time enrolled)? "When are we going to have real numbers? How can we approach this?" He stated that his sense is that the board is interested in undergraduate students.

A problem with using headcount for two-year schools is so many of our students are part-time. This is

have said about using the FTE.

Bass: There is a problem with verification of the senior class - basically you don't have a mechanism to know if they have studies abroad.

on how to best approach this. What are the regents most interested in? Perhaps it is Scholarships and Study Abroad.

Call: At GC&SU the decision locally was to redirect some of our already existing funds and send them to Atlanta. At the local level the match has a negative impact on us. Some students get a \$1,000 from the system and now we have to send half of that money to the central office. We don't know who is getting the awards until it is too late. We need you to send us names.

Sutton requested that the group think of this as a transition process. He said he hoped that by the next competition that the institutions would be performing the ranking and identification of the students, with campus awarding the scholarships.

Langston: We need to know how many scholarships we will have to match so we can plan.

Sutton: What we would hope is that the institutions would send forward recommendations that we would certify and send back to you. We would say we could go to X # on the list.

Jensen: Circuit overload - 45 to other schools - 5 students from Augusta - ASU contributes \$5,000 - how are we going to factor that into these matches?

Sutton: We are working toward a decentralized approach - the last AIFS check comes this summer - the contractual obligation ends at the end of the third year .) He said the flexibility in the amount of awards could be possible after that time.

Elango: "How do the councils figure into this formula?"

Biron: When and what can we expect to happen?

McCrillis: If you are going to have screening, there's a feeling that this match should not be matched for that particular student. Institutions should be matched for the amount and not the student. We want to spread out the funds.

Jensen: How does it fit into the budget?

Welborn: By next year, we will need a process for receiving applications and making evaluations so by next year, you should have a process for choosing. We just created an international committee on campus that could serve this role.

Keene: Under the new system - how is it determined how many scholarships each institution will receive?

Sutton: It depends on how much money is donated. Institutions will prioritize students and give out awards according to what is possible. The bills for the match of the awards go to the Presidents with a copy to you

and another individual at your campus if appropriate.

Biron: So for one student award, we owe \$500.

Gille: If we used to get one award and this year we have 2 students, then will we get two awards?

Lund: Yes.

Ricks: How do we know if our presidents agreed to match?

Welborn: In future will there be flexibility in the amount of awards?

IX. Non-Resident Fee Waivers

Call introduced a proposal to award partial out-of-state fee waivers to international students. Since all institutions have 1% of the FTE available for international student waivers, he proposes making more awards in smaller amounts up to the equivalent of 1% in partial waivers. Call explained that he had sent a letter to Bill Bowes at the BOR who is responsible for these kinds of financial matters. The rationale for the proposal is to disburse more, smaller awards to students at GC &SU. These partial waivers might be awarded for a variety of purposes such as extracurricular involvement, financial need, retention, and recruitment. Acceptance of a waiver might require them to provide some service. When looking at international student issues, we saw that many of the fee waivers went to athletics, but the international office administers the rest of the waivers. Call's letter proposes the awarding of half-waivers which could increase awards without costing additional money. Some students would be able to study at GC&SU if they had a half-waiver. The other offices on campuses are willing to go for it - finance, admissions, academics - if the Central Office (BOR) will sanction it.

Sutton: I wanted to bring it to this group. Are there any problems this request makes for your institution?

Adams: I like this proposal - has Mr. Bowes given any response?

Keene: It's a good idea. Athletics is using these for international athletes. I don't know if all of you know but the year before last the Board of Regents year added a 2nd 1% of the FTE for waivers and this amount may also be used for internationals if the institution wants.

Coker: All of the 2% is used on campus.

Davis: Might they be opposed to partial rather than half waivers since partial might pose bigger problems for accounting purposes.

Fee waivers are distributed by the President's authorized representative at each institution.

Langston: The academic colleges at GSU can use the 1% FTE waivers for university's international

strategic initiatives and other needs could come from the 2% like athletics.

Gille: We send our recommendations to the registrar.

Coker: I don't see any prohibitive language to partial waivers, why not just do it.

Potts: There are some campuses that cannot benefit from the 1% for international students. Waycross has eight to ten waivers that we could use based on 1% of the FTE. I propose a three-part plan - where an equivalent of \$10,000 in waivers is called an internationalization waiver and the institution would be allowed to utilize these in-state students as study abroad scholarships to send our students elsewhere.

Langston: Would it have to be matched to the student going abroad? Would it have to go to the same student and only students without HOPE?

Potts: If they would grant the money to a local student, then the Foundation could take the equivalent to provide money to that student to study abroad.

Sutton: You cannot do it under current policy. It would require a new board policy.

Keene: No one can escape paying in-state tuition.

Langston pointed out that GRAs have a waiver of full tuition (in-state and out-of-state.) Employees of the state have a full waiver of tuition. How could the in-state tuition be waived?

Keene: It is a reasonable thing to do.

Coker: It's an intriguing idea. The waiver is a cost and maybe it could be approached differently. He asked Potts if he could write it up for the SCIE's consideration.

Action to be taken: Howard Potts to write up the idea for the SCIE's consideration.

Faculty Development Seminars for Summer 1999

There will be four international faculty development seminars offered during summer 1999. They are sponsored by the Regional Councils. The seminars are:

- Mexico: Journey to the Past--Building Bridges to the Future;

XII. 1999-2000 Teaching & Learning Grants

Two of four target categories for USG teaching and learning grants are foreign languages and international curriculum. There will be a directed focus on integrated, collaborative global/area studies curricula. The deadline for application is March 19.

XIII. Foreign Language and Technology Initiative

There are collaborative grant projects and the desktop initiative, which includes a pilot project for on-line orientation and survival language training for Summer 1999 Faculty Development Seminars. There will be a foreign language and technology workshop or forum.

Strategic Designs for International Education: Priorities and Investments

Sutton: He wants the SCIE as a policy making body -that shapes future directions and that he wants the members to think strategically and grandly. He announced that he was going to appoint a budget advisory committee who will help frame where we might best start investing our money in the future. He announced that he was appointing Joseph Silver, Harold Nichols, David Coker, Janis Reid, and Nancy Shumaker to this

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