

Beyond Duty

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Beyond Duty: Standards of Insurance Management in Study Abroad Programmes

Introduction

We will consider the question of insurance and standards from three perspectives.

In the first part of our discussion we will focus on minimum standards: those provisions that are either required by law or without which it would be reckless to operate any education abroad activity. We will then consider what standards should be recommended as a responsible enhancement to the minimum requirements. Finally, we will offer a model of excellence, a “gold standard” that, at Services for International Travel and Education (SITE), we promote as the highest level of coverage that meets both the legal and, above all, moral responsibilities we feel that the field should endorse. As a European entity with a global presence, SITE approaches these issues both as a provider of services and as a consulting agency. ^[i]

In this context we will suggest that the field needs to go beyond mere compliance and needs to become proactive in extending the “duty of care” beyond “duty” by embracing standards that protect participants as effectively as possible while securing the interests of institutions, organisations and individuals involved in all aspects of education abroad. We also need to look beyond those standards that are drawn from US domestic perspectives. Education abroad is, by its very nature, exposing participants and institutions to risks outside of, and beyond, those incurred in the USA. The risks may not be greater but they will be different.

While the primary focus is on the experience of US study abroad students (and the sending and hosting institutions) many of the principles and issues we explore are relevant to the experiences of overseas students studying in the USA. On a broader level we believe that the matters raised are relevant to all students and institutions involved in trans-national educational mobility whether it be for study or work abroad, or for some combination of those activities. The objective is not to give definitive advice but to raise sets of concerns that, from a European perspective, ought to be addressed as we seek to create better standards for our profession.

Over the last twenty years or so, education abroad has not only expanded enormously, it has also considerably enhanced its operational elements. We spend more time than ever thinking about ethical marketing, preparation for study abroad, re-entry, safety and security, experiential education, academic outcomes and so on. The Forum on Education Abroad’s review of “Standards of Good Practice for Education Abroad” ^[ii] represents a major step forward in the process of professionalizing our field. Nevertheless, community awareness of issues of liability, risk and insurance have received less significant, professional attention than other areas in the education abroad enterprise. The primary objective of this paper is to refocus attention to areas that are crucial for both the well-being of students and the security of organisations and institutions.

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Part One: Minimum Standards

The simplest summary of the minimum required by our sector is probably that found in the standards defined by The Council on Standards for International Educational Travel (CSIET).^[iii]

“The organization shall guarantee that every student is covered with adequate health and accident insurance. Such insurance shall:

- a) Protect students for the duration of their programme
- b) Provide for the return of the student to his/her home in the event of serious illness, accident, or death during the program.”

The most obvious issue in this context is the notion of “adequate”. CSIET makes several useful efforts at defining what that might mean. The key factors are that adequate insurance, as defined by CSIET) should have the following characteristics:

- a) The provisions should be defined in English and coverage should make provision for both sickness and accident.
- b) Deductibles should be limited and reasonable.^[iv]
- c) Minimum sums covered should be US\$ 5,000 for mental and nervous disorders, US\$50,000 for each accident or illness, US\$ 10,000 for repatriation, and US\$ 7,500 for the repatriation of remains.
- d) There should be some provision to cover pre-existing conditions after a one-year waiting period.

The standards proposed by CSIET provide a substantial starting point for some of the risks that may be incurred by (only) one of the participants in the educational enterprise: the participating student. The average risk incurred by the average student is addressed more or less effectively but in that statement is the rationale for going beyond the minimum.

CSIET’s standards do not address the following:

- a) There are exceptional cases (beyond the average) and failure to make provision for the exceptional can have catastrophic consequences for the student, the student’s family and the other organisations and institutions involved in the enterprise.
- b) Crucially, education abroad involves more than the student participant. Insurance risks are incurred by a number of other participants in the processes: The involvement of US universities and organisations, the role of host institutions, third-party providers of services (who drives the bus?): these are significant players in the enterprise and have roles and interests not addressed within the minimal framework.

As we view the CSIET standards from a European perspective, we also perceive that these have evolved essentially out of the domestic US standards. That represents a thoroughly sensible point of departure but it does not address the desired point of arrival. As we search to enhance quality, we also need to look beyond our duty and consider responsibilities to students and all of the other agents involved in making education abroad work.

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Above all we need to recognise that education abroad involves activities in environments that are well outside of those that are the norm in domestic education. Our profession needs to take a holistic approach to education abroad and to consider not only what happens in the classroom but the totality of the experience. To do this adequately, we have to go beyond mere duty.

Part Two: Taking Responsibility

Education abroad involves, in short, unfamiliar activity in unfamiliar environments. It is not at all surprising, therefore, that US institutions need to go further than considering those risks with which they are familiar. Health and accident insurance, for example, should consider the following intrinsic circumstances that are involved in education outside the domestic environment:

a) Moving around in an international context certainly involves a set of circumstances wherein accidents are more likely to happen. Anyone who has tried to cross the road in Paris or Rome can confirm that pedestrian rights are not highly developed in many parts of the world. Add to this the likelihood that students will participate in activities that are probably new to them (including the infamous bungee jump) and the area of potential mishap widens inexorably.

b) In addition, education abroad by its very nature is experiential. We subscribe to the view that education in this context involves more than classroom experience. It may involve internships, home stays, and independent research. It will certainly involve site visits and excursions. All of this adds to the accumulative nature of risk which, if we stick only to the minimum standards, is not covered. There are the obvious risks to the participants and in the implications of their actions on others. Health, accident, travel and liability are all areas in which risks are incurred and areas where some level of insurance beyond the minimum is both prudent and responsible.

Furthermore, there is a key area of consideration that is not frequently assessed but which is crucial to the quality of the experience. We ought to review not only what is covered and at what level but also the quality of services associated with the coverage. To have multi-million dollar insurance is not a significant benefit if nobody answers the emergency contact number. To have good information about coverage in English is of no discernible benefit if the doctor in Ecuador has no working knowledge of the language. If students have 100% of their hospital bill covered but they have to pay in advance and wait three months for repayment, the quality of that coverage is not immediately apparent. In short, it is not sufficient to seek enhancements without considering the quality of service delivery.

Another peculiar characteristic of our peculiar profession is that individuals in US universities are involved, inevitably, in giving advice to students in areas that are way outside of their key competencies. The study abroad advisor, however well-informed and well-travelled, will be giving advice on matters as diverse as insurance, travel, health, safety and security, nutrition, housing etc. Even the best must, at times, have some concerns about the quality of that advice. In reality, many study abroad advisors are also giving advice under pressure, in under-staffed offices, and without first-hand experience. It is even more unrealistic to assume that the advisor should be under constant risk management surveillance. In practice, they will properly answer student

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enquiries as best they can using what information they have and their common sense. That works most of the time. When it does not, there are clearly issues of significant liability that may arise.

Exactly the same concerns will be apparent for the host institution and other agencies in the host country. A host family advises students to travel to the university by a particular route, a host institution takes students camping for a weekend, a bus is hired to collect students from the airport, a student is advised to see a particular doctor, a student is given advice about which areas of a city are safer than others, an internship is arranged at a local business (and so on): these are not theoretical scenarios but the daily activity of agencies within education abroad. All of them contain risks that need to be assessed and, if possible, covered.

In summary, education abroad is an enterprise that has more risk than most educational activity. Much of it takes place both within and outside of the controlled environment of the classroom. It involves a substantial number of agents and agencies that are not managed or located in one place. It challenges participants to move outside of their normal comfort zone both geographically and in terms of what they do. There is no perfect solution and no insurance can cover all the potential hazards arising out of all possible circumstances. No insurance can cover all the potential for human failings (and idiocies) either. That said, in search of perfection, we offer a brief indication of what issues we might consider in search of the elusive “gold standard”.

Part Three: In Search of the Gold Standard

There is no such thing as perfection and the search for perfection is doomed to failure. En route to that failure, however, we may still create enhancements that take us closer to where we ought to be. The areas in which we should seek to go beyond the minimum are as follows:

a) Health

- Level of Coverage:

A key issue is that average coverage for the exceptional incident is inadequate. The objective should be to seek unlimited health coverage (way beyond CSJET’s proposed level of US\$ 50,000.

- Family visits:

It is probably not sufficient only to consider repatriation of the student. Participants in education abroad are not just the students but their parents are virtual (and financial) participants. In the event of serious problems, there should also be provision to bring the parents to the student.

- Pre-existing conditions:

It is probably not realistic to cover routine treatment of a pre-existing condition abroad but it ought to be possible to insure against exceptional consequences. A student with diabetes, for example, cannot expect to have routine treatment covered but should not be excluded from study abroad because of the fear of a specific attack brought on by the fact of his or her condition. This clearly also has implications for participants with serious disabilities.

- Sports etc.

Students abroad will try new things including, in many locations, activities that are not found that frequently in parts of the USA. As practitioners we are curiously contradictory if we urge students to expand their experiences except in a number of worrisome areas. In search of the gold standard, we should seek coverage for students in these activities also.

- Mental health:

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Education abroad takes young people, often for the first time, out of familiar environments and into landscapes that can be both exciting but also especially stressful. Symptoms that are sometimes manifest range from depression, bulimia, anorexia and the whole panoply of related disorders. Symptoms that are latent are more likely to become manifest in a strange environment. This should be an insurable risk in our ideal world.

- Pregnancy:

At least emergency treatment should be covered.

- Disability and Death:

Intercollegial sports as well as hazardous pursuits and dangerous sports activities should be covered. We cannot urge our students to integrate with host communities (on the one hand) while telling them not to participate in certain community activities (on the contradictory other). It is reasonable to exclude professional sport but risks that may be incurred by legitimate participation in an internship or a sport should at least be covered by health insurance.

b) Accident

The main concern here should be to ensure substantial disability cover. Given that most programme participants are single people with no dependents, death benefit is not a crucial issue.

c) Cancellation / Trip Interruption / Curtailment

We are all aware of the hazards of travel. Problems of cancellation, delay, lost luggage and so on are part of the environment in which we live. It is certainly a normal part of our normal lives and there is no reason to assume that this falls outside of the area for consideration.

d) Assistance Services

As we have indicated previously, it is obvious that the insurance should give service that is speedy, polite and helpful, and available in an emergency for 24 hours a day, seven days a week. A part of this mechanism should be the provision of an international 800 number. It is equally obvious that the insurance information available to the participant should be clear, as simple as obvious, and available in both written form and through the internet. It is less obvious (but crucial) that the same information should be available in the language of the host country where the student is studying or working. The assumption that the whole world speaks our language is usually only irritating but in this context, the implications of not understanding the nature of the coverage may go well beyond mere irritation.

In our utopia, there would also exist a Preferred Provider Organisation (PPO) internationally. This is a network of partners who will accept the student's insurance and thus not require pre-payment. As there is no such thing as an international PPO, the next best requirement is that repayment should be swift and effective.

e) Legal matters

Students (innocently or otherwise – see alcohol below) may get embroiled in “unfortunate” circumstances. There should certainly be provision for, at least, getting them out of jail (bail bond) and for legal expenses incurred. It is apparent (but not always obvious to those making insurance choices) that advisory services abroad should be available in the participant's native language.

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f) Property / Luggage

In the blessed past it was not particularly tedious to replace a lost fountain pen! In these high-tech days the value of the property that students drag around the world has grown enormously: Laptop computers, cell phones, I-Pods, PDAs – all add to the burdens they carry and, of course, to the risk incurred. It is also true that the level of personal safety in many urban centres has probably not improved over the last twenty years and the combination of expensive property with naivety (and alcohol) makes study abroad students a vulnerable community.

g) Liability

This is probably the area where our community as a whole has done very little by way of sophisticated thinking. The liability risks of US institutions and their partners overseas have been discussed (how good is the advice we give, for example?) but there are a number of related issues that need to be the subject of serious focus.

The proliferation of internship and service learning programmes raises the spectre of student liability for actions in the workplace (not always, or often, covered by employers for whom interns are “students” not employed staff and, thus, not covered by employer liability). When a student on one of your programmes burns down The Globe Theatre or The Kunstmuseum in Bonn, who would be liable, who would be sued, and who would pay? If you can confidently answer this question, then you may return to your righteous slumber. The rest of us may well toss and turn until the morning and then call our insurance brokers!

h) Abuse of alcohol, drugs and narcotics

This, of course, requires a paragraph all of its own. US students abroad have legal access to alcohol (for the first time in most cases) and, often, a diminished sense of social responsibility. The combination can at times have startling consequences for the health of the student, the property of others, the environment in which the student lives and so on and so on. There is no way of insuring against drunkenness (and other substance abuse) but some of the nastier consequences may be covered.

There are many more elements that might be reviewed as we search for elusive perfection but these elements and the issues related offer a first agenda. If nothing else, they raise a set of questions that we ought to explore if we want to go beyond mere duty. In our collective commitment to raising standards, we have a responsibility to delve deeper than we have done into these matters and to move, at least as far as we can, towards the best practice possible.

Conclusion: Can we afford it?

In any purchase, we seek to balance what we want against what we can afford. Insurance is no different. The key is to establish priorities and explore these with professionals in the field. “Can we afford to pay this?” is a question that needs to be asked by each player in the education abroad field.

However, whether we are in the USA or overseas, a university or an organisation, we also need to ask: “Can we afford not to pay this?” In these litigious times our profession is especially

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vulnerable. We have an obligation to protect the interests of our students as best we can; we also have an obligation to protect ourselves and our colleagues in the field. We can never protect ourselves against all eventualities but we can raise the standards as we explore the present and imagine the future. The Forum on Education Abroad has established an agenda that will define the direction of our profession for the next decade. The questions we have raised as an attempt to add to Forum's work are not those that practitioners in the field readily perceive but they are significant, substantial and profoundly serious for all of us committed to the path of professional improvement that will take us beyond duty towards the elusive goal of perfection.

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ENDNOTES

^[i] For a fuller description of SITE's work, please see: www.site-insurance.com

^[ii] See www.forumea.org. The questions raised in this document address a whole range of questions central to the operation of education abroad in all dimensions. It is a radical and innovative attempt to generate a holistic review of best practice in the field.

^[iii] See www.csiet.org for a set of definitions relevant in this context.

^[iv] A deductible is that amount that the student would pay after which insurance meets the bills.