



May 22, 2019

Memorandum of Opposition

A.7010-A (Jacobson)/S.3844-A (Stavisky)

The Commission on Independent Colleges and Universities (CICU) opposes A.7010-A/S.3844-A which would create excessive and costly reporting requirements for study abroad programs, under the misleading assumptions that study abroad programs are inherently dangerous and that these reports will contribute to student safety. The reporting requirements will only increase the costs borne by students and may prejudice students from going abroad at a time when understanding different cultures has never been more important. Unfortunately, what the reporting requirements will not do is address isolated tragedies. CICU, which represents more than 100 private, not-for-profit colleges and universities in New York State, encourages dialogue on how to further strengthen student safety abroad and to identify and act where there is a willful disregard for safety.

There is no data to suggest that study abroad programs are inherently more dangerous than studying on one's home campus. In fact, a study by the Foundation for Education Abroad suggests that students studying abroad are safer than students within the United States.¹ Isolated tragedies, wherever they occur, are heartbreaking and to the extent practical, actions should be taken to ensure similar tragedies never happen again. However, this bill's call for detailed reports would do little to safeguard students from isolated incidents. This legislation would require study abroad providers, including colleges and universities, to annually report information relating to a number of metrics. Information on student illnesses, hospitalizations and police reports, including dates, times, and locations, would be almost impossible to track without costly and unenforceable new systems and would offer little in the way of actionable data.

The reports would be submitted to an entity (the New York State Department of Education) that has neither the capacity nor expertise to use the information in a meaningful way. Some of the data that campuses would have to report under this legislation is already reported elsewhere, including sexual assaults on recognized campus facilities abroad which are already required under the Cleary Act. The excessive and intrusive nature of this reporting could also compromise student privacy although the bill makes efforts to protect identities. This could lead to students not reporting incidents to protect their own privacy, which would hamper institutional efforts to identify risks and work with students to minimize them. These metrics, if reviewed without appropriate context, could lead to misinformation and misconceptions about the safety of study abroad programs.

¹ [Forum on Education Abroad, Comparing College Student Mortality Rates in The U.S. With Mortality Rates While Abroad, 2018](#)

Student safety is the primary concern for New York's private, not-for-profit colleges and universities. Campuses devote significant resources to student safety both at home and at campuses abroad. When a student studies abroad they are able to avail themselves of institutional support around the world, receive counseling prior to their departure, and work with qualified staff on their home campus and abroad to make the most of their education. Colleges and universities routinely work with national groups like NAFSA, the Association of International Educators, to make sure they are operating programs according to best practices and national standards. Colleges provide health and safety information and are routinely updated by their home campus or study abroad provider about risks abroad. The death of a student, domestically or abroad, is devastating and our campuses welcome suggestions on how to learn from these occurrences. The reporting requirements of this bill, however, will not have the intended result but will distract time and resources from more productive efforts to keep students safe.

For these reasons the Commission on Independent Colleges and Universities opposes this legislation but remains committed to taking actions that safeguard students here and abroad.