These procedures are designed to be shared with overseas faculty leaders and partners, as well as campus-based stakeholders, to reference in the event of notification of an overseas emergency. This protocol was developed with resources provided, in part, by the University of Iowa, the University of Southern Alabama, EUSA - European Study Abroad and other individuals and institutions.

You will find the information contained has been divided into specific guidelines for “Procedures for On-Site” responses (for Faculty Leaders and overseas partners) and “Procedures for University Staff” (for BSU staff on campus) to help better guide you in your actions.

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**DOCUMENTATION, MANDATORY REPORTING and CONFIDENTIALITY**

**Documentation**
Document all activities and actions taken, collecting written statements from students, staff, and others as soon as possible. It is vital that information be passed promptly, accurately, and completely at each link. Always file a written report with the Director of Study Abroad.

**Title IX**
Title IX is a US federal law that prevents discrimination in education on the basis of sex of a student. One of its primary concerns is to ensure that there is equality of opportunity for students of any sex to pursue their education and that they do so in an environment free from sexual violence, harassment or intimidation. The law requires federally funded universities to appoint a Title IX coordinator, to whom all incidents of sexual violence, threat or harassment must be reported, and to adopt grievance procedures that provide a prompt, reliable and equitable response to all reports. The Ball State University policy can be found here: [http://cms.bsu.edu/about/administrativeoffices/studentrights/policiesandprocedures/studentcode/appendixk](http://cms.bsu.edu/about/administrativeoffices/studentrights/policiesandprocedures/studentcode/appendixk)
Title IX requires that personally identifiable information must be passed on to the coordinator.

Ball State University procedures currently entail the reporting of incidents involving our students to the authorized Title IX coordinator. In the event that incidents of sexual misconduct are reported to Ball State staff, these events should be reported to the Title IX coordinator (including the identity of the student(s) involved). Students should be made aware at orientation and via handbooks that such incidents reported to Ball State or its partners will be communicated to the Ball State University's Title IX coordinator.

**FERPA**
The Family Educational Rights and Privacy Act (FERPA) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions:
- School officials with legitimate educational interest;
- Other schools to which a student is transferring;
- Specified officials for audit or evaluation purposes;
- Appropriate parties in connection with financial aid to a student;
- Organizations conducting certain studies for or on behalf of the school;
- Accrediting organizations;
- To comply with a judicial order or lawfully issued subpoena;
- Appropriate officials in cases of health and safety emergencies; and
- State and local authorities, within a juvenile justice system, pursuant to specific State law.
The Jeanne Clery Act is a consumer protection law that aims to provide transparency around campus crime policy and statistics. In order to comply with Clery Act requirements, colleges and universities must understand what the law entails, where their responsibilities lie, and what they can do to actively foster campus safety. Failure to comply with the policy requirements can result in substantial fines for an institution (in the tens of thousands of dollars) or in an extreme case, in the loss of all participation in Title IV federal financial aid programs. To ensure compliance with Clery Act requirements, all incidents, regardless how minor they may be perceived, should be reported to the Director of Study Abroad.

The Americans with Disabilities Act (ADA)

The ADA is a civil rights law that prohibits discrimination against individuals with disabilities in all areas of public life, including jobs, schools, transportation, and all public and private places that are open to the general public. The purpose of the law is to make sure that people with disabilities have the same rights and opportunities as everyone else. The ADA gives civil rights protections to individuals with disabilities similar to those provided to individuals on the basis of race, color, sex, national origin, age, and religion. It guarantees equal opportunity for individuals with disabilities in public accommodations, employment, transportation, state and local government services, and telecommunications. The ADA is divided into five titles (or sections) that relate to different areas of public life.

The Disability Rights Education and Defense Fund (DREDF) 2010 Memo suggests that U.S. schools or universities and exchange providers must take some proactive steps to encourage their overseas program partners and organizations to provide physical and program modifications, auxiliary aids, and other accommodations. See more: http://www.miusa.org/resource/tipsheet/obligations
INFORMATION SPECIFICALLY FOR FACULTY LEADERS

One of the many responsibilities of the Faculty Leader is to handle any emergencies or crises that may affect program students and faculty while the program is in session. This section will assist you in understanding what constitutes an emergency in the terms of a study abroad program and will explain what your responsibilities are in the face of one. It will also introduce specific emergencies and outline the procedures you should follow if one of them occurs. After any incident, the Study Abroad Office may request a debrief meeting upon the faculty leader’s return to campus in order to determine how best to assist in future incidents. These guidelines were developed with resources provided, in part, by University of Iowa, University of Southern Alabama and other individuals and institutions.

Faculty Leader On-Site Planning Ahead
Prior to departure, The Study Abroad Office routinely gathers information from students to keep on file in the event of an emergency situation. This includes information about who to contact in the event of an emergency, flight itinerary, and medical insurance policy information. All students on Ball State University study abroad programs are enrolled in sufficient coverage for the duration of the program. We provide students with information about their coverage and Insurance cards prior to departure. Note, students and faculty are provided identical coverage from our provider, but have different policy numbers.

Students on the program and Study Abroad Office staff should know how to reach you at all times during the program. A 24/7 contact number is required of all programs. It is extremely helpful if students carry emergency contact information with them at all times. If all emergency contact information is not available prior to departure (for example, if you are activating a cell phone to carry with you upon arrival and cannot know the number in advance) you should provide this information to students and Study Abroad Office staff as soon as possible. You may want to create wallet-sized cards for your students with emergency contact information, or ask students to create their own during in-country program orientation. Aside from your own in-country contact information, other useful numbers for students to keep with them at all times are: the main Study Abroad Office number and the Ball State University Police emergency number; the number for the Program Assistant in-country in the event that a student needs help and you cannot be reached; the number (and address) of the student’s host family, if applicable; and the number of a reliable and secure taxi service.

It is helpful to have the following information from you and any other faculty or staff traveling with you prior to departure: your own flight itinerary and emergency contact information, a copy of your passport, and information about how to contact you and the group at any given time during the program.

Before a program starts, you should register the program dates and location(s) with the US State Department STEP program. This will allow the group to be notified if the US embassy in your host country reports any changes in local conditions deemed to present a potential threat to US citizens abroad.

Faculty Leader - Preparing for Health Emergencies
Before a health emergency presents itself, it is important to first understand how health insurance may (or may not) cover students while abroad and to understand what students learn about preventing or dealing with health problems prior to their departure. Also, there are steps that you should take as Faculty Leader to prepare for any health situation (emergency or otherwise) that might occur.

Faculty Leader - Health Insurance
All BSU study abroad program participants are required to have approved health insurance that provides coverage while they are overseas. Prior to departure, students are provided information about coverage and an insurance card. This information assists students in determining their health plan coverage while outside the United States. It is the responsibility of the student to understand their health insurance policy. Full time students working towards a degree are eligible to apply for an International Student Identity Card (ISIC), a common supplemental insurance option that provides additional medical coverage along with other benefits.
**Faculty Leader - Student Preparation**

The Study Abroad Office provides a general online pre-departure orientation that all Ball State University students are required to complete prior to participation in the program. The orientation discusses health insurance, immunizations, and tips for staying healthy. In addition to the online pre-departure orientation module, each individual study abroad Program Leader should provide a program specific pre-departure meeting that addresses health issues in relation to the specific host country. If a student becomes ill while abroad, they are instructed to seek appropriate medical care and to inform the Faculty Leader.

**Faculty Leader’s - Preparation Responsibilities**

As the Faculty Leader, you are responsible for familiarizing yourself with health facilities in the host city – for example, health services on campuses, local doctors, and/or hospitals. In preparation for any emergency, you should locate the office of both a general practitioner and an ob/gyn. Also, you should find a reputable hospital or clinic for emergency situations. If the host country is not English-speaking it is beneficial to locate at least one, if not two, English-speaking physicians. Host institution and your insurance provider contacts are often helpful in orienting you to local health resources.

During on-site orientation, distribute a list of the health resources you have located to the students. Review with the students the procedures they should follow if they become sick – inform program staff and seek medical care. Assure them that, if necessary, a member of the program staff will accompany them to the doctor. You should also review any general health precautions (if any) that students should follow while abroad. For example, don’t drink the tap water, don’t eat raw vegetables, etc. If you think important, you can have a local physician speak at orientation about health issues. In some countries, students are able to obtain medications over the counter that in the US would only be available with a prescription. Encourage students to seek medical advice from a doctor rather than taking new medications on their own.

Provide the students with a phone number where they can reach you or another program contact 24 hours a day in the event of serious illness or injury.

If a student informs you that s/he is sick and medical care seems warranted, it is your duty to advise them on how to seek care. You may have reviewed these details with them during orientation, but it is wise to reiterate it. Some students may need a little encouragement or pushing to see a physician while abroad.
EMERGENCY COMMUNICATIONS

Contacting Ball State University
In the event of emergency, the first point of contact should always be the Director of Study Abroad. Based on the nature of the incident, the Director of Study Abroad will contact and consult with the appropriate support units on campus to determine the best course of action.

John Jensen, Director of Study Abroad
- During office hours: 01 765 285 2652
- Outside office hours: 01 517 721 9540 (home cell)
- Study Abroad Office: 01 765 285 5422
- Ball State Police: 01 765 285 1111 (24/7)

BSU Office of University Relations
765-285-1560 (After-hours calls will be directed to an on-call staff person.)

Emergency Contact with Students

Procedures for On-Site
The most important action to be taken during an emergency is the verification of the location of the student or students involved. Nothing can happen until then.

Immediately contact students via phone, email. If the student is not contacted through one of these methods, onsite staff must attempt to locate the student physically by going to the classroom, place of residence, or internship site. This work should be directed to the faculty leader or program provider. Notify the Study Abroad Office as soon as possible and keep the office updated as you attempt to confirm the safety of all students.

Procedures for University Staff
Utilize the “Locater Search” field in Terra Dotta to determine which students/programs are in the location. You may wish to expand the location parameters to include a regional search. Send a priority email using TD messaging service to all students to respond. Send an email to any faculty leaders or providers/partners in location to confirm safety of all participants on their program.

Follow up with non-responding students to contact the Study Abroad Office via email, and further by phone if needed. Utilize social media such as Facebook and Instagram to further reach out if needed. No matter where they are, or how safe they are, Ball State needs to account for the students. Ask the students, when contacted, if they can verify the location and safety of other students. They may do this in person or by telephone. This cannot be done by hearsay – students must actually be with the person making the call in order to be accounted for in this way.

Emergency Contact with Parents/Family

Procedures for On-Site
In emergency situations, parents, immediate family members or friends of students involved may contact you directly. If non-BSU students are attending your program, representatives from their home campuses may also attempt to contact you directly. As any emergency presents a stressful and potentially confusing situation, you are asked to:
- Briefly reiterate whatever information you have already provided to the Study Abroad Office to date;
- Ask anyone calling, emailing or otherwise contacting you from the US to contact the
Study Abroad Office directly for further information and inquiries rather than contacting you directly; and

- If necessary, politely explain that your request is based on standing policy intended to ensure a clear chain of communication to free your time to address the situation at hand.

- Any new information or changes in the situation should be reported as soon as possible to the Study Abroad Office. Our staff will be available to play a key role in disseminating emergency-related information as necessary. During any emergency, your efforts as the Faculty Leader are invaluable, and your time will be best spent focusing on the situation at hand and any steps that can be taken locally to remedy, improve, assess and report the situation.

**Procedures for University Staff**

**If Ball State University Initiates Contact**

When an individual student is involved in an emergency situation, it is always best that the student calls their parents directly. If the student is unable to contact their parents directly, follow the protocol below.

In general, for legal reasons, Ball State University strongly favors routing any contact with parents/families through the Director of Study Abroad. If an emergency arises where it is necessary to contact a student’s parent/family, (e.g. in the event of a life threatening illness or emergency), contact the person they have nominated in their Emergency Contact Information provided to the Study Abroad Office.

If a student reports that their parents wish to speak to a Study Abroad staff member, that call should be made without delay.

**If Parents Initiate Contact**

In general, calls from parents should be taken by the Director of Study Abroad or Study Abroad staff if the Director is unavailable. Phone messages should be returned as quickly as possible. Staff should strive to be as professional and cordial as possible.

In all but the most extreme emergencies, Ball State may not disclose information about the student’s general well-being, academic progress, internship, or other matter. For more information about Ball State’s obligations under FERPA, the US Federal law governing students’ privacy rights, please see information above about FERPA compliance.

If parents contact Ball State directly during a real or suspected emergency (such as 9/11, 7/7, etc.), they should be encouraged to contact their child for an update. It is acceptable to tell a parent:

- “We have confirmed that students are in a safe location”
- “We are in the process of locating all students and we will update all parents via our website as we receive this information”
- “Due to privacy laws, we cannot give further details, and we do need to keep the line open in order to make contact with our other students”
- “Please continue trying to contact STUDENT directly for more details”

During large scale emergencies, the Study Abroad Office will update its website when all students have been accounted for.
GENERAL EMERGENCY RESPONSE

Procedures On-Site
As Faculty Leader, you have the duty to fulfill the following responsibilities in the face of an emergency:

- Attend to the immediate needs of the student(s) involved.
- Remove other participants from danger (if applicable).
- Contact (as appropriate) local medical emergency officials, law enforcement officers, the U.S. Embassy/Consulate, and the BSU Study Abroad Office.
- Record all steps taken in response to the incident.
- Always act in the student’s best interest. Always do what a reasonable person would do.
- Summon the Director of Study Abroad at the first sign of any emergency. Do not wait for an emergency to develop. If in doubt, call.
- Document all actions and communications
- Never talk to the press without the express permission of the Ball State University Relations and Communications Office.

Procedures for University Staff
- If receiving a call from overseas, take the following information
  - Name of caller
  - Call back number
  - Location
  - Details of incident
  - Person(s) involved
  - Time
  - Date
- Inform caller that you will share information with Study Abroad and will return call with additional information as it becomes available
- Contact Study Abroad Office, provide above information.
- Never talk to the press without the express permission of the Ball State University Relations and Communications Office.
**SPECIFIC EMERGENCY RESPONSES**

Each incident is unique and no response will be the same for all incidents. The information provided below are guidelines to assist in providing guidance to the overseas faculty/partner and helping determine the on-campus response.

**Serious Illness, Injury or Accident**

This kind of emergency can include transportation-related accidents, recreational injury, serious illness, severe disorientation or loss of consciousness. The training and judgment of the staff comes into play quickly and directly, as decisions about treatment must usually be made immediately. It is of paramount importance that students be aware that the Faculty Director or on-site provider represents the most immediate point of contact in the case of serious accident or illness.

**Procedures for On-Site**

- Ensure the student is provided appropriate treatment in an acceptable hospital/clinic. The faculty leader/on-site provider should accompany the student if possible.
- Ascertain the seriousness of the illness or injury through medical personnel.
- Contact the Director of Study Abroad with basic information. If the student will require more than routine care, also contact International Insurance provider. If there is a life-threatening illness or accident, or if more than one person is involved, contact the Director of Study Abroad immediately.
- Provide instructions to the student on payment for the treatment.
- Keep a log regarding the circumstances leading up to the accident or illness.
- Stay in daily contact with the attending physician to monitor progress.
- Obtain a second opinion if necessary.
- SAO, in consultation with the mandated international program insurance provider, will determine whether the student needs to be moved to another facility, or possibly evacuated to another country or the United States. If evacuation is required SAO will work with the hospital, the insurance company, legal authorities, U.S. authorities, and the faculty leader/on-site provider to make arrangements.
- File an incident report.

**Procedures for University Staff**

- In the event that evacuation to the U.S. is required, SAO staff will make arrangements for meeting the student and ensuring the transfer is completed.
- The SAO will determine, with all due attention in maintaining the privacy of the individual involved, whether and/or whom to contact in the United States.
- SAO will work with the student and BSU academic units to salvage as much of the semester as possible, and to ensure smooth registration into the following semester, if so desired.
- Make sure that all follow-up support is available to the student.
Mental Health Incidents

This kind of emergency can include minor behavioral infractions that impact the operations of the program or major mental health issues that require an immediate and consulted response.

Procedures for On-Site

- Be willing to talk with the student. The faculty leader/program partner should find an appropriate time and place where you can both talk privately and neither feels rushed or preoccupied. Give the student full attention. If requested by the student, ensure the student is provided appropriate treatment in an acceptable hospital/clinic. The faculty leader/on-site provider should accompany the student if possible.
- If the student refuses assistance, and the faculty leader believes intervention may be necessary, please contact the Director of Study Abroad immediately.
- Take all suicidal and homicidal expressions seriously. A student whose behavior has become threatening, violent, or too disruptive may need a different kind of intervention. Please contact the Director of Study Abroad immediately.
- Provide instructions to the student on payment for the treatment.
- Keep a log regarding the circumstances leading up to the incident.
- Contact the Director of Study Abroad with basic information. If the student will require more than routine care, also contact International Insurance provider.
- Stay in daily contact with the attending mental health professional to monitor progress.
- SAO, in consultation with the mandated international program insurance provider, will determine whether the student needs to be moved to another facility, or possibly evacuated to another country or the United States. If evacuation is required SAO will work with the hospital, the insurance company, legal authorities, U.S. authorities, and the faculty leader/on-site provider to make arrangements.
- File an incident report.

Procedures for University Staff

- In the event that evacuation to the U.S. is required, SAO staff will make arrangements for meeting the student and ensuring the transfer is completed.
- The SAO will determine, with all due attention in maintaining the privacy of the individual involved, whether and/or whom to contact in the United States.
- SAO will work with the student and BSU academic units to salvage as much of the semester as possible, and to ensure smooth registration into the following semester, if so desired.
- Make sure that all follow-up support is available to the student.
Outbreak of Infectious Disease

An outbreak of infectious disease is a matter of great concern and is a potential cause for the cancellation of the program. It is essential that any news or rumor of such an outbreak be investigated thoroughly by SAO staff so that reasonable and adequate measures may be taken.

Procedures for On-Site

- Identify and implement appropriate protocol and/or remediative measures in consultation with the BSU Health Center and the International Insurance provider.
- Make available to students all information regarding the disease, inoculation, if available, and treatment. Facilitate access to inoculation and treatment facilities.
- Confirm and follow the recommendations and directions of local health authorities and the U.S. Embassy, especially regarding matters of required tests, inoculations, or quarantine.
- File ongoing and final reports with the Director of Study Abroad regarding the outbreak and the information you are providing to the students.

Procedures for University Staff

- Director of Study Abroad will consult with BSU health officials, the U.S. State Department, the Centers for Disease Control, and International Insurance provider to gain additional information about the disease and responses to it.
- The Director of Study Abroad will stay fully abreast of the situation and will inform the Faculty Leader/On-site provider of any changes.
A Missing Student

Reports of missing students may come from many sources—fellow students, professors, host families, even the student’s own family (if, for instance, the student does not make a promised telephone call, or is not at an expected place at an expected time). It is crucial that the on-site staff exercise sound judgment in determining whether a missing student report should be filed and when.

Procedures for On-Site

- Begin logging all actions taken and all conversations.
- Contact the student’s friends, roommates, host family, responsible person on-campus, or internship colleagues and all members of the resident staff. Ask them to contact you immediately if the student returns or if they hear additional information.
- If the student has not been located within 24 hours of the last reported sighting, file a report with the U.S. Embassy and the local police.
- Continue to work with these parties until the student is located and/or safely returned to the program.
- Meet with other students in the program to provide appropriate information and reassurances.
- Once the student has been located/returned, notify the appropriate parties on-site and University staff.
- File an incident report.

Procedures for University Staff

- Refer calls to the Director of Study Abroad who will be responsible for coordinating appropriate actions and maintaining contact with the program, the student’s family, and the student’s home university.
- SAO will consult with the main contact at the home institution about how and when to contact the family of a missing student.
- Assist family members in making arrangements to travel to the program city if necessary.
- Once the student has been located/returned, notify appropriate persons and organizations in the United States.
Death of A Student

Whatever the cause, and however rare, the death of a student is one of the most difficult events any staff member might face. Promptness and thoroughness are essential in discussions and actions taken in regard to the death of a student; sensitivity to the feelings of the family is of utmost importance.

Responsibilities for On-Site

- Immediately verify the identity of the student and the crucial facts of the case.
- Notify the Director of Study Abroad immediately.
- Collect all pertinent facts from the police or embassy with great care, including the time, place, and circumstances of death, other students and staff involved, and the location of the body.
- Carefully log all actions and conversations taken in regard to a student’s death. Obtain written accounts from all witnesses and affected students, staff, or faculty.
- Notify the U.S. Embassy.
- The Director of Study Abroad will consult with BSU Senior Admin to determine who/how to notify the family. After the family has been notified, SAO and On-Site staff will work together and with the family, the U.S. Embassy, and local authorities to arrange repatriation.
- Make certain that any necessary legal authorization is secured. Keep the family and Director of Study Abroad updated regarding the process of releasing the body, an autopsy if one is performed, and the schedule for repatriation. Exercise utmost sympathy, sensitivity, and helpfulness in all communications with family members.
- Make arrangements to meet the family upon their arrival on-site.
- Extend the family every courtesy while they are in the host city.

Procedures for University Staff

- On learning of the death of a student abroad, the Director of Study Abroad will notify BSU senior administration and Legal Counsel.
- A representative of this group will contact the next of kin and provide all possible assistance. Contact information is found in the student database. Consider having a University representative visit the family at home.
- A member of this group will also contact the partner university if applicable.
- The SAO, in consultation with support units across campus, will coordinate travel and hotel arrangements for the family if necessary, and will ensure that a contact team consisting of the Faculty Leader/on-site Provider and others (if advisable) meet the family upon their arrival on-site.
- A representative of the University may wish to accompany the family.
- Remove the name of the student from the student database and all returned student mailing lists. It is not fair to subject the friends and family of a deceased student to routine mailings. Ensure that no further bills are sent to the family.
- Send flowers or make a donation.
- Attend the funeral, with the family’s permission.
- Provide counseling for the host family and local students.
- Follow up with the group named above, the student’s family, and other students.
- Review operating procedures.

University Staff Follow-up Actions

- File a complete and detailed report within 7 days.
- Assure that the psychological and emotional needs of students, staff, and faculty are attended to. Schedule group meetings for the students, make all staff available for individual meetings. Make trained counselors available to students throughout the
remainder of the semester. Make certain that these resources are available to staff as well. The names and telephone numbers of the counselors and persons who can provide assistance can be provided by International Insurance provider. BSU Counselling Center can also assist.

• As always, follow the guidelines in this handbook for working with the media. Do not give the name of a student on a BSU program or speak on behalf of BSU without receiving clearance from Ball State University Relations and Communications Office.
If a Student is the Victim of a Crime

When a student is the victim of a crime, it is important both to provide support to the victim as they deal with the police, insurance companies, and their own emotional response, and to document the incident as carefully as possible.

Procedures for On-Site

- Ensure that the physical and emotional needs of the student(s) are being attended to.
- Inform the local police, or instruct the student how to inform the local police.
- Inform the Director of Study Abroad at the earliest possible moment.
  - Gather as much information as possible from the person who reported the crime, including:
    - The identity of the person or persons involved
    - The kind of crime
    - The day, time, and location of the crime
    - The injury or loss to the student(s)
- The present location of the victim and, if possible, the perpetrators
- Keep a log of all conversations and actions related to the incident.
- Meet with other students in the program to discuss the incident, its effect on all involved, and all security precautions.
- Take measures to improve security as necessary.
- File an incident report providing the above information, as well as a narrative report.

Regrettably, incidents do occur. Large cities around the world see their fair share of pickpocketing and other kinds of petty theft. Incident reports should be filed for these cases. It is the responsibility of the staff on-site to follow the above procedure in handling the situation appropriately. In the event of a serious crime, or a crime involving an assault against a student or any other kind of injury to the student, the Director of Study Abroad should be informed immediately.

Procedures for University Staff

- The Director of Study Abroad will inform the appropriate office at BSU.
- The SAO will keep the all parties informed of the resolution of the investigation and the ongoing needs of the student(s).
Sexual Misconduct

Ball State University is committed to fostering a safe learning environment for all members of the community and preventing sexual misconduct. Sexual misconduct includes, but is not limited to:

- sexual assault
- sexual violence
- sexual harassment
- sex discrimination
- domestic violence
- dating violence
- stalking
- any conduct of a sexual nature that is nonconsensual, or has the purpose or effect of threatening, intimidating, or coercing a person or persons.

To constitute sexual misconduct, conduct must be **unwelcome**. Conduct is unwelcome when the person affected does not solicit or invite it and regards it as undesirable or offensive. *The fact that a person may accept the conduct does not mean that they welcome it.*

Consent cannot be given by someone who is incapacitated. Engaging in sexual activity with someone who one knows to be, or reasonably should know to be, incapacitated is a violation of this policy. States of incapacitation can be temporary or permanent and include, but are not limited to unconsciousness, sleep, mental disability, or any other state in which a person is unaware that sexual activity is occurring.

BSU is required to respond promptly and effectively to complaints of all kinds of sexual misconduct, including sexual harassment and sexual violence, and must take immediate action to eliminate the offending conduct, prevent its recurrence, and address its effects. BSU is committed to fully cooperating with and supporting the investigation of the circumstances of a complaint to determine what occurred, ensure complainant safety, and provide remedies. Regardless of whether a complainant files a criminal action, BSU will undertake its own investigation of the circumstances of the complaint.

**Procedures for On-Site**

- The first step is to offer support and to take care of the victim’s emotional and medical needs.
- Help the victim receive medical attention. Offer to accompany them.
- Ask the victim if they wish to report the case to local authorities.
- Let the victim know that they may file a complaint through BSU whether or not a police report is filed.
- Make them aware of support and counseling resources including local resources, and alternate housing options if appropriate. For information about local resources, contact International Insurance provider
- Inform the Director of Study Abroad, who will inform the appropriate BSU support offices.
- When listening to a report of sexual misconduct, be sure to collect the following information:
  - The date, time and place of the incident.
  - What occurred.
  - The name of the assailant (or description, if name is unknown).
  - Any known witnesses.
  - If it is not the victim reporting, determine how the person knows of the misconduct.
- Log all conversations and actions taken in regard to the incident.
- If the victim asks that their report of sexual misconduct remain confidential, tell them that BSU will make every reasonable effort to meet a request for privacy, but that the
university is required to report the incident. Do not promise confidentiality, but you can remind the victim that confidential counseling resources are available locally.

- If the complaint involves 2 or more participants in the same program, make sure that any individuals involved are protected from further misconduct or possible retaliation.
- Submit an incident report to the Director of Study Abroad.

On-Site Follow Up Actions
- As in all incidents involving students or staff, a detailed log of all actions and communications related to the event should be kept.
- Be sure the victim is able to receive professional counseling.
- If the student decides to return home, assist in the coordination of all return arrangements.
- Contact the Director of Study Abroad who will provide notification to the parents (if the student has given written permission to do so).
- If the student decides to remain with the program, discuss with the student the need to make alternative living, academic, or working arrangements.

 Procedures for University Staff
- Reports of sexual misconduct received must be reported to the student’s home university Title IX coordinator.
**Arrest or Detention of a Student**

BSU can play only a limited role in the event that a student is arrested or detained by police or civil authorities while a program participant. BSU does not provide legal counsel. The laws of the host country apply in all cases, **not** U.S. laws or constitutional protections. The powers of the U.S. Embassy are extremely limited in cases such as this, although U.S. Embassy personnel generally will make an effort to ensure that students’ basic civil rights are not violated.

**Procedures for On-Site**

- Gather as much information as possible, including:
  - Name of participant
  - Date, place, and time of arrest
  - Charges and location where student is being held
  - Summary of incident
- Notify the U.S. Consulate immediately, even if the arrest or detention has not been verified.
- Do not secure legal counsel. Exception: At the discretion of BSU Legal Counsel, legal representation may be arranged if, in the opinion of BSU Legal Counsel, the student has been wrongly detained, as in a case of mistaken identification, and if it appears likely that the student can be quickly released from custody. If such a detention appears likely to result in arrest, lengthy detention, or a criminal proceeding, it is the responsibility of the student and their family to arrange legal representation.
- Visit the student as soon as possible and make certain the student understands what is happening.
- Keep Study Abroad Office up to date on the process and outcomes.
- Keep a detailed log recording all actions and communications taken in conjunction with the case.
- Provide an incident report on the conclusion of the case.

**Procedures for University Staff**

- Calls from parents are best referred to the Director of Study Abroad, who will in any event contact the parents and/or advisors of the detained students.
- Make it clear that American law and civil liberties do not apply abroad, and that neither BSU nor on-site staff is in a position to assist in this matter.
Terrorism, Political Emergencies, Industrial and Natural Disasters
Outbreaks of political violence or volcanic eruptions, to give a couple of examples, are rare but do occur. Because of their potential magnitude, such events are of great and real concern to both students and parents. In any event, careful planning is the key to dealing with large-scale crises, just as it is the key to the safe day to day operation of any program. Many of the following procedures are already in place.

Possible Emergency Situation
Procedures for On-Site
• Notify the Director of Study Abroad of any and all threats and include an assessment of the danger of the situation.
• Ascertain whether host universities and other institutions have their own emergency management plans.
• Ensure that students have 24-hour access to all local staff members.
• Identify a local travel agency or other means of transport you would trust in the event that students needed to be evacuated.
• Identify students likely to panic as well as students who might serve as leaders if the need arises.
• Identify students with special needs (e.g., mobility problems), and formulate plans to accommodate them.
• Maintain contact with all students and make sure that they are accounted for and safe. If there is reason to be concerned, gather students and inform them of the nature of the threat. If a student has received a physical or emotional injury, have their injury attended to immediately.
• Gather information regarding the nature of the political or natural emergency and its possible effect on the students, advice about how to minimize danger to the students, the possible impact of the situation of food, water and medical supplies, the presence of emergency and military personnel and contingency plans, the feasibility of continuing classes, etc.
• To the extent possible, stay in regular contact with the Director of Study Abroad by telephone and email as the situation builds toward a possible crisis.
• Establish and maintain contact with the U.S. Embassy.
• Caution students about the dangers of rumor and speculation and advise them to wait until reliable information is available before contacting home.
• Take down signs identifying the program as American and implement other security precautions. Emphasize to students that they should not congregate in groups or call attention to themselves.
• Describe emergency/evacuation/communication plans to students and make sure they understand them.
• Advise students to have cash available and accessible.
• Have sufficient funds on hand to cover contingencies. Contact the Director of Study Abroad immediately if you require emergency funds during political troubles or natural disasters.
• Keep a log of all actions and communications associated with the event.

Imminent Emergency Situation
Procedures for On-Site
• Contact the U.S. Embassy, local police, and other local sources and ask for advice and assistance. If the Embassy is closed, determine the location from which the Embassy staff is operating.
• Consult with the Director of Study Abroad about implementing emergency plans.
• Consult with the Director of Study Abroad about the possibility of closing down the program and evacuating the students.
When the event is resolved or concluded, continue to ensure that the students’ academic, physical, emotional, and other needs are attended to. Stay in touch with local and U.S. authorities. Continue regular contact with the Director of Study Abroad and file a written report.

Procedures for University Staff

- Contact the U.S. State Department hotline at +1 202 501 4444 for suggestions and assistance. Contact the U.S. Embassy abroad. Identify other authoritative contacts and begin communication with them.
- Contact Dean of Students to consider immediate measures to take; additional issues including health, safety, academics, financial aid, public relations, and legal liability; appropriate actions to take overseas.
- Develop a written action plan, including contingencies such as evacuation or relocation.
- Develop a list of those to be contacted, including parents and families, members of the home institution and others.
- Keep other stakeholders informed at all times.
- Ensure that all cell phones and other emergency contact numbers are functional and available to all.

Once the event has passed, the Director of Study Abroad, On-Site staff and Senior BSU Administrators will review all incidents and actions taken to assess the impact of the event on the students and the program, provide any follow-up that may be needed, and make changes in the program and the program’s plans as necessary.
Suspension or Cancellation of a Program

Procedures for On-Site
The suspension or cancellation of a program occurs only as a result of an outbreak of infectious disease, a natural disaster, or a threatening political disturbance.

• A joint decision will be made to close down the program by the Director of Study abroad and BSU senior administration.

• In the event of a program suspension or cancellation, the on-site staff will notify students of the plan of action. SAO will notify the main contacts at the home institutions, as appropriate.

• SAO will help make emergency transportation arrangements in the event that an official decision has been made to close the program. Students who decide to leave the program before an official decision has been made will be responsible for their own transportation.

Procedures for University Staff
The suspension of a program, while in operation, can have a significant impact on the academic progress of the participants. Every effort should be made to assist the returnees to complete the program credit via on campus instruction or distance learning.

Evacuation
BSU only evacuates participants in the event of extreme political disturbance, natural disaster, or outbreak of infectious disease, and only when either the U.S. Department of State or the local U.S. Embassy recommends that action.

Printed copies of this handbook are kept in the homes of all Ball State University employees who are likely to be part of an emergency response.