

**UNIVERSITY COUNSEL CHECKLIST OF LEGAL-RELATED
PROCEDURES FOR PACE-SPONSORED SHORT TIME STUDY ABROAD
PROGRAMS**

- I. Release and Waiver: A copy of the Release and Waiver that has been developed by University Counsel, in consultation with the Provost's Task Force on International Initiatives, is attached. It must be distributed by faculty to all students attending the study abroad trip prior to the trip's commencement. The originals of the fully executed waivers must be sent to the Office of International Programs and Services, which will maintain the originals. Copies shall also be sent to the Dean's Office for the school sponsoring the study abroad program. Faculty shall also maintain copies in their offices that can be accessed by support staff while the faculty member is abroad, as well as bring copies with them in case of an emergency for easy access to emergency contact information. If more convenient, faculty can reproduce only the emergency contact information in a one-page format to bring on the trip to avoid carrying voluminous paper work.

- II. Rider: The Rider must be used in connection with travel vendors/tour operators to supplement any quote, invoice, itinerary or agreement that they may issue to Pace with regard to the travel arrangements surrounding the study abroad program. University Counsel's Office will review any materials submitted by various travel vendors and tour operators and determine whether a rider is necessary and, if so, the content to be included. However, the faculty member should submit the sample rider to tour operators and travel vendors initially to familiarize them with the University's standard terms to be included in any contractual agreement. A sample Rider is attached.

- III. Certificate of Insurance: Travel vendors/tour operators must submit a Certificate of Insurance to the University Counsel's Office evidencing that they maintain coverage in the minimum amount of \$3-5 million, and naming the University as an additional insured. Please see attached the following attached documents: Explanation of Insurance Issues Surrounding Study Abroad, a sample Certificate of Insurance from Council Travel, a well established tour operator, and a memorandum from the University's insurance agent discussing travel agent's professional liability insurance.

- IV. Letters of Assurance: In connection with certain study abroad programs, particularly of a service oriented nature, it may be critical to receive from a foreign entity a letter of assurance, in which the entity guarantees that various issues are adequate. A letter of assurance is usually necessary when there are safety concerns inherent in the service activity or due to the location as an undeveloped area, but may be required to satisfy much broader concerns also. University Counsel's Office will inform faculty as to whether a letter of assurance is necessary and will assist in procuring such a letter. A sample letter of assurance is attached.

- V. Negotiation Role of Faculty: Faculty are expected to serve as liaison between the University Counsel's Office and the various parties involved, such as travel vendors, tour operators, host institutions and the like, as they are the ones coordinating the study abroad program are most familiar with all involved. However, faculty is not expected to

negotiate legal issues. All legal issues will be handled by one of the attorneys in the Office of University Counsel, including the negotiation of legal terms of contracts and riders. The attorneys will inform the faculty member when an issue is of legal concern and to have the representative contact the Office of University Counsel directly. Non-legal issues, such as academic and budget issues should not be brought to the Office of University Counsel but should rather be handled in accordance with the procedures in place for study abroad.

VI. Execution of University Contracts: All contracts on behalf of the University must be signed by the University's Treasurer, Assistant Treasurer, or their designee.