

SENATE No. 743

The Commonwealth of Massachusetts

PRESENTED BY:

Sal N. DiDomenico

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act protecting students abroad.

PETITION OF:

NAME:

Sal N. DiDomenico

DISTRICT/ADDRESS:

Middlesex and Suffolk

SENATE No. 743

By Mr. DiDomenico, a petition (accompanied by bill, Senate, No. 743) of Sal N. DiDomenico for legislation to protect students abroad. Higher Education.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act protecting students abroad.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 15A of the General Laws as appearing in the 2016 Official Edition,
2 shall be amended by inserting after Section 44 the following section:-

3 Section 45. (a) (1) Secondary and postsecondary institutions involved with providing
4 student services abroad, located in the commonwealth and which require waivers for students
5 participating in these programs shall prioritize health, safety and security in program
6 development, implementation and management of study abroad programs. They shall achieve
7 this by conducting risk assessments for program sites and activities to include assessments of
8 lodging locations, maintaining written emergency plans and protocols specific to the destination
9 and base of travel, and identifying and leveraging relevant authorities, networks and resources to
10 establish statistical reporting of any student injured, assaulted or subjected to a criminal act while
11 participating in the student sponsored travel. These plans, protocols and statistics shall be
12 available for review upon request and prior to travel, by any consumer interested in participating
13 in the sponsored program.

14 (2) Staff on study abroad trips shall be trained to anticipate and respond responsibly to
15 student health, safety and security issues, including but not limited to basic first aid and
16 familiarization with established emergency action plans. Prior to said study abroad trips, said
17 institutions shall provide training to students to mitigate the risk of injury by providing updates
18 on activities involving health, safety and security issues occurring at the proposed destination.

19 (b) (1) Said institutions shall file by November 1 of each year a report on its programs
20 with the secretary of the commonwealth. Said report shall contain the following information
21 from the previous academic year, including summer terms: (i) deaths of program participants that
22 occurred during program participation as a result of program participation; (ii) accidents and
23 illnesses that occurred during program participation as a result of program participation and that
24 required hospitalization; (iii) sexual assaults and crimes against program participants, and details
25 of the incidents, including date, time, location, and whether it was during participation in the
26 program; and (iv) country, primary program host, and program type.

27 (2) For purposes of paragraph (1), "primary program host" shall have the following
28 meaning:- an institution or organization responsible for or in control of the majority of decisions
29 being made on the program including, but not limited to, student housing, local transportation,
30 and emergency response and support.

31 (3) Information reported under paragraph (1), clause (i), may be supplemented by a brief
32 explanatory statement.

33 (4) Said institutions shall request hospitalization and incident disclosure from students
34 upon completion of the program.

35 (c) (1) The secretary of the commonwealth shall publish on its website: (i) the reports
36 required by subsection (b) paragraph (1) in a format that facilitates identifying information
37 related to said institutions; (ii) links to the United States Department of State's Consular
38 Information Program informing the public of conditions abroad that may affect their safety and
39 security; and (iii) links to the publicly available reports on sexual assaults and other criminal acts
40 affecting study abroad program participants during program participation. This information shall
41 not be limited to programs subject to this section.

42 (2) The secretary of state shall provide the information it posts on its website as required
43 by paragraph (1) to the Department of Higher Education, in electronic format, at the time it posts
44 the information. The Department shall post the information on its website and may otherwise
45 distribute the information. In materials distributed or posted, the Department must reference this
46 section.

47 (3) Said institutions shall include in its written materials provided to prospective program
48 participants a link to the secretary of state website stating that program health and safety
49 information is available at the website.