UNIVERSITY OF KENTUCKY POLICY ON ACADEMIC TRAVEL IN COUNTRIES UNDER U.S. DEPARTMENT OF STATE TRAVEL WARNINGS OR A CDC WARNING LEVEL 3

ADMINISTRATIVE REGULATION 4:9 -

The University does not sponsor or approve international travel for educational purposes in a country for which a U.S. Department of State Travel Warning or a Centers for Disease Control and Prevention (CDC) Warning Level 3 is in effect. However, the University will consider exceptions on a case-by-case basis. Exceptions are based upon petitions submitted by each student, faculty, or staff employee proposing the travel, and are reviewed by the Travel Warning Oversight Committee. The Committee makes a recommendation to the Associate Provost for Internationalization, who consults with the college dean, or designee, before making a final decision. Educational travel to Mexico, in accordance with guidance from the State Department’s Travel Warning for that country, is handled on a state by state basis. The Committee should meet with any student pursuing academic travel in a Mexican state under an advisory, while students traveling to states where no advisory is in effect must only provide the UK International Center with copies of the Travel Warning and waiver described in points 2 and 3 on page 3 of this document. In the event that a CDC Warning Level 3 were issued for Mexico, this abbreviated process would not apply.

GOVERNING COMMITTEE -

A Travel Warning Oversight Committee shall be formed under the auspices of the International Advisory Council (IAC), in order to review petitions submitted by each student, faculty, or staff employee proposing educational travel by UK students in countries where an active U.S. State Department Travel Warning or a CDC Warning Level 3 is in effect. The Committee shall include the Manager of International Health, Safety and Security, two or more IAC members, a representative from University Risk Management, a representative of the UK Legal Office, the Executive Director of Education Abroad & Exchanges (or the Assistant Director of Education Abroad), and the Associate Provost for Internationalization (non-voting). The Committee may also consult with other individuals as deemed relevant, in the areas of health, safety and security or with international expertise in the region under consideration. Meetings of the Travel Warning Oversight Committee will be held on an as-needed basis.

APPEAL OVERVIEW -

As a research institution with a diverse student population and broad research interests, the University will consider exceptions on a case-by-case basis if a student, in consultation with his or her primary academic advisor, makes a compelling case that an alternative destination would not equally serve the student’s academic, research and/or career goals. Similarly, a faculty or staff member must present a compelling case that an alternative destination would not equally allow the successful realization of course learning objectives or programs goals. Any exceptions granted to the policy should not be construed as a recommendation or an endorsement to travel or study in a country for which a U.S. Department of State Travel Warning or a CDC Warning Level 3 is in effect. No student shall be required as part of one’s degree to study in any destination where a Travel Warning or CDC Warning Level 3 is in effect.

Under no circumstance will educational travel be authorized to countries where a mandatory evacuation order has been issued. When the U.S. Department of State issues a mandatory evacuation
order, all UK faculty, staff and students presently in the affected country must contact the nearest U.S. Embassy or Consulate to obtain all relevant information and guidance, and must consult with UK as feasible, regarding either departure or shelter-in-place. UK’s recommendations at such a stage will be made in consultation with the relevant academic program and college, the Office of the Provost, UK’s contracted insurance provider, and other experts as appropriate. In the case of an evacuation, the U.S. government will restrict its evacuation support to US citizens and permanent residents. Therefore, in such an eventuality, UK faculty, staff and students of nationalities other than US should make appropriate arrangements with their own embassies or government-sponsored networks.

[ INDIVIDUAL STUDENT APPEAL PROCESS ]

Factors considered by the Travel Warning Oversight Committee in each individual student appeal review include, but are not limited to the following:

1. specific information contained in the active U.S. State Department Travel Warning or CDC Warning Level 3;
2. student’s academic record;
3. student’s previous international experience, knowledge of the host country, and demonstrated preparedness for educational activity in the target country;
4. soundness of student’s proposed contingency plan in cases of emergencies;
5. student’s demonstrated record of independent judgment and decision-making; and
6. the relationship of proposed education activity to student’s academic, research, and/or career goals.

Students requesting an exception to AR 4:9 should submit a formal appeal to the Manager of International Health, Safety & Security at least one week prior to the scheduled meeting at which the student must present in-person his/her appeal. The Committee will not consider any appeals without the required documentation. The formal appeal documentation must include, but is not limited to the following:

1. a statement explaining the purpose of the educational travel, a justification for travel to a country where a U.S. Department of State Travel Warning or CDC Warning Level 3 is in effect and why an alternative destination would not equally serve the student’s academic, research and/or career goals;
2. a summary of the student’s travel experience, preparedness for travel to this country, and evidence that suggests a record of independent judgment and decision-making;
3. a written exit strategy that includes plans for in-country security, knowledge of how to travel to a capital city or likely evacuation center, linguistic/cultural familiarity with the region, general preparedness and sound contingency planning;
4. a copy of the student’s UK academic transcript (official or unofficial);
5. a statement that confirms the student has reviewed the relevant sources of essential information and is fully informed of the content of the Travel Warning in effect for the country;
6. evidence that the student has or assurance that the student will register with the U.S. Embassy or Consulate (if appropriate) nearest their destination and will keep the registration information updated for the duration of the time abroad;
7. written confirmation that the student has discussed the risks with a relevant advisor or faculty member and that this advisor or faculty member has discussed the risks of travel with the appropriate unit executive officer;

8. [Graduate and professional students only] a letter from the appropriate research advisor confirming that the risks associated with the planned travel have been discussed with the student and that in spite of these risks, the educational purpose is justified; and,

9. [undergraduate students only] a faculty recommendation noting soundness of academic plan, academic rationale for study or travel to the country, and an assessment of the student’s maturity and reliability relative to the presumed additional risk of travel to this country.

Based on the appeal documentation and the presentation by the student, the Travel Warning Oversight Committee will make a recommendation to the Associate Provost for Internationalization regarding a potential exception to the travel ban outlined in AR 4:9. The Associate Provost will then consult with the appropriate dean or a designee and then make the final decision. The Associate Provost reserves the right to amend or reverse a positive decision if the situation in the country warrants. As possible, the student will be formally notified within one week of the decision, and only from this point will the student be permitted to apply for the designated program. [Note: It is incumbent upon the student to initiate this appeal process well in advance of any program application deadlines.] A copy of the decision signed by the Associate Provost will be sent to the appropriate dean or designee and the research advisor or recommending faculty member. In the case of denial of the appeal, the situation will be reviewed with the Office of the Provost before the decision is communicated to the student(s).

If the appeal is approved, the University will provide the same level of support as that offered to all other education abroad participants, including but not limited to on-going orientation, UK enrollment while abroad, credit transfer and the use of institutional financial aid (if eligible) and scholarships (if awarded). Such support shall not be construed to imply any institutional liability for a student’s decision to study in a country for which a U.S. Department of State Travel Warning is in effect. Necessary conditions for such institutional support include, but are not limited to the following:

1. student meets all UK International Center application deadlines and standard application requirements, including Travel Medical Insurance;

2. student completes and signs in the presence of a notary the Supplemental Assumption of Risk and Release from Liability for Travel to State Department Warning & CDC Warning Level 3 Sites and in so doing, the student assumes all physical and financial risk and sole liability for his or her decision to pursue academic activity in the country; [Note: This is in addition to the Release, Indemnification, Waiver and Hold Harmless agreement that is part of the standard UK International Center application process.]

3. student writes, signs in the presence of a notary, and dates the following statement on the top of the file copy of the current U.S. Department of State Travel Warning or CDC Warning Level 3: “I have read and understood the contents of this travel warning,” or “I have read and understood the contents of this CDC Warning Level 3,” and

4. student registers his or her travel with the U.S. Embassy or consulate in the country to which he or she will be traveling at least two weeks prior to arrival in country, and agrees to register any subsequent itinerary changes with the relevant Embassy, as well as with the UK International Center.
The Associate Provost reserves the right to demand that the student leave the country, at his or her own expense, if the security or health situation deteriorates and departure is deemed appropriate and feasible by UK (in consultation with contracted insurance provider and other experts). If the student refuses to depart, University support shall be withdrawn, which may result in financial loss such as requiring repayment of financial aid and scholarships. Additionally, it is not always possible for the University to assure full cost and credit recovery to students, and this is a risk that students assume when they undertake study or research abroad.

[ GROUP TRAVEL APPEAL PROCESS ]

Factors considered by the Travel Warning Oversight Committee in each faculty or staff member appeal review include, but are not limited to, the following:

1. specific information contained in the active U.S. State Department Travel Warning or CDC Warning Level 3;
2. faculty/staff member’s previous international experience, knowledge of the host country, and demonstrated preparedness for educational activity in the target country;
3. soundness of faculty/staff member’s proposed contingency plans in case of emergencies;
4. level and type of students expected to participate in the international experience; and
5. the relationship of proposed activities to the course learning objectives or programs goals.

Faculty and staff members requesting an exception to AR 4:9 should submit a formal appeal to the Manager of International Health, Safety & Security at least one week prior to the scheduled meeting at which the faculty or staff member must present in-person his/her appeal. It is the responsibility of the faculty or staff member to complete this appeal process before the program can be advertised or represented as approved by or sponsored by the University. The Committee will not consider any appeals without the required documentation. The formal appeal documentation must include, but is not limited to the following:

1. a statement explaining the purpose of the course or program, a justification for group travel to a country where a U.S. Department of State Travel Warning or CDC Warning Level 3 is in effect, and why an alternative destination would not equally allow the goals of the course or program to be met;
2. a description of the faculty or staff member’s travel experience, preparedness for facilitating a course or program in the country, and knowledge of the country and region;
3. a description of the on-site logistics and preparedness for ensuring the health, safety and security of all participants;
4. a written exit strategy that includes plans for in-country security, knowledge of how to travel to capital city or likely evacuation center, linguistic/cultural familiarity with the region, general group preparedness and sound contingency planning;
5. a copy of all course syllabi and/or program outline, including travel/program itinerary, and a description of the expected characteristics of those who will be participating;
6. a statement that confirms that the faculty or staff member has reviewed the relevant sources of essential information and is fully informed of the content of the Travel Warning or CDC Warning Level 3 in effect for the country;
7. written confirmation that the faculty or staff member has discussed the risks of travel to this country with the appropriate unit executive officer;
8. evidence that all faculty or staff members and participating students have or assurance that each will register with the U.S. Embassy or Consulate (if appropriate) nearest their destination and will keep the registration information updated for the duration of the time abroad; and

Based on the appeal documentation and the presentation by the faculty or staff member, the Travel Warning Oversight Committee will make a recommendation to the Associate Provost for Internationalization regarding a potential exception to the travel ban outlined in AR 4:9. The Associate Provost will then consult with the appropriate dean or a designee and make the final decision. Any denials of permission will also be communicated to the Office of the Provost. The Associate Provost reserves the right to amend or reverse a positive decision if the situation in the country warrants. As possible, the faculty or staff member will be formally notified within one week of the decision.

If the appeal is approved, the University will provide the faculty or staff member and students participating in the course or program the same level of support as that offered to all other faculty- or staff-led group travel programs, including but not limited to teaching stipend/salary supplement (if applicable), ongoing orientation (if applicable), UK enrollment while abroad (if applicable), credit transfer and the use of institutional financial aid (if eligible) and scholarships (if awarded). Individual participants of approved group travel programs will not have to individually appeal for an exception to AR 4:9. University support shall not be construed to imply any institutional liability for a faculty or staff member or student’s decision to study in a country for which a U.S. Department of State Travel Warning or CDC Warning Level 3 is in effect. Necessary conditions for such institutional support include, but are not limited to the following:

1. all course or program participants meet all UK International Center application deadlines and standard application requirements, including the purchase of Travel Medical Insurance;
2. each participant completes and signs in the presence of a notary the Supplemental Assumption of Risk and Release from Liability for Travel to State Department Warning & CDC Warning Level 3 Sites and in so doing, the participant assumes all physical and financial risk and sole liability for his or her decision to pursue academic activity in the country; [Note: This is in addition to the Release, Indemnification, Waiver and Hold Harmless agreement that is part of the standard UK International Center application process.]
3. each course or program participant writes, signs in the presence of a notary, and dates the following statement on the top of the file copy of the current U.S. Department of State Travel Warning or CDC Warning Level 3: “I have read and understood the contents of this travel warning,” or “I have read and understood the contents of this CDC Warning Level 3,” and
4. each course or program participant registers his or her travel with the U.S. Embassy or consulate in the country to which he or she will be traveling at least two weeks prior to arrival in country, and agrees to register any subsequent itinerary changes with the relevant Embassy, as well as with the UK International Center.

If the security or health situation further deteriorates or if the local infrastructure on-site is changed in any significant way, the Associate Provost reserves the right to cancel the program or demand that the group leave the country at its own expense, if departure is deemed by UK to be appropriate and feasible (in consultation with contracted insurance provider and other experts). If the group or any individual student refuses to depart, University support shall be withdrawn, which may result in financial loss such as requiring repayment of financial aid and scholarships, loss of programs fees, etc. Additionally, it is not always possible for the University to assure full cost and credit recovery to faculty, staff and students, and this is a risk that faculty, staff and students assume when they undertake instruction, study or research abroad.