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Foundations, Leadership
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MITIGATING RISK: A LEGAL AND QUANTITATIVE STUDY OF
INSTITUTIONAL ACTIONS IN THE DEVELOPMENT AND IMPLEMENTATION
OF UNDERGRADUATE EDUCATION ABROAD PROGRAMS (216 pp.)

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The purpose of this study was to explore the application of U.S. law to conduct occurring during undergraduate education abroad and to investigate the impact of established best practices on the number of critical incidents that transpire during such programs.

Legal analysis was completed using doctrinal law methodology to ascertain how the U.S. legal system treats complaints brought under state and federal laws for conduct occurring outside the U.S. territorial boundaries. Specifically, this study considered the extraterritorial application of the Americans with Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendment Act of 1972, The Family Educational Rights and Privacy Act, and The Health Insurance Portability and Accountability Act of 1996. An understanding of the statutory language and relevant judicial decisions provided clarity for education abroad administrators in considering the potential legal ramifications of international critical incidents for a higher education institution.

Quantitative data were collected from administrators familiar with their institution's education abroad management and injuries to participant students. Bivariate

analyses were used to explore the relationship between adherence to the Forum on Education Abroad's health and safety best practices and the number of critical incidents that happen during undergraduate education abroad programs. Significant relationships were found between two statistical control and five main independent variables and the number of critical incidents. Hierarchical multiple logistic regression identified institution size, annual education abroad enrollment, and STEP registration as the most influential in predicting the number of critical incidents. Implications of effective education abroad program development and implementation are discussed as are recommendations for future research.