



The State University
of New York

MEMORANDUM

To: State University of New York Business Officers Association
Community College Business Officers Association
Council on International Education

From: Eileen McLoughlin *Eileen M. McLoughlin*
Senior Vice Chancellor for Finance and Chief Financial Officer
Chair of ERM Committee

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Senior Vice Chancellor for Legal Affairs and General Counsel
Chair of ERM Committee

Date: August 26, 2016

Re: International Travel Providers

As you may be aware, SUNY has empanelled an Enterprise Risk Management committee in accordance with the Enterprise Risk Management (“ERM”) Policy adopted by the SUNY Board of Trustees in June 2015. As chairs of such committee, we are sending you guidelines on best practices to follow when engaging international travel providers. This will ensure that SUNY receives the best value and service from these vendors and that faculty-led programs are conducted in a manner consistent with the law and appropriate institutional oversight mechanisms.

Many campuses partner with international tour operators and educational travel providers in order to help arrange for student and faculty travel for various overseas academic programs. The form and structure of these partnerships vary, as does the level of institutional involvement in the process. However, it is not uncommon for faculty/staff to choose the providers and for the provider to then help cover the cost of a campus representative’s travel. Since these arrangements can implicate various procurement, ethics, and conflict of interest rules, campuses should adhere to the following guidelines:

1. We have an obligation to make certain that our students are receiving the best and most appropriate service at an appropriate cost by choosing providers after a thorough evaluation process. This review should be done by staff with experience in working with providers and knowledge of the international education field. In most cases this will be

the campus study abroad or international programs office. Providers should be chosen based on appropriate criteria, including:

- a) Knowledge of and experience in the countries or parts of countries to be visited.
- b) Expertise in the academic field of the proposed course or activity.
- c) Reputation as evidenced by recommendations of other educational institutions who have used their services.
- d) Understanding of U.S. safety protocols and ability to provide guidance to participants on safety and security issues.
- e) Transparency in financial arrangements with the campus and disclosure of relationships with campus staff to avoid conflicts of interests and ethics violations.
- f) Cost, recognizing that factors such as experience, expertise, and the provision of appropriate lodging, meals, safe transportation, etc., are often more important than lower cost.

It is highly recommended that campuses seek referrals from the SUNY Council on International Education (CIE) and include opinions of CIE members in the review process.

2. Campuses should always have contracts with the providers that serve their programs following New York State and SUNY procurement procedures. Agreements should not be made between individual or groups of campus staff and providers. This allows SUNY to control the process, maintain accountability, receive protection from liability, verify the charges, and address any problems directly with the tour operator. It also ensures that the appropriate campus officials have reviewed and approved the contract—reducing the risk that faculty or departments operate programs without proper oversight. Campuses are responsible for ensuring that students participating in faculty-led programs receive the same professional attention, through compliance with SUNY and campus study abroad policy, as all SUNY study abroad participants.
3. In most cases, contracts should provide for direct payment from the campus to the provider. Like other program costs, travel costs can be charged back to the student through the program fee. If for some reason it makes more sense in a given situation to have the students pay the operator directly, the contract should be clear that the legal relationship is between the provider and the campus.
4. If rebates or “free travel” to staff opportunities persist through the selection process, those benefits should flow into the institution, rather than directly to individual faculty or staff. This ensures that such benefits can be equitably distributed based on the needs and prerogatives of the campus and generally should be factored into the program charges paid to the campus by the students.
5. Faculty and staff travel should be paid for by the campus unless specified in the contract approved by the campus. For example, an agreement with a provider may specify that in

order to obtain the best lodging and travel rates for a group, the campus will pay the provider and the provider will cover the travel costs of campus staff accompanying the students. In no case should a staff member receive benefits from a provider that do not flow through the campus and are not specified in a contract approved by the campus.

Following these guidelines is necessary to mitigate risk and comply with ethical standards. Moreover, from a strategic, academic and operational perspective, it is not desirable to have international programs operating without appropriate oversight. As such, this oversight should be from staff knowledgeable in the international education field who also have experience working with providers. Most often, this will be the campus study abroad or international programs office.

We appreciate your cooperation in following these guidelines.

cc: Office of Global Affairs (OGA)
Senior International Officers (SIOs)