

# A WAKE-UP CALL



## RISK MANAGEMENT

For Universities Sponsoring Study Abroad Programs

# EMPOWERMENT

Recent events cast a very sobering light on university-sponsored study abroad programs. Studying abroad should be a positive experience filled with the promise of educational, cultural and social fulfillment. The opportunity to learn and experience a new culture is invaluable. Universities have long been aware that along with the many benefits of study abroad programs, there remain serious societal, safety and security risks to students. To address and mitigate this exposure, the law firm of Williams Kastner has forged an alliance with Alessandro Canali PLLC and the Studio Legale Perugini A.P. in Rome Italy. Through Williams Kastner's network of lawyers in Italy and throughout the world, we are able to provide institutions and students access to legal advice, protection from risk, training and emergency assistance.

## **RISKS FOR STUDENTS AND UNIVERSITIES**

The risks of study abroad programs for students and universities are vast and created by differences in judicial process, civil rights and cultural perspective. Here is a list of the primary legal issues related to study abroad programs.

### **U.S. Legal Issues:**

- Student liability and potential liability for the university for:
  - Alcohol use and substance abuse
  - Student housing
  - Harassment
  - Internet access and copyright policies
  - Criminal
  - Civil
  - Torts



Managing Risk.  
Protecting Students.

# OUR SERVICES

- University direct liability:
  - Obligations taken on students' behalf
  - Student injury or illness
  - Damages to student property or goods
  - Lack of assistance—academic or contractual

## **Italian Legal Issues:**

- Real estate and lodging contracts and obligations
- Compliancy with Italian business activity laws
- Labor laws and contracts
- Taxation, legal status and responsibility

## **LEGAL COVERAGE FOR STUDENTS AND UNIVERSITIES**

Student pays a nominal fixed fee for broad and protective legal coverage.

## **Services Provided to Students with No Cost to the University:**

- Randy J. Aliment of Williams Kastner will conduct comprehensive training and orientation for students and parents addressing issues such as judicial process and the legal responsibilities of students abroad.
- Alessandro Canali, Foreign Law Consultant, educated in both the U.S. and in Italy will

provide students, with a confidentiality agreement, legal advice via email.

- If the matter can not be resolved or addressed via email (e.g., injury or arrest), the Perugini law firm based in Rome will represent the student for pre determined and agreed legal fees.

## **Services for the University:**

- Due diligence review of all university and study abroad contracts, agreements and forms.
- Due diligence review of all study abroad program contracts, labor agreements and leases in Italy.
- Online email support for program directors in Italy to assist with legal matters.

## **Services for the Students and the Universities:**

- Agreement with Perugini law firm in Rome as well as law firms in other cities, as necessary, for legal services, providing reasonable legal fees and a direct emergency telephone number.

**MOST UNIVERSITIES CURRENTLY OFFERING STUDY ABROAD PROGRAMS IN ITALY DO NOT COMPLY WITH ALL ITALIAN REGULATIONS AND LABOR LAWS. THESE INSTITUTIONS ARE AT-RISK.**

# STUDY ABROAD LEGAL ADVISORS

## **Randy J. Aliment, Member, Williams Kastner**

Randy Aliment's legal practice emphasizes education law, commercial law advice and business litigation. Mr. Aliment has represented educational institutions before courts, administrative bodies and in private arbitration. He has negotiated agreements on behalf of education clients involved in joint ventures, real estate and other transactions in the United States, Asia and in Europe. He serves as Chair of the Board of Governors for City University and has served on both the Board and as General Counsel of the school since 2000. Mr. Aliment is a member of the Executive Committee of the International Law section of the Washington State Bar Association. He is an officer in the American Bar Association where he serves as one of four delegates to the UIA International Association of Lawyers headquartered in Paris, France.

## **Alessandro Canali, Foreign Law Consultant, Licensed in Italy and the U.S.**

The law office of Alessandro Canali is based in Rome, Italy and Washington State and serves the Italian legal needs of the English-speaking and expatriate community in Italy and with clients in the USA who have Italian legal concerns. Mr. Canali is licensed to practice as an attorney in Italy with the Rome Bar Association and as a Foreign Law Consultant with the Washington State Bar Association. He has extensive experience in study abroad programs and has assisted several large universities in this area.

## **Studio Legale Perugini Professional Association**

The Studio Legale Perugini, among the oldest in Italy, was first established in 1792 and was later established in Rome by Basilio Perugini and his son Senator Arturo Perugini in 1935. The law firm offers full-service legal advice and assistance, judicial and extrajudicial, and represents clients in many areas, including higher education law, criminal and civil law.