

A Legal and School Board Policy Guide on International Travel

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Presenter:

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International Travel in Today's Environment

- How the Environment Has Changed Recently
- Making Our Travelers Comfortable in a Today's World

What are the Top International Tour Destinations?

1. Italy
2. Spain
3. Great Britain
4. France
5. Austria
6. China
7. Germany
8. Costa Rica
9. Czech Republic
10. Australia

What are Major Things to Consider in Sponsoring a Student Tour?

- Does the tour offer educational value to students?
- Does the school board have a policy on IST(international student travel)? If so, is the tour being conducted in accordance with the school board's policy?
- Is the tour school sponsored or non- school sponsored, and is that clear to the participants and especially the parents?
- Is there high quality planning and supervision?

What are Major Things to Consider in Sponsoring a Student Tour? (cont.)

- Is there adequate liability insurance? Who provides coverage: District or tour operator or both?
- Are there potential safety/security risks at the destination?
- Is there a risk/crisis management plan in place?
- Will the tour company's contract reviewed by the school board attorney to ensure the school board's policy and liability protection requirements are met?

Is There a Difference Between IST and Domestic Travel Programs?

- Yes, although there are many common points that school districts can consider.
- This document addresses the broader set of requirements applicable to international travel.

Has the District or School Policy Changed in Light of Recent World Events?

- Responsibility and Liability
- Clear Delineation of Responsible Party

Types of IST and School District Involvement

- School sponsored and school district managed. The tour is school sponsored, and the school district manages the tour. The school district arranges all aspects of the trip—itinerary, travel arrangements, lodging, tours, restaurants, local guides, ground transportation, etc.
- School sponsored and tour company managed. The tour is school sponsored, and the school district contracts with a tour company to manage the trip.

Best Practices

- Does school or district have a procedure for administrative approval within the school system, which should be based in part on educational relevancy.
- Ensure insurance is adequate.
- Establish chaperone selection process, criteria, and ratio.
- Require checking and rechecking of U.S. State Department travel advisories, available at travel.state.gov and The Centers for Disease Control and Prevention (CDC) and cdc.gov.

Best Practices (cont.)

- Require registration of the trip with the local U.S. Embassy via the State Department's Smart Traveler Enrollment Program (STEP). <https://step.state.gov/step/>
- Establish a code of conduct policy, address foreign alcohol and drug laws, and provide for return of a student for disciplinary reasons.
- Establish appropriate safety, crisis, and risk management plans.

Best Practices (cont.)

- Require mandatory information meeting with students and parents.
- Provide for training of chaperones.
- Require retention of trip documents, signed medical disclosures and releases, etc., at least until the expiration of the statute of limitations for filing a claim.
- You may want to find an attorney for review of appropriate forms.

Best Practices (cont.)

- Establish procedures for collecting pertinent health including medical/prescription needs.
- Remain up-to-date on state and local requirements for addressing students' health needs and any constraints (including food allergies) that might impact a student's ability to fully participate or keep up with the group's planned activities.

Best Practices (cont.)

- Apply these same requirements to school district endorsement of a tour operator or individual's IST.
- Review of contract

Non-School Sponsored Trips (Private Trips)

- Clear notice to staff and parents that some IST in which students might engage will not be school sponsored.
- A requirement that any materials for such trips expressly and prominently state that the trip is not school sponsored or endorsed.
- A requirement that the tour operator or individual teacher acknowledges to the district that the trip is not school sponsored or endorsed.

Non-School Sponsored Trips (Private Trips)

- School may prohibit use of school resources, including student databases.
- School may prohibit employee use of school time to promote, discuss, or manage a private trip.
- Procedures for employees who are considering sponsoring a private tour to minimize the chance that students and parents will presume the tour to be school sponsored and to follow local rules regarding use of school facilities.

Elements of a Policy Prohibiting School-Sponsored IST

- Understand school board policies and documents related to prohibition of school-sponsored international travel programs.

How a School Separates Private and Non-private Travel

From a parent's perspective, a tour can appear to be school sponsored by one or more of the following:

- Tour information distributed by school staff in class
- Tour materials and money returned to the teacher at school
- Materials that give only the teacher's name, with no company or organization

How a School Separates Private and Non-private Travel (cont.)

- Fundraising through the school
- Stating that class credit will be provided
- Holding tour-related meetings on school property
- Publicizing the tour in school-generated media either before or after the trip

Compelling Reasons Why A School District Should Use a Tour Operator

- Competitive Opportunities
- Understanding Details
- Established Safety Protocols

Factors That Influence Decision Making

- Company's prior experience operating in that destination.
- Safety history of the tour operator.
- Alignment between the tour company's itinerary and the district's curriculum.
- Amount and coverage of liability insurance. Is it primary?
- Safety guidelines employed by the tour operator.

Factors That Influence Decision-Making (cont.)

- Training of hosts, tour guides, and supervisory staff.
- Medical emergency procedures.
- Crisis management procedures.
- The tour company's procedures for selecting and monitoring local guides and travel companies, and their safety record.

Important Insurance

- Medical insurance (including repatriation and overseas medical case management coverage)
- Lost or delayed baggage insurance
- Cancellation insurance.

Understanding State and Local Laws in Regards to Teacher Participation in Student Travel

- Be careful not to jeopardize teacher status

State Laws

- Check your state law to ensure that your school board policy and sponsored trips comply with any statutory requirements.

Questions?

Speaker Contact Detail

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Upcoming Events

- SYTA Social NYC
March 2, 2016
- US and Canadian Border Crossing Webinar
March 3, 2016, 12 PM – 1 PM EST
- SYTA Annual Conference
August 18-21, 2016, Orlando, FL

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