

## Minors on Study Abroad Trips



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Read more answers to your risk management questions in our Ask UE Blog at [www.ue.org/learnue/askue.aspx](http://www.ue.org/learnue/askue.aspx).

Study abroad programs for secondary school students present unique risk management challenges. UE recommends conducting safety assessments, using releases and assumption of risk forms, and hosting orientation meetings to help ensure the safety of minors on study abroad trips. Take the following steps to minimize risk in study abroad programs and protect your school from liability:

### 1. Complete a Safety Assessment

The safety assessment enables you to analyze and prepare for risks specific to each program. Prepare a written report that summarizes information gathered and use it to determine the program's suitability. When performing the safety assessment

- Review the State Department's Students Abroad (<http://studentsabroad.state.gov/>) web page. The department publishes warnings that describe unsafe travel conditions and discourages travel to some areas.
- Consult the Centers for Disease Control and Prevention's (CDC) Travelers' Health (<http://wwwnc.cdc.gov/travel/>) web page. The CDC offers tips to avoid and prepare for illness and injury in specific regions.
- Assess other factors such as transportation, medical facilities, local law enforcement, and embassy locations.

### 2. Draft a release and assumption of risk form

A *release or waiver* is a legal agreement in which one person gives up the right to sue. See the Checklist for Effective Releases ([www.ue.org/Libraries/Shared\\_RML/UE\\_Toolbox\\_Effective\\_Releases\\_4-09.sflb.ashx](http://www.ue.org/Libraries/Shared_RML/UE_Toolbox_Effective_Releases_4-09.sflb.ashx)) for guidance on the use of releases. An *assumption of risk* form includes language describing the activity as voluntary and stating that the signer understands the nature and risks of the activity. It may also be called an informed consent form. Consult with legal counsel when drafting these documents. Counsel will advise what form the documents should take and the best way to incorporate risks identified in the safety assessment.

### 3. Communicate Risks to Students and Parents

Distribute information at an orientation meeting for students and parents.

- Document orientation topics covered and attendance.
- Distribute releases and assumption of risk forms. Attach relevant State Department and CDC travel advisories.
- Provide a detailed trip itinerary.
- Discuss online resources and how students and parents can use them.

- Review special health and safety concerns.
- Encourage students and parents to update vaccinations and review health issues.
- Do not require anyone to sign legal documents at the orientation meeting. Adults and minors should be given time to understand the risks they are assuming and the rights they are waiving.
- Ensure that students and parents know how to communicate with your school, chaperones, and the host location before, during, and after the program.

#### 4. Obtain signed releases and assumption of risk forms

Adult study abroad participants (*and* parents or guardians) should sign a release and an assumption of risk form. A release waives an adult's right to sue. All releases should include a description of the program risks.

Since a release signed by a minor has no legal weight, minor study abroad participants should sign the assumption of risk form. The form can educate the minor (and parents or guardians) about program risks. This form will not waive parents' right to sue on behalf of their child. However, it can help the institution avoid liability or limit monetary awards if the institution is found liable.

Well-drafted releases and assumption of risk forms do not supplant sound risk management practices. However, they can help your school mitigate risks when used with safety assessments and orientation programs.

## Resources

### UE

- *From the UE Toolbox: Checklist for Managing Short-Term International Programs*  
[www.ue.org/Libraries/Shared\\_RML/UE\\_Toolbox\\_Short-Term\\_International\\_Programs\\_03-09.sflb.ashx](http://www.ue.org/Libraries/Shared_RML/UE_Toolbox_Short-Term_International_Programs_03-09.sflb.ashx)
- *You Asked UE: Minors on Study Abroad Trips*  
[www.ue.org/Libraries/Shared\\_RML/You\\_Asked\\_UE\\_Minors\\_on\\_Study\\_Abroad\\_Trips\\_--\\_03-11.sflb.ashx](http://www.ue.org/Libraries/Shared_RML/You_Asked_UE_Minors_on_Study_Abroad_Trips_--_03-11.sflb.ashx)

### Other Resources

- Dare County Schools (NC)  
Exchange Student and Study Abroad Policy  
[www.dare.k12.nc.us/moxie/bm~doc/4156.pdf](http://www.dare.k12.nc.us/moxie/bm~doc/4156.pdf)
- Susquehanna Township School District  
Student Travel—Study Programs Policy  
[www.hannasd.org/cms/lib2/PA01001586/Centricity/Domain/47/4018.pdf](http://www.hannasd.org/cms/lib2/PA01001586/Centricity/Domain/47/4018.pdf)  
(Although this policy has not been updated recently, it includes many sound practices.)
- North Carolina State University  
Study Abroad Office Safety Assessment  
<http://studyabroad.ncsu.edu/index.cfm>  
(This model policy and examples may be used to create a K-12 policy that pertains to younger students and minors.)

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