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**Administrative Procedure**  
Chapter 4 – Academic Affairs

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## AP 4300 FIELD TRIPS AND EXCURSIONS

### References:

[Government Code Section 11139.8](#);  
Title 5, Section, 55220

**NOTE:** *Government Code Section 11139.8 prohibits a state agency from requiring its employees, officers, or members to travel to, or approving a request for state-funded or sponsored travel to, any state that, after June 26, 2015, has eliminated protections against discrimination on the basis of sexual orientation, gender identity, or gender expression. This prohibition also applies to any state that has enacted a law that authorizes or requires discrimination against same-sex couples or their family or on the basis of sexual orientation, gender identity, or gender expression, subject to certain exceptions. The California Community Colleges Chancellor's Office has indicated it will not approve requests from local community college districts to travel to a restricted state. The California Community Colleges Chancellor's Office has also opined that Government Code Section 11139.8 does not apply to local community college districts. However, California law has recognized local community college districts as state agencies for certain purposes, among those is the community college funding mechanism. Thus, districts should consult with legal counsel in implementing Government Code Section 11139.8.*

### ❖ From current Napa Valley College AR 4300 Field Trips and Excursions

1. The District may conduct field trips or excursions in connection with courses of instruction or instructionally-related social, educational, cultural, athletic, or performance activities to and from places in the state of California, or any other state, the District of Columbia, or a foreign country for enrolled students.
2. The District shall provide supervision of students involved in field trips or excursions by academic employees and may engage instructors, supervisors, and other personnel as may be necessary for such field trips or excursions.
3. Students participating in field trips or excursions shall at all times adhere to the standards of conduct as stated in ~~Board Policy~~ [BP 5500](#); Standards of Student

Conduct and Discipline, and to other District policies and procedures regulating student conduct.

4. Transportation for field trips or excursions may be provided, at the discretion of the Vice President of Instruction or Vice President of Student Services, by use of District equipment, by contracting with a transportation provider, or by arranging transportation by the use of other equipment. When District equipment is used, the District shall obtain liability insurance, and if travel is to and from a foreign country, the liability insurance shall be secured from a carrier licensed to transact insurance business in the foreign country.
5. All persons making a field trip or excursion shall be deemed to have waived all claims against the District and the Board of Trustees for injury, accident, illness, or death occurring during or by reason of the field trip or excursion. All adults taking such trips or excursions and all parents or guardians of minor students taking field trips or excursions shall sign a statement, in a form prescribed by the District, waiving such claims.
6. No student shall be prevented from taking a field trip or excursion, which is integral to the completion of a course because of lack of sufficient funds, with the exception of field trips or excursions offered as part of fee-based community services offerings. The college and the Community Education [Program](#) will develop procedures to assure the participation of students in required field trips and excursions, lack of funding notwithstanding. Nothing shall be construed to prevent a district from offering a study abroad course (International Education) because a particular student or group of students is unable to participate in the course or program due to lack of funding.
7. Payments or reimbursements by the District in conjunction with field trips or excursions shall be in accordance with BP 4300, [Field Trips and Excursions](#), and shall require itemization and validation of expenses in a form prescribed by the Vice President of Finance [or](#) designee.
8. The Vice President of Finance shall establish procedures that regulate the use of District funds for travel and attendance in conjunction with field trips and excursions authorized pursuant to this [procedure and the related](#) policy.
9. Expenses of students participating in a field trip or excursion may not be paid with District funds unless the expenditure is authorized pursuant to Sections 1, 6, and 10 of this [procedure](#) policy.
10. The District may pay for expenses of students participating in a field trip or excursion with auxiliary, grant, or categorical program funds if the funds are used consistently with the statutory, regulatory, or contractual conditions applicable to the expenditure of such funds.

11. The expense of instructors, chaperones, and other personnel participating in an authorized field trip or excursion may be paid from District funds. The District may pay from District funds all incidental expenses for the use of District equipment during an authorized field trip or excursion.

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**NOTE:** The **red ink** signifies language that is **legally advised** and recommended by the Policy & Procedure Service and its legal counsel (Liebert Cassidy Whitmore). The Policy & Procedure Service issued legal updates to this procedure in August 2006, August 2007, and **October 2017**. The language in **black ink** is from current Napa Valley College AR 4300 Field Trips and Excursions adopted on 8/9/12. The language in **blue ink** is included for consideration. The language in **yellow highlighting** is included to draw the reviewers' attention, and this language will be removed upon final approval.

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**Approved:** 8/9/12

**Revised:**

*(Replaces AR 4300)*

## Legal Citations for AP 4300

### **GOVERNMENT CODE - GOV**

#### **TITLE 2. GOVERNMENT OF THE STATE OF CALIFORNIA [8000 - 22980]**

( Title 2 enacted by Stats. 1943, Ch. 134. )

#### **DIVISION 3. EXECUTIVE DEPARTMENT [11000 - 15986]**

( Division 3 added by Stats. 1945, Ch. 111. )

#### **PART 1. STATE DEPARTMENTS AND AGENCIES [11000 - 11895]**

( Part 1 added by Stats. 1945, Ch. 111. )

#### **CHAPTER 1. State Agencies [11000 - 11148.5]**

( Chapter 1 added by Stats. 1945, Ch. 111. )

#### **ARTICLE 9.5. Discrimination [11135 - 11139.8]**

( Article 9.5 added by Stats. 1977, Ch. 972. )

#### **11139.8.**

(a) The Legislature finds and declares all of the following:

- (1) California is a leader in protecting civil rights and preventing discrimination.
- (2) California's robust nondiscrimination laws include protections on the basis of sexual orientation, gender identity, and gender expression, among other characteristics.
- (3) Religious freedom is a cornerstone of law and public policy in the United States, and the Legislature strongly supports and affirms this important freedom.
- (4) The exercise of religious freedom should not be a justification for discrimination.
- (5) California must take action to avoid supporting or financing discrimination against lesbian, gay, bisexual, and transgender people.
- (6) It is the policy of the State of California to promote fairness and equality and to combat discrimination.

(b) A state agency, department, board, authority, or commission, including an agency, department, board, authority, or commission of the University of California, the Board of Regents of the University of California, or the California State University, and the Legislature shall not do either of the following:

- (1) Require any of its employees, officers, or members to travel to a state that, after June 26, 2015, has enacted a law that voids or repeals, or has the effect of voiding or repealing, existing state or local protections against discrimination on the basis of sexual orientation, gender identity, or gender expression or has enacted a law that authorizes or requires discrimination against same-sex couples or their families or on the basis of sexual orientation, gender identity, or gender expression, including any law that creates an exemption to antidiscrimination laws in order to permit discrimination against same-sex couples or their families or on the basis of sexual orientation, gender identity, or gender expression.
- (2) Approve a request for state-funded or state-sponsored travel to a state that, after June 26, 2015, has enacted a law that voids or repeals, or has the effect of voiding or repealing, existing state or local protections against discrimination on the

basis of sexual orientation, gender identity, or gender expression, or has enacted a law that authorizes or requires discrimination against same-sex couples or their families or on the basis of sexual orientation, gender identity, or gender expression, including any law that creates an exemption to antidiscrimination laws in order to permit discrimination against same-sex couples or their families or on the basis of sexual orientation, gender identity, or gender expression.

(c) Subdivision (b) shall not apply to travel that is required for any of the following purposes:

(1) Enforcement of California law, including auditing and revenue collection.

(2) Litigation.

(3) To meet contractual obligations incurred before January 1, 2017.

(4) To comply with requests by the federal government to appear before committees.

(5) To participate in meetings or training required by a grant or required to maintain grant funding.

(6) To complete job-required training necessary to maintain licensure or similar standards required for holding a position, in the event that comparable training cannot be obtained in California or a different state not affected by subdivision (b).

(7) For the protection of public health, welfare, or safety, as determined by the affected agency, department, board, authority, or commission, or by the affected legislative office, as described in subdivision (b).

(d) The prohibition on state-funded travel described in this section shall continue while any law specified in subdivision (b) remains in effect.

(e) (1) The Attorney General shall develop, maintain, and post on his or her Internet Web site a current list of states that, after June 26, 2015, have enacted a law that voids or repeals, or has the effect of voiding or repealing, an existing state or local protection against discrimination on the basis of sexual orientation, gender identity, or gender expression, or have enacted a law that authorizes or requires discrimination against same-sex couples or their families or on the basis of sexual orientation, gender identity, or gender expression, including any law that creates an exemption to antidiscrimination laws in order to permit discrimination against same-sex couples or their families or on the basis of sexual orientation, gender identity, or gender expression.

(2) It shall be the responsibility of an agency, department, board, authority, or commission described in subdivision (b) to consult the list on the Internet Web site of the Attorney General in order to comply with the travel and funding restrictions imposed by this section.

*(Added by Stats. 2016, Ch. 687, Sec. 1. Effective January 1, 2017.)*

## **Title 5. Education**

### **Division 6. California Community Colleges**

#### **Chapter 6. Curriculum and Instruction**

Subchapter 3. Alternative Instructional Methodologies  
Article 2. Excursions and Field Trips

5 CCR § 55220

§ 55220. Excursions and Field Trips.

(a) The governing board of a community college district may:

(1) Conduct field trips or excursions in connection with courses of instruction or instructionally-related social, educational, cultural, athletic, or band activities to and from places in the state, or any other state, the District of Columbia, or a foreign country for students enrolled in a college. A field trip or excursion to and from a foreign country may be permitted to familiarize students with the language, history, geography, natural sciences, and other studies relative to the district's course of study for the students.

(2) Engage instructors, supervisors, and other personnel who desire to contribute their services over and above the normal period for which they are employed by the district, if necessary, and provide equipment and supplies for the field trip or excursion.

(3) Transport students, instructors, supervisors or other personnel to and from places in the state, any other state, the District of Columbia, or a foreign country where the excursion or field trip is being conducted. Transportation may be provided by use of district equipment, by contracting with a transportation provider, or by arranging transportation by the use of other equipment. When district equipment is used, the governing board shall secure liability insurance, and if travel is to and from a foreign country, the liability insurance shall be secured from a carrier licensed to transact insurance business in the foreign country.

(4) Provide supervision of students involved in field trips or excursions by academic employees of the district.

(b) No student shall be prevented from taking a field trip or excursion which is integral to the completion of a course because of lack of sufficient funds. To this end the governing board shall coordinate efforts of community service groups to supply funds for students in need of them.

(c) No group shall be permitted to take a field trip or excursion which is integral to the completion of a course if any student who is a member of such an identifiable group will be excluded from participation in the field trip or excursion because of lack of sufficient funds. Nothing in this subdivision or subdivision (b) shall be construed to prevent a district from offering a study abroad course or program because a particular student or group of students is unable to participate in the course or program due to lack of funds.

(d) Expenses of students participating in a field trip or excursion authorized by this section may not be paid with public funds, except where:

(1) the expenditure is authorized pursuant to subdivision (a); or

(2) funds from a state or federal grant or categorical program are used consistent with the statutory, regulatory or contractual conditions applicable to the expenditure of such funds.

(e) For purposes of subdivision (d), funds of an auxiliary organization duly established pursuant to education Code section 72670 et seq. shall not be considered to be public funds.

(f) Expenses of instructors, chaperons, and other personnel participating in a field trip or excursion authorized by this section may be paid from district funds, and the district may pay from district funds all incidental expenses for the use of district equipment during a field trip or excursion authorized by this section.

(g) The attendance or participation of a student in a field trip or excursion authorized by this section may be claimed for apportionment to the extent that the field trip or excursion is part of a course. However, attendance claimed for apportionment as a result of a field trip or excursion shall be limited to the amount of attendance that would have accrued had the students not been engaged in the field trip or excursion. No more contact hours shall be generated by a field trip or excursion than if the class were held on campus.

(h) All persons making the field trip or excursion shall be deemed to have waived all claims against the district or the State of California for injury, accident, illness, or death occurring during or by reason of the field trip or excursion. All adults taking out-of-state field trips or excursions and all parents or guardians of minor students taking out-of-state field trips or excursions shall sign a statement waiving such claims.

Note: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

#### **HISTORY**

1. New article 2 (sections 55220-55222) and section filed 7-17-2007; operative 8-16-2007. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 2007, No. 35).