

## Field Trips & Community Based Instruction for Students with Disabilities (Adapted from Riverside SELPA Policies and Procedures)

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## Introduction

Field trips and community based instruction that are properly planned and implemented can supplement and enrich classroom procedures by providing learning experiences in an environment outside the classroom, stimulate new interests among students, help students related classroom experiences to the reality of the outside world, and bring all the resources of the community within the scope of a student's learning experience.

The purpose of this document is to assist school personnel when faced with the decision of including or excluding a student with disabilities from participating in a field trip. To deny participation in a field trip based on disability would be a violation of the individual's civil rights. Any determination to exclude a student with a disability from a field trip should be made on a case-by-case basis and the District has the burden of demonstrating that the student should not participate.

## Definitions

The following definitions are being provided to assist with understanding the different types of field trips in which a student may participate. The type of field trip will affect the decision making process regarding participation, on a case-by-case basis.

**Co-Curricular Field Trip** – A field trip related to curriculum and participation in the general education curriculum. A co-curricular field trip is academic, not extracurricular. The initial consideration when determining participation is whether the student has access to the field trip related curriculum.

**Extra-Curricular Field Trip** – A field trip not tied to specific curriculum and offered to all students. Such trips may be related to club, team, or special interest group activity. Students with disabilities must be permitted to participate to the maximum extent appropriate to the needs of the student. Districts have an obligation to provide accommodations to permit participation.

**Community Based Instruction (CBI)** – This is not a field trip! It is an instructional strategy designed to target the development of functional skills in natural, non-school environments.

**District** – Term refers to Local Education Agency providing services to the student, be it a district, charter school, or county office of education.

## Planning Tips

In planning a trip, it is recommended that school personnel visit the site prior to selecting a destination and date. Staff should check the site for safety, restroom availability and access to water. Determine how the site will address curricular goals and objectives and what should be addressed in the classroom in preparation for the trip. In some cases, staff may

need to address medical, behavioral, environmental and procedural concerns in advance following district policy. For students with disabilities, the teacher may want to identify what IEP objectives will be covered for each student participating in the trip. Planning can also include answering the following types of questions;

- Does this activity require money or some substitute? How much?
- How/where do you pay for services?
- What type of transportation could be used to get there?
- Is the destination accessible? (for example, check entrance(s), width of doors for wheelchair access, bathroom facilities)
- What/are the natural cues?
- Do same-age, nondisabled peers frequent this destination?
- What gross motor skills would be required in this environment?
- What fine motor skills would be required in this environment?
- What communication skills are required in this environment?
- What social skills are required in this environment?
- Are there any other specialized skills needed in this environment?
- Is there anything unusual about this environment that might cause a learner to display inappropriate behavior (e.g., noise, light, or other environmental factors)?
- What would have to be taught in preparing for visiting this environment?

### Transportation Considerations

Field trips or excursions intended to further the study of a particular subject are recognized as integral to the instructional program. In planning such trips, teachers must take into consideration; distance from school, transportation requirements, safety of pupils, adequate supervision, and expense. In general, any off campus activities (be it a field trip, extra-curricular outing, or regularly scheduled CBI) must be approved by an administrator and written parental consent is always required.

Transportation may be provided by school bus drivers who have certification or private contractors who are properly certified. School buses, vans, and automobiles can be used to transport students to and from school / program activities that have been pre-approved by administration and permitted by law. Private vehicles may only be used when it is impractical to use a public vehicle. Such use shall be governed by California Vehicle Code and local policy.

School personnel must have emergency cards and signed field trip permission forms for each child on all trips. Rules for field trips should be clearly communicated and may address such items as staying in seat while on the bus, if seat belts must be fastened,

allowance of food and drinks on the bus, and responsibility for monitoring student behavior while on the bus. First-aid kits are required on all field trips. If the bus will be returning after the regular school dismissal time and parents must pick up their child, usually staff is provided with a list of all children attending with correct phone numbers or emergency numbers.

## Student Participation

A student's individualized education program (IEP) team does not determine if the student will participate in field trips, but does determine to what extent the student will participate in general education. The IEP team must focus on the provision of free appropriate public education (FAPE) and, by definition, extracurricular activities are not part of FAPE [34 CRF 104.35(c)]. This includes what support the student will need in the classroom and any extra-curricular activity or CBI the IEP team has determined appropriate for the student.

## Co-Curricular Field Trip

All students are to be given the opportunity to access the same curriculum and state standards, unless it has been determined that a student with a disability is not able to do so via discussion and consent at an IEP meeting. Each student with a disability is to participate in mainstreaming opportunities to the maximum extent appropriate based on their individual strengths and needs.

The LEA needs to ensure that the IEP for a student not participating in co-curricular field trips includes information explaining why the student is not able to benefit from participating in the general education curriculum and, therefore, the co-curricular field trips. In addition, the IEP should clarify that a student not participating in general education classes is receiving an adapted or alternate curriculum.

Example: A student in a moderate-severe special day class (SDC) is mainstreamed to a general education class for opening announcements, music, PE, science, and art. The student receives an adapted, special education English, math, and social studies curriculum not used in the general education classroom. If a field trip is a co-curricular field trip for the general education social studies class, the student does not meet the eligibility requirements for participation in this field trip. However, the student would be eligible to attend a co-curricular science field trip.

Note: this does not mean all SDC students are ineligible to attend co-curricular general education field trips. Students may be qualified to go on some of the field trips. For example if both the SDC and the general education class are studying the same science curriculum,

special education students may participate in a field trip that supports the science curriculum. Parents and the IEP team need to make these informed determinations at the student's IEP meetings.

### Extra-Curricular Field Trip

A student with a disability must be permitted to participate in extracurricular field trips to the maximum extent appropriate to the needs of the student. Districts have an obligation to provide accommodations to permit participation.

In situations where PTA sponsors activities and secures transportation such as "Grad Night" (hereinafter referred to as "events"), the PTA must provide accessible transportation at no additional cost to students with mobility disabilities in compliance with the requirements set forth in the Americans with Disabilities Act (ADA). Local PTA units shall coordinate with their local school and/or school district to obtain updated lists of accessible transportation providers if such lists exist. Questions from PTA units, districts or councils regarding a request for accessible transportation should first be directed to the school district. Additional questions may be directed to the California State PTA Vice President for Leadership Services.

When local PTA units secure transportation for participating students for events, local PTA units must comply with the ADA which does not permit services that are different or separate from that provided to other individuals without disabilities, unless such action is necessary to provide an individual with a disability or class of such individuals with a good, service, facility, privilege, advantage, or accommodation or other opportunity that is as effective as that provided to others. If the local PTA unit secures accessible transportation to events, as described above, and it fails to arrive, the PTA shall make every reasonable effort to secure alternative accessible transportation to enable students with mobility disabilities to still attend. In no instance shall a local PTA unit inform students with mobility disabilities that they must secure their own transportation.

A student with a disability who requires a one-to-one aide as part of his or her IEP shall be permitted to attend any PTA event with his or her aide, as deemed necessary. Further, no fee shall be charged for any PTA event ticket for the student's aide. For any event where a student requires an aide, the cost of the aide's transportation shall be borne by the PTA. PTA may ask to be reimbursed by the event venue, affiliated school and/or school district. If, or when, the LEA has provided "substantial assistance" which OCR has defined as direct financial support, indirect financial support, tangible resources such as staff or materials and intangible materials such as the lending of recognition and approval (Irvine (CA) Unified School District, 19 IDELR 883 (OCR 1993)), then the LEA may be liable if the PTA

discriminates against a student with a disability and thus may be required to provide accommodations to a student to participate in the activity.

When planning any PTA program or activity, it's important to check the PTA Insurance and Loss Prevention Guide for additional information. PTA members can access the guide at <http://www.pta.bbt-knight.com>.

## Community Based Instruction (CBI)

CBI is defined as regular and systematic instruction in meaningful, functional, age-appropriate skills in integrated community settings, using naturally occurring materials and situations, designed to help the student to acquire and generalize life-skills that enhance his or her opportunities for meaningful experiences and relationships (i.e., live, work, plan, and shop) within the general community. Instruction is driven by individual strengths and needs, using consistent teaching strategies, as well as accommodations designed to enhance the student's participation in typical activities. It is designed to target the development of functional skills necessary for adulthood in natural, non-school environments. The skills typically fall into the domains of self-management, home living, vocations, recreation/leisure, and community.

CBI cannot be a stand-alone event – it must be linked as the next level of instruction after classroom instruction has taken place. Instruction must be intensive and explicit so that skills learned in the classroom are generalized to the community. Home settings, shopping centers, convenience stores and/or grocery stores, as well as community resources such as public libraries and post offices are important instructional settings. Students may also learn important skills such as travel training, pedestrian skills, money use and management, leisure skills, and restaurant use.

Student participation in CBI will look different based on the individual needs of each student as indicated in IEP goals and/or age/grade. For example, one student may work from a recipe to make a list of items to be purchased, use a newspaper ad to estimate the price of each item, and use a calculator to determine total costs. Another student may only be choosing one of two items or work on basic money exchanges. Elementary programs may emphasize school-based activities and have fewer off campus outings. CBI outings may include shopping to make a purchase, ordering at a restaurant, accessing community resources (i.e., park, bowling alley, or library), and community safety (i.e., stranger danger, how to seek help, etc.). A trip to a restaurant can involve working on skills like waiting in line, moving up in line appropriately, communicating order, proving payment using the dollar over method, and cleaning up after finished eating.

CBI time and the settings typically increases as students get older. There is a greater emphasis on generalization of skills across settings and situations, and on problem-solving, in order to facilitate greater independence. Typical activities can include:

- Mobility Training: bus routes, bus passes and costs, safety in the community, observing landmarks, ignoring strangers, communicating with the driver, bus stop locations, time management, securing personal belongings, and street crossing.
- Money Skills: purchasing a bus pass, purchasing a meal, securing money and/or a wallet, estimating.
- Social Skills: interact with typical peers, manners, use language to obtain desires, wants, and needs.
- Career Exploration: identify people at work and jobs being done, discussion of career interests, participate via job shadowing or supported work experience/employment.

CBI differs from traditional field trips in that instruction is cumulative, the emphasis is on acquisition and application of skills in a naturalistic context, and typically the same skills are instructed and assessed from week to week. The following chart (from Capistrano USD) distinguishes differences:

Community Based Instruction	Field Trips
Focus on functional skills instruction	Are a culmination of classroom instruction
Provide students with opportunities to practice and generalize functional skills	Exposure students to community
Has clearly defined instructional goals related to independent living	Has broadly defined instructional objectives
Occurs regularly	Occurs sporadically
Is a curricular strategy designed to teach lifelong skills	Is a curricular method to enhance learning and/or a source of recreation
Is focused on learning over time	Is a one-time event

### Excluding Student from School Sponsored Outing

For ANY field trip, the following are non-academic reasons for excluding a student. Use cautiously.

1. Health and Safety – If a student is qualified to participate in a field trip, they may be excluded for safety reasons. However, the Office of Civil rights (OCR) will carefully

scrutinize these reasons if a complaint is filed. The basis must be supported by facts. The District must consider whether accommodations, such as a 1:1 aide, would render participation safe.

- a. Districts need to be cautious in regards to excluding a student with a disability from field trips on the basis of a medical condition. A school district may prohibit a student with a disability from going on a field trip if it believes participation presents an unacceptable risk to the student's health or safety.
  - b. However, the District should be prepared to demonstrate the necessity of the exclusion (e.g., seizures on the day of the trip, crowded facilities, and safety concerns at large).
  - c. In the case of a student with diabetes, it is important for the District to ensure that the student would be accompanied by an individual qualified to administer glucagon as needed.
  - d. What is generally inappropriate in the school is also inappropriate in field trips (e.g., carrying students).
2. Discipline – It is permissible to exclude a special education student from a field trip when his or her Tier 2 Positive Behavioral Intervention Plan or Tier 3 Behavioral Intervention Plan or behavioral contract includes terms that misbehavior might result in a loss of the privilege.
  3. Undue Burden – OCR and the courts are generally not receptive to arguments that students with disabilities should be treated differently because treating them equally will cost too much. Cost may be considered in some situations if it is an undue hardship to provide the accommodation. The “undue hardship” inquiry looks at the cost of the accommodation in relation to the District's overall budget. The analysis looks at the specific student's needs and the costs involved, in the context of a specific trip, in order to assess whether an undue burden exists.
  4. Consider Alternatives – Courts recognize that there are situations in which a student with a moderate to severe disability cannot benefit from attending general education field trips.

The LEA can provide the opportunity to participate in appropriate field trips that relate to the student's own curriculum. The IEP team needs to explain to parents what the moderate-severe curriculum is and what participation in the class means, including its own co-curricular field trips and/or community based outings.

#### Required Supports

Education Code §45344 allows any school district to employ instructional aides to assist classroom teachers and other certificated personnel in the performance of duties. An instructional aide shall perform only such duties as, in the judgment of the certificated

personnel to whom the instructional aide is assigned, may be performed by a person not licensed as a classroom teacher. These duties shall not include assignment of grades to pupils. An instructional aide need not perform such duties in the physical presence of the teacher but the teacher shall retain responsibility for the instruction and supervision of the pupils in his or her charge. Therefore, an aide can go out on a field trip and/or accompany students for community based instruction without the teacher and vice versa.

Generally, the Individuals with Disabilities Education Act (IDEA) requires school districts to provide non-academic and extracurricular services and activities in such manner as is necessary to afford students with disabilities an equal opportunity for participation in such services and activities. All necessary aids and services to permit a student with a disability to participate in district-sponsored extracurricular programs and services are at no cost. The Local Educational Agency needs to provide required supports when a student with disabilities will be participating in a field trip that requires such services (including sending aide or nurse support). OCR has determined that “If students with disabilities need related aids or services to participate in the school’s program, such services must be provided by the school, not the parent.” (See Ventura (CA) Unified School District, 17IDELR854 OCR 1991).

OCR has also ruled a school district cannot require the parent of a student with a disability to accompany the student on a field trip when a similar obligation is not imposed on the parents of nondisabled students (San Saba (TX) Indep. Sch. Dist., 25IDELR 755 OCR 1996). If parents of general education students are not mandated to participate in the field trip, the parents of special education students cannot be. Making parental attendance a condition of field trip approval is a denial of FAPE. However, if a family member’s participation in a field trip influences the student’s ability to control him or herself from having a behavioral outburst, it may be appropriate to require the family member to accompany the student on a field trip.

## Recommendations

- Explain to parents at IEP meetings how their child will or will not participate in the general education curriculum.
- Develop an information sheet providing curriculum descriptions related to the child’s class that includes descriptions about mainstreaming and the difference in curricula as it relates to general education classes.
- For each general education co-curricular field trip, review SDC students’ IEP’s to determine whether they are qualified to go.
- Document the purpose of a co-curricular field trip and/or a community based instructional outing with relevant descriptions of its relationship to the curriculum.

- Accommodate extra-curricular field trips as required by law, keeping such trips analytically distinct from co-curricular field trips.
- Do not use lack of funds as a reason to deny a student's participation in field trips. A deliberate decision to deny funding for field trips for students in special education classes, when such funding is made available for regular education students, denies students with disabilities an equal opportunity for participation.
- Provide students with disabilities equal notice about field trips. Failure to provide notice about planned field trips can result in illegal exclusion of student with disabilities and deny the students an equal opportunity to participate.

## Resources

The information for this document was pulled from the following resources:

- Butte County Office of Education
- California Case Law decisions.
- California Education Code
- California State PTA Toolkit
- Capistrano Unified School District
- Fagan, Freidman and Fulfroost, LLP
- Federal Code of Regulations
- Kern County Office of Education
- Los Angeles County Office of Education
- Office of Civil Rights (OCR)
- Ron Wenkart, Orange County Department of Education
- San Ramon Valley Unified School District
- Section 504, the ADA and the Schools, Second Edition by Perry A. Zirkel, Ph.d., J. D.
- SmartStart: FAPE in nonacademic services and extracurricular activities · SmartStart: Requirements to provide health-related services to students with disabilities under Section 504
- SpecialEd Connection
- What Do I Do When... The Answer Book on Section 504, Third Edition, by John W. Norlin, Esq.