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**BUSINESS AND PROFESSIONS CODE - BPC**

**DIVISION 7. GENERAL BUSINESS REGULATIONS [16000 - 18107]** ( *Division 7 added by Stats. 1941, Ch. 61.*  )

**PART 3. REPRESENTATIONS TO THE PUBLIC [17500 - 17943]** ( *Part 3 added by Stats. 1941, Ch. 63.*  )

**CHAPTER 1. Advertising [17500 - 17606]** ( *Chapter 1 added by Stats. 1941, Ch. 63.*  )

**ARTICLE 2.8. Educational Travel Organizations [17552 - 17556.5]** ( *Article 2.8 added by Stats. 1995, Ch. 772, Sec. 2.*  )

**17552.** (a) "Educational travel organization" or "organization" means a person, partnership, corporation, or other entity who offers educational travel programs for students residing, in the State of California.

(b) "Student traveler" or "student" means a person who is enrolled in elementary or secondary school, grade kindergarten through grade 12, at the time an educational travel program is arranged with an educational travel organization.

(c) "Educational travel program," means travel services, as defined in Section 17550.9, that are arranged through or offered to an elementary or secondary school in this state, and where the services are represented to include an educational program as a component.

(*Added by Stats. 1995, Ch. 772, Sec. 2. Effective January 1, 1996.*)

**17553.** Nothing in this article shall be construed as exempting an educational travel organization from compliance with Article 2.5 (commencing with Section 17540), Article 2.6 (commencing with Section 17550), or Article 2.7 (commencing with Section 17550.35) of Chapter 1 of Part 3 of Division 7.

(*Added by Stats. 1995, Ch. 772, Sec. 2. Effective January 1, 1996.*)

**17554.** An educational travel organization may not arrange an educational travel program before the organization involved has first entered into a written contract with the educational institution. The written contract shall include all of the following:

(a) The educational travel organization's name, trade or business name, business address, and business telephone number, including a 24-hour emergency telephone number or 24-hour emergency contact by pager, voice mail, or other method of 24-hour telecommunications.

(b) An itemized statement of the services to be provided as a part of the program and the agreed cost for the services. The statement shall include, but not be limited to, the following:

(1) A statement as to whether or not the educational travel organization maintains insurance that supplies coverage in the event of injury to any student traveler. The statement shall include the type and amount of coverage, the policy number and issuer, and the name, address, and telephone number of the person or organization who is able to verify the coverage.

(2) Any additional costs to students.

(3) The qualifications, if any, for experience and training that are required to be met by the educational travel organization's staff who shall accompany students on the educational travel program.

(c) A written description of the educational program being contracted for, including a copy of all materials to be provided to students.

(d) The number of times the educational travel program or a substantially similar educational travel program that is the subject of the contract has been conducted by the educational travel organization and the number of students who completed that program.

(e) The length of time the educational travel organization has either been arranging or conducting educational travel programs, and, at the option of the educational travel organization, other travel services with substantially similar components.

(f) The name of each owner and principal of the educational travel organization.

(g) A statement as to whether any owner or principal of the educational travel organization has had entered against him or her any judgment, including a stipulated judgment, order, made a plea of nolo contendere, or been convicted of any criminal violation, in connection with the sale of any travel services for a period of 10 years predating the contract.

For purposes of this section, "owner" means a person or organization who owns or controls 10 percent or more of the equity of, or otherwise has claim to 10 percent or more of the net income of, the educational travel organization; and "principal" means an owner, an officer of a corporation, a general partner of a partnership, or a sole proprietor of a sole proprietorship.

*(Added by Stats. 1995, Ch. 772, Sec. 2. Effective January 1, 1996.)*

**17555.** In addition to other requirements and prohibitions of this article, it is a violation of this article for an educational travel organization to place or use any misleading or untruthful advertising or statements or make a substantial misrepresentation in conducting an educational travel program.

*(Added by Stats. 1995, Ch. 772, Sec. 2. Effective January 1, 1996.)*

**17556.** (a) Where any school or student, or that student's parent or guardian, is injured by a violation of this article, the school, the student, or his or her parent or guardian, may bring an action for recovery of damages or for injunctive relief, or both. Proceedings for injunctive relief shall be governed by Chapter 3 (commencing with Section 525) of Title 7 of Part 2 of the Code of Civil Procedure, except that no undertaking shall be required.

(b) Judgment shall be entered for actual damages. An award, if the trial court deems it proper, may be entered for punitive damages. The plaintiff shall also be entitled to reasonable attorney's fees and costs.

(c) The remedies or penalties provided by this article are not exclusive to each other nor to any other remedies or penalties provided under any other law, and shall not be construed as a limitation on any other applicable remedy or penalty.

*(Added by Stats. 1995, Ch. 772, Sec. 2. Effective January 1, 1996.)*

**17556.5.** Except as otherwise provided, a person who violates a provision of this article is guilty of a misdemeanor, which offense is punishable by a fine not exceeding one thousand dollars (\$1,000), or by imprisonment in a county jail for not more than one year, or by both that fine and imprisonment. In addition, upon a conviction of a violation of this article, the court may issue an injunction and prohibit the convicted person from acting as an educational travel organization in this state, in which case the court shall inform the Attorney General of that action.

*(Added by Stats. 1995, Ch. 772, Sec. 2. Effective January 1, 1996.)*