

# Report of Educational Trip Leaders Task Force

## April 15, 2021



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**Report submitted to the Commissioner of Inland Fisheries and Wildlife and the  
Legislature's Joint Standing Committee on Inland Fisheries and Wildlife.**

### Task Force Members:

- Co-Chair Colonel Dan Scott, Maine Warden Service
- Co-Chair Chris Bartram, Assis. Dir. of Maine Bound Adv Center U Maine
- Lauren Jacobs, Lecturer in Outdoor Leadership at the University of Maine
- Ryan Linehan, Director of Outdoor Education at Colby College
- Michael Woodruff, Outing Club Director at Bowdoin College
- Greg Friel, Outdoor and Physical Education Instructor for AOS 66
- Tara Pocock, Outdoor Educator for University of Maine Cooperative Extensive 4-H/Telstar Freshman Academy
- Chris Hayward, Director of Experiential Learning at Gould Academy
- Greg Shute, Vice President of the Chewonki Foundation
- Alicia Heyburn, Executive Director of Teens to Trails
- Bill Swan, Director of Licensing and Registration for DIF&W
- Ron Fournier, Camp Trip Leader Permit Committee
- Jim Wescott, Advisory Board for the Licensing of Guides
- Lt. Aaron Cross, Maine Warden Service
- Don Kleiner, Executive Director of the Maine Professional Guides Association

### Support Staff:

- Dan Walker, Preti Flaherty Government Affairs Group, on behalf of Maine Independent Colleges Association and Maine Association of Independent Schools
- Samantha Warren – Director of Government and Community Relations University of Maine System,
- Christl Theriault – Assistant to the Commissioner - DIFW

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## INTRODUCTION

Every year, thousands of students safely take to the woods and waters of Maine on educational trips organized and led by their schools, colleges or universities. Through these experiences, Maine’s young people develop and deepen their knowledge, leadership and communication skills, confidence, and connections to one another and the great outdoors.

While these trips are sometimes led by Registered Maine Guides who are either regular employees of these educational institutions or hired specifically for the excursion, especially at Maine’s colleges and universities, they are often led by fellow students who have undergone extensive training including wilderness safety. The long-held assumption of most educational institutions was that because student participants were typically not paying directly for excursions nor was their trip leader being directly compensated, they were not required by State law to hire a Registered Maine Guide for any paddling or overnight primitive camping.

Over the years, educational institutions have sought clarity through considerable conversations with the Maine Department of Inland Fisheries and Wildlife (Department) revolving around the meaning of “any form of remuneration” in the definition of a “Guide” per [Title 12, Chapter 901](#) of the Maine Revised Statutes.

In an effort to finally bring resolution to this decades-old uncertainty and to ensure absolute compliance with State law and Department expectations moving forward, in 2019 the University of Maine System (UMS) and the Maine Independent Colleges Association (MICA) initiated emergency legislation that would expand the existing camp trip leader permitting process to include those heading excursions through educational institutions, thus exempting them from the requirement to be accompanied by a Registered Maine Guide. Sponsored by Rep. Michelle Dunphy of Old Town, LD 1932 was approved for introduction in the second regular session of the 129<sup>th</sup> Legislature by a 10-0 vote of the Legislative Council.

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*“When trained teachers who know their students in the classroom setting lead their students on outdoor adventures, a deep mentoring relationship is formed that can be transformational for students.”*

–Chris Hayward, Gould Academy  
Director of Experiential Learning

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## ESTABLISHMENT OF EDUCATIONAL TRIP LEADER TASK FORCE

Several dozen people (mostly in support) testified on the bill and ultimately, given the complexity of the issue, it was decided to advance a task force to work through the details. The amended emergency language established a task force to develop an Educational Trip Leader Certification that conforms to the outdoor education needs of postsecondary and K-12 faculty and staff and college students who seek to lead student trips within a State-approved educational institution.

The bill specified the affiliated organizations of each of the 15 members.

Additionally, the bill outlined 5 primary duties of the task force including:

***Duties.*** *The task force shall develop recommendations to establish:*

*A. A statewide certification, as an alternative to Maine guide licensing, for adults and students of public and private schools and postsecondary educational institutions to lead outdoor recreation trips that do not include fishing, hunting, trapping or whitewater rafting or the use of snowmobiles or all-terrain vehicles for students and faculty of the State's private and public schools and postsecondary educational institutions;*

*B. A curriculum that would allow adults and students of the State's public and private schools and postsecondary educational institutions to achieve the skills necessary to earn the statewide certification developed under paragraph A. The task force must consider safety, leadership and group facilitation skills in its recommendations for a curriculum;*

*C. Procedures and systems to train instructors;*

*D. Assessment procedures that focus on participant safety, leadership and group facilitation and conform to the academic schedules of the State's public and private schools and postsecondary educational institutions; and*

*E. A fee system that is sufficient to fund the statewide certification program but that is not onerous to adults, students, public and private schools and postsecondary educational institutions.*

The amendment was supported unanimously by the committee, though it failed to be enacted by the full legislature due to the unexpected adjournment related to the pandemic. However, in an effort to resolve the long-standing confusion surrounding the educational institution outdoor trips, the task force was convened to fulfill the duties identified by the 129<sup>th</sup> Legislature.

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### SUMMARY OF MEETINGS

The Task Force convened for three meetings each utilizing a Zoom platform. During each meeting members considered various duties as specified by LD 1932.

The following is a summary of the meeting activities:

**Wednesday, Sept. 30, 2020** – Introductions and identification of priorities from each representative. Clarification for the Maine Professional Guides Association that the intent of this process is to limit the trips to students, staff and faculty associated with the specific educational institution and not offer trips to the community or persons outside the educational institution. Those opportunities are reserved for Registered Maine Guides. The Task Force was introduced to the concept of a committee of oversight which would develop a curriculum and certify educational trip leader instructors. There was an acknowledgement that K-12 poses some unique challenges as opposed to the challenges of higher educational institutions. There was also discussion about the best terminology to refer to the educational trip leader permit and how out-of-state institutions fit into this model.

**Thursday, Oct. 29, 2020** – The Task Force completed a review of discussions from the first meeting. Members then delved further into the committee of oversight, of whom it would be comprised and what their responsibilities would be. The Task Force recommended the committee of oversight would include 7 members appointed by the Commissioner of DIFW. The committee members would be subject to term limits and held to a minimum number of meetings per year. The Task Force had discussions concerning the term of an educational trip leader permit, and settled on a recommendation of 5 years, which is similar to a Registered Maine Guide, as appropriate.

During this second meeting, proposals regarding curriculum content were offered by several members who have extensive experience leading outdoor educational trips. The Task Force identified a list of priority topics to be included in the curriculum and a required curriculum review period of every three years. The Task Force emphasized that the primary goal of outdoor educational trips is to teach students to be leaders. Discussions were had around the likelihood for this program to create leaders in the field of outdoor recreation and potentially be a “feeder program” for the Maine Professional Guides Association. The participants are not viewed as customers or clients, rather as students and future trip leaders developing their skills in communication, group management and facilitation, preparation, inclusivity and the concepts of community-building. Task Force members were requested to come up with learning objectives for some portions of the curriculum for the next meeting.

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**Thursday, December 10, 2020** – Much of the third meeting focused on the curriculum including hours and required categories. The Task Force recognized 6 primary curriculum categories but will leave the development of specific lesson plans to the oversight committee. Members also identified basic training requirements including course length and prerequisite training and experience.

Minimum curriculum standards:

- Group Management and Facilitation
- Risk Management
- Wilderness Tripping Skills
- Campcraft Skills
- Activity Specific Skills
- Maine Outdoor Industry and Further Experiences

Training Requirements:

- Course is 8 hours in length, plus testing time
- Educational Trip Leaders are required to have a current Wilderness First Aid (WFA) certification
- Educational Trip Leaders are required to have documented leadership / tripping experience including two previous trips with a minimum of two nights each
- Educational Trip Leaders are required demonstration of relevant previous outdoor experiences

The Task Force further considered including out-of-state institutions as part of the program and heard the desire of MDIFW to include them as much as possible. There are as many out-of-state trips as in-state and the department would like to provide an avenue for them to be compliant if they have an organized program which meets the educational trip leader criteria. Should an out-of-state institution inquire, two options may be provided: hire a Registered Maine Guide or develop an administrator and pool of instructors and obtain educational trip leader certifications. Quite likely an out-of-state institution who is only coming once may exercise the RMG option. However, if they have a program for regular educational trips to Maine and they want to participate in our trip leader program, the preference of MDIFW is to have a program which would accommodate them.

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## RECOMMENDATIONS

The task force recommended a tiered approach to ensure proper oversight, certification, training and implementation of the educational trip leader process.

**ADVISORY COMMITTEE:** First and foremost, we recommend the establishment of an Advisory Committee which will oversee the educational trip leader program. The Advisory Committee will include 7 members who are appointed by the Commissioner of IFW. The various members represent the educational community including public and private post-secondary education, public and private K-12 education, Registered Maine Guides, a representative from the Camp Trip leader Committee and a department representative. The Advisory Committee has a number of expectations including (among other things) curriculum development, oversight and selection of Administrators and Instructors for individual educational institutions, and a complaint review process. The Advisory committee will meet at least two times per year and members will have staggered terms of service.

**PROGRAM ADMINISTRATOR:** Each educational institution will have to have an Educational Trip Leader Administrator. The Administrators are approved by the Advisory Committee and among other training and experience, they must hold a current Registered Maine Guide License. The recommendation/preference is that the Administrator is affiliated with the particular educational institution when practicable, especially considering post-secondary institutions. However, in order to promote participation by K-12 education, the Advisory Committee may appoint an Administrator from outside the school, provided they meet the requirements of an Administrator. Among other duties, the Administrator has primary oversight of the Educational Trip Leader program for their associated institution including final signature authority for all instructors and trip leaders.

**TRIP LEADER INSTRUCTOR:** The Educational Trip Leader Instructor is an individual identified by the Administrator who has the required qualifications and experience to instruct the curriculum to persons desiring an educational trip leader permit. All instructors must either hold a Register Maine Guide's License or a current educational trip leader permit and must provide required documentation of teaching experience in the field of outdoor recreation and references as requested by the Administrator.

**TRIP LEADER:** The foundation of the educational trip leader program are the trip leaders themselves. Individual trip leaders will need to meet minimum training / experience standards for certification including CPR, Wilderness First-Aid and Water Safety Training as well as successfully completing the

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designated curriculum. They must be a student, faculty or staff, supported and certified by their affiliated educational institution and hold the expectation of delivering a safe and successful trip experience.

The Task Force recommended a trip leader permit term of 5 years, thus requiring only one certification over the term of a traditional college career. We also recommended MDIFW propose a reasonable fee structure which would cover the cost of implementing the program, yet not be too burdensome whereas many trip leaders will likely be college students. Possibly in the range of \$25 (which is very reasonable for a 5 year permit).

The task force recommends the curriculum be reviewed and adopted by the ETL Advisory Committee and Commissioner and shall include a minimum of:

- a. Wilderness First Aid or Higher;
- b. Training or Current Certificate in CPR;
- c. Group Management and Facilitation;
- d. Risk Management;
- e. Wilderness Tripping Skills;
- f. Campcraft Skills;
- g. Activity Specific Skills; and
- h. Maine Outdoor Industry and Further Experiences

## CONCLUSIONS & NEXT STEPS

The Task Force has proposed a program structure that will clarify how educational institutions can provide outdoor leadership courses and trips legally and safely. House Majority Leader, Representative Michelle Dunphy, has submitted legislation to the 130<sup>th</sup>, [“LD 1474 An Act To Promote Outdoor Recreational Opportunities for Maine Students”](#) to create the educational trip leader program. The legislation includes a grace period, agreed to by the department, for enforcement of the existing guiding statute to allow for implementation of the program. MDIFW is prepared to draft Rules detailing the educational trip leader process. Upon acceptance of the Rules, an Educational Trip Leader Advisory Committee will be appointed, and they may get to work on establishing details of the curriculum.

MDIFW would like to acknowledge the dedication and hard work of the Task Force members. They offered their time and expertise to develop solutions to an issue which has created questions and



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challenges for more than a decade. The group was comprised of an assortment of outdoor enthusiasts, educators and guides who all have common interests in developing future leaders in outdoor recreation. Also, special thanks to Dan Walker, Samantha Warren and Christl Theriault for the administrative support they provided the task force and its members. The professionalism, respect and collaboration afforded by each member was remarkable, resulting in a productive experience for everyone involved.