

AGREEMENT AND RELEASE

DEFINITIONS

For the purposes of this Release, and the Agreement:

1) NETC shall mean the National Educational Travel Council, a division of Fawkes Travel, Inc., as well as its officers, shareholders, directors, employees, agents, successors and assigns.

I, _____, agree to the following terms and conditions:

A. RELEASE OF NETC'S LIABILITY

1) THIS RELEASE CONSTITUTES A RELEASE OF LIABILITY AS TO NETC AND AN ACKNOWLEDGMENT BY ME, BINDING UPON MY HEIRS, EXECUTORS, ADMINISTRATORS AND ASSIGNS THAT NETC IS HEREBY RELEASED FROM ANY AND ALL CLAIMS, INCLUDING CLAIMS FOR NEGLIGENCE, FOR PERSONAL INJURIES, DEATH, EMOTIONAL TRAUMA OR PROPERTY LOSS WHICH ARISE FROM MY PARTICIPATION IN AN NETC PROGRAM.

2) I HEREBY WAIVE ANY AND ALL CLAIMS THAT I MAY HAVE IN THE FUTURE AGAINST, AND RELEASE NETC FROM LIABILITY FOR ANY LOSS OR PHYSICAL OR PROPERTY DAMAGE ARISING FROM ANY CAUSE WHATSOEVER, INCLUDING NEGLIGENCE AND, WITHOUT RESTRICTING THE GENERALITY OF THE FOREGOING, SHALL NOT HOLD NETC RESPONSIBLE FOR ANY SICKNESS, INJURY OR DEATH, NOR FOR ANY LOSS OR DAMAGE ARISING FROM:

A) ANY ERRORS OR OMISSIONS CONTAINED IN THE BROCHURE DESCRIBING THE PROGRAM OR OTHER NETC LITERATURE;

B) ANY LATE CONFIRMATION OR NON-CONFIRMATION OR NON-ACCEPTANCE OF BOOKINGS;

C) TRAVEL DELAYS;

D) ANY EVENTS AND CONSEQUENCES OF EVENTS BEYOND ITS CONTROL INCLUDING, WITHOUT LIMITATION, WAR, CIVIL UNREST, POLITICALLY MOTIVATED ACTS OF VIOLENCE, TERRORIST ACTIVITIES, ACTS OF GOD, STRIKES, GOVERNMENT RESTRICTIONS AND WEATHER;

E) ANY USE OF ANY VEHICLE OR, IN THE ABSENCE OF ITS OWN GROSS NEGLIGENCE, FROM NETC'S SELECTION OF, OR FROM ANY ACT OR OMISSION BY, ANY HOST FAMILY, SCHOOL, AIRLINE, HOTEL, OTHER ACCOMMODATION, TOUR OPERATOR, TRANSPORTATION COMPANY, SIGHTSEEING CONTRACTOR, OR OTHER FIRM, COMPANY, AGENCY, OR INDIVIDUAL.

3) I FURTHER ACKNOWLEDGE THAT NETC IS NOT RESPONSIBLE FOR ANY NEGLIGENT OR WILLFUL ACT, OR FAILURE TO ACT, OF ANY PERSON OR ENTITY IT DOES NOT CONTROL, INCLUDING, BUT NOT

LIMITED TO AIRLINES, TRANSPORTATION PROVIDERS, HOTELS, RESTAURANTS, TOUR OPERATORS AND, AS A RESULT, IS NOT LIABLE FOR ANY NEGLIGENT OR WILLFUL ACT OR FAILURE TO ACT OF ANY SUCH PERSON OR OF ANY THIRD PARTY NOT UNDER NETC'S CONTROL. WITHOUT LIMITATION, NETC IS NOT LIABLE FOR ANY DIRECT, INDIRECT, CONSEQUENTIAL, OR INCIDENTAL DAMAGE, INJURY, DEATH, LOSS, ACCIDENT, DELAY OR IRREGULARITY OF ANY KIND WHICH MAY BE OCCASIONED BY REASON OF ANY ACT OR OMISSION BEYOND ITS CONTROL, INCLUDING, WITHOUT LIMITATION, ANY WILLFUL OR NEGLIGENT ACT OR FAILURE TO ACT OR BREACH OF CONTRACT OF ANY THIRD PARTY WHICH SUPPLIES ANY GOODS OR SERVICES TO THE NETC PROGRAM.

4) I agree that if I have a food allergy, I will take complete charge of my food intake while overseas. I understand that language differences may impede my understanding of certain ingredients contained in various recipes and that neither my NETC Tour Director nor other NETC staff can provide reliable translation, or make any special arrangements for me. I understand that neither NETC nor my School will be liable for any incident that arises as a result of my allergy.

5) If I become ill or incapacitated, NETC may take such actions as we consider necessary, including securing medical treatment for me. I hereby release NETC from any and all liability for the quality or timeliness of any such medical care and agree to indemnify NETC for any expenses it incurs.

6) I agree that NETC may use statements made by me and/or photographs of me and/or video footage of me for publicity and advertising purposes.

B. AIR CARRIER'S RESPONSIBILITY

I understand that the air carrier's liability, or that of any carrier involved in the Program, for loss or damage to baggage or for death or injury to person or property is limited by its tariffs or the Warsaw Convention, or both.

C. OTHER PROVISIONS

1) This Release shall be construed as a sealed instrument under the laws of the Commonwealth of Massachusetts.

2) In the event that this Release, in part or in whole, shall to any extent be or become void or unenforceable, the remaining portions of this Release will be deemed valid and fully enforceable.

3) No amendment to this Release will have any validity whatsoever unless it is an original written document and signed by the President of NETC.

4) In signing this Release, I am not relying on any oral, written or visual statements of any kind, including emails or promotional statements made by NETC in any brochure, except as set forth in the Agreement, or by any School to induce me to participate in the Program.

ad Group Leader/Assistant Group Leader Signature

Date

I am an adult aged 21 years or older. I have read and understand this Agreement and Release and the Group Leader Roles and Responsibilities attached hereto and I agree to be bound by the terms and conditions contained herein. Any controversy or claim arising out of, relating to, or interpreting this Agreement shall be determined by arbitration to be conducted before the American Arbitration Association in Boston, Massachusetts in accordance with the Commercial Arbitration Rules of the American Arbitration Association and the laws of the Commonwealth of Massachusetts, it being expressly agreed that my right to have the matter determined by a court of small claims or otherwise is hereby waived.

NETC Head Group Leader & Assistant Group Leader Roles & Responsibilities

NETC Assistant Group Leaders are required to assist the Group Leader in carrying out his or her responsibilities. Group Leader responsibilities include:

- To prepare student and adult participants so they know what to expect on tour.
- To ensure assistants, if any, are also aware of their responsibilities.
- To ensure that NETC receives the information we require from participants.
- To communicate immediately to NETC any changes in flight schedules that occur while you are traveling.
- To create a Code of Conduct, using NETC's Code of Conduct as a guide. Make sure group members are aware of it, and its importance, before the trip starts.
- To work closely and cooperatively with your NETC Tour Director and the other Group Leaders on tour with you.
- To chaperone your students in the daytime and the evenings, and to ensure that they adhere to the Code of Conduct.
- To ensure that you and your group members participate in all NETC activities, are on time, and do not disrupt the tour in any way.
- To work with the Tour Director to handle any emergency situations.

On Tour

The Tour Director will arrange a meeting of all group leaders on the first day to enable you to get to know one another and to ensure a common understanding of standards of behavior. Different groups may have somewhat different rules and it is important to respect these differences. Work out bus etiquette with the other Group Leaders at the introductory meeting. Try rotating seats rather than having the Group Leaders take the front seats every day.

It is critical that you and your group members are punctual for group events. Tour Directors have instructions not to delay a tour for tardy people. If a minor student in your group is late and the Tour Director leaves, you will be expected to stay behind, wait for the student, and make arrangements to re-join the group later.

You are the disciplinarian for your group members, not the Tour Director. He or she will report any infractions to you and will intervene in an emergency situation. However, as the group leader, you are the one directly responsible for your participants. The crucial elements of discipline are:

- Enforcing a curfew.
- Knowing participants' whereabouts during free time. NETC recommends that participants stay in groups of three or four when they are unchaperoned.
- Enforcing punctuality and maintaining schedules.
- Enforcing behavior consistent with NETC's Code of Conduct and the standards expected by students' parents and your school, particularly with regard to the consumption of alcohol.
- Maintaining attentiveness. Participants should not talk or use headphones during commentary or announcements.
- Taking precautions. Make certain that each of your participants has a copy of their hotel list in their possession at all times in case they get separated from the group.
- Monitoring hotel rooms upon checkout for damage or any belongings left behind.
- Keeping participants together. You might take a combined group on an evening outing in exchange for another Group Leader taking some of your students elsewhere.

Handling Emergencies

You and the Tour Director are the primary responders in the event of an emergency involving any of your participants, with 24/7 support from NETC. Please remember that the tour director has responsibility for the group as a whole, not individual participants or hometown groups.

Always err on the side of caution. If a student complains of sickness, always take this seriously and do not hesitate to obtain medical assistance. Call Europ Assist or check with the hotel for assistance and, of course, seek the help of your Tour Director. In the event of a lost student, a medical emergency or a lost passport, which means that a student cannot continue with the tour, you or your Assistant Group Leader will be required to stay behind with the student. Your Assistant Group Leader or another adult can take over the supervision of your other participants. Under no circumstances should a minor be left without adult supervision.

Group Leader's Behavior

If an NETC Tour Director has any concerns that a Group Leader may not be appropriately supervising his or her students or adult participants, they have instructions to contact NETC. In a situation where the safety or well-being of a teacher's own students, or that of other participants in the group, may be jeopardized, the Group Leader may be temporarily or permanently removed from the program and returned to the US at his or her own expense.

Problems with Flights

In the event that you are re-routed, it is essential that you call the emergency number and let us know. NETC will NOT be informed by the airline, and the airline is prohibited from releasing information regarding passengers to us. If you are re-routed and don't tell us where you are and when, we will not know and cannot be there to meet you!

Problems on Tour

If you encounter a problem on your tour that you do not believe your Tour Director is able to deal with to your satisfaction, you should call NETC at once. We will always accept your collect calls and would much prefer to fix a problem immediately. You can either call our US office, or ask your Tour Director for the number of the Regional Operations Manager.

Notes

NETC is required to send passenger passport information to airlines that in turn furnish it to the Federal Government. We establish a phone chain to assist with contacting group members' families, in the event of a change or emergency. We will ask for your assistance in obtaining this information if it is not forthcoming from participants.

The NETC Code of Conduct is available at www.EducationalTravel.com. Once you are signed into your My NETC account, you can find it under the Resources tab. We can also forward this to you as a Word document. This is a basic outline of the minimum standards of behavior, which NETC insists on. Group Leaders should elaborate on this for their own purposes, and to reflect the requirements of parents and schools.