

School Safety Alert

School Principal's Legal Alert
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*For more information
about playground safety,
check out the National
Program for Playground
Safety's website*

www.uni.edu/playaround/home.html

Playground Safety: More Than Just Child's Play

While laws in most states give schools a measure of protection against liability, principals still have a duty to keep kids safe inside and outside of the classroom. Accidents can happen anywhere and any time, but kids are most vulnerable while at play - in the gymnasium, on playgrounds, and on sports fields before, during, and after school. There's plenty schools can do to keep kids out of harm's way. The place to start is a good safety program that includes regular inspections of equipment and recreation areas.

Creating A Safety Program

Playgrounds are one of the most potentially dangerous areas of a school. More than 200,000 children per year are injured in play areas. By some estimates, 45% of all injuries on public playground equipment happen at school. And nearly 40% of all playground injuries can be attributed to inadequate supervision.

A school safety program begins with the proper design, installation, and maintenance of equipment. When ordering equipment, ask for assurances that it meets national safety standards. And all equipment should be inspected on a regular basis.

Supervision by adults who are trained in safety and child development is another key to avoiding injuries. It's not enough that someone is watching the kids. That person must also ensure students are using equipment properly and that they are taking any safety precautions necessary. It's up to an adult to see to it that kids are using age-appropriate equipment and to steer younger children away from equipment that is designed for older kids.

Finally, both teachers and children should be instructed in safe play. Studies show that when children and supervisors are trained in the safe use of playground equipment, for example, the number of injuries drops significantly. Make a list of playground rules, spell out what to do in case of an emergency, and outline procedures for filing injury and equipment maintenance reports. Then make sure everybody knows about them.

Several other factors can lead to playground injuries. Falls from tall equipment, such as climbers, account for the greatest percentage of serious injury on playgrounds, according to one study. Even the best ground covering cannot safely absorb children's falls from heights greater than 10 feet. The maximum height for climbing equipment is four feet for young children and five feet for older children.

Other common problems include inadequate fall zone coverage, lack of guardrails on platforms or decks, and protrusions (e.g., nails) and sharp edges (e.g., on broken equipment). Openings in which a child can put his/her head and get stuck are also a problem that must be rooted out.

Inspection Checklist: Is It Safe?

Inspection checklists for play equipment are available from manufacturers and organizations such as the National Program for Playground Safety. Here's an example of a safety inspection checklist.

- Check protective ground surfacing under play equipment for safe cushioning and remove any foreign material.
- Standards for safe cushioning differ for each type of surfacing material.
- Check for sufficient space in "fall zones" (places where children dismount from the play equipment, under and around equipment).
- Be sure there is no other equipment or foreign matter intruding in these areas that could cause injury.

- Check for spaces in equipment that can entrap children's heads (typically 3 1/2-9 inches).
- Check for protruding elements that can entangle clothing, cords, and jewelry.
- Check for open hooks, worn swing hangers, and bearings.
- Check for secure anchoring of equipment. Probe underground at equipment support posts for rot, rust, and termites.
- Check for sharp edges or equipment that could pinch or crush children's feet or hands.
- Check for loose ropes left on the playground, or hanging ropes that can form loops around heads.
- Check for toxic materials including wood preservatives, herbicides, pesticides, and lead paint.
- Check for damaged, loose, missing, and worn parts of equipment, fences, signs, and other components.

Principal's Pause: Assign a staff member to check the condition of equipment daily - before kids arrive. You never know when something will break, loosen, or otherwise become a danger to playing children.

It might seem tempting to restrict access to equipment or to limit some activities in order to avoid injuries and liability. But that's really not the best safety solution. Why? Experts agree that structured play is good for children, especially in the lower grades. While in gym class, at recess, or playing team sports, kids are developing physical, emotional, social, and intellectual skills.

Injured Students Get Medical - And Legal - Aid

Whether or not your school is liable for student injuries depends on the facts in the case and on the laws in your own state. Case in point: In New York, the Supreme Court ruled that a school could be held liable for the injury a student sustained when another student threw a softball bat during gym class. Reason: The teacher failed to issue helmets to the class. Of course, playing any sport carries with it an inherent risk. And students who get injured during the normal course of events in a voluntary activity usually won't get far in court if they sue. But in this case, the teacher's actions - or lack thereof - complicated matters. The court said she might have unreasonably increased that inherent risk by failing to issue helmets. If helmets had been given out, the injury might have been avoided. (*Muniz v. Warwick School District*, NY Sup. Ct., No. 2001-07545, 2001)

On the other hand, the Illinois Supreme Court said a school was not liable for injuries a student sustained while rollerblading on school property. Again, the central issue was whether the school negligently failed to provide safety equipment. Though the rollerblades had toe brakes, students did not wear helmets or other protective clothing. The state's high court agreed that the school's decision to not provide safety equipment was a discretionary policy decision. Under state law, the school was shielded from liability.

The court wasn't exactly overjoyed with the school's decision, however. The justices concluded their ruling by noting the "desperate need" for legislative attention to the seeming loophole. (*Arteman v. Clinton Community Unit School District*, IL Sup. Ct., No. 90701, 200 1)

Regardless of the outcome of a court case, your main "play" priority is student safety and the prevention of injuries in the first place. Principals need to pay attention to what's going on in gym class, out on the recreational fields, and on the school playground - places where injuries are most likely to occur.

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a safe learning environment

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