



Liability 201:

Crossing Guards & Remote Drop Offs



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ChangeLab Solutions

ChangeLab Solutions creates innovative law and policy solutions that transform neighborhoods, cities, and states. We do this because achieving the common good means everyone has safe places to live and be active, nourishing food, and more opportunities to ensure health. Our unique approach, backed by decades of solid research and proven results, helps the public and private sectors make communities more livable, especially for those who are at highest risk because they have the fewest resources.



DISCLAIMER

The information provided in this discussion is for informational purposes only, and does not constitute legal advice. ChangeLab Solutions does not enter into attorney-client relationships.

ChangeLab Solutions is a non-partisan, nonprofit organization that educates and informs the public through objective, non-partisan analysis, study, and/or research. The primary purpose of this discussion is to address legal and/or policy options to improve public health. There is no intent to reflect a view on specific legislation.

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**Liability
Recap**

AGENDA

**Remote
Drop Offs**

**Crossing
Guards**

TO REITERATE

NO LIABILITY unless...

- Someone did not act with reasonable care, and
- That carelessness caused an injury

A KEY POINT

EVERYTHING we do involves risk...



OUR TOOLBOX



CROSSING GUARDS & REMOTE DROP OFFS

Volunteers



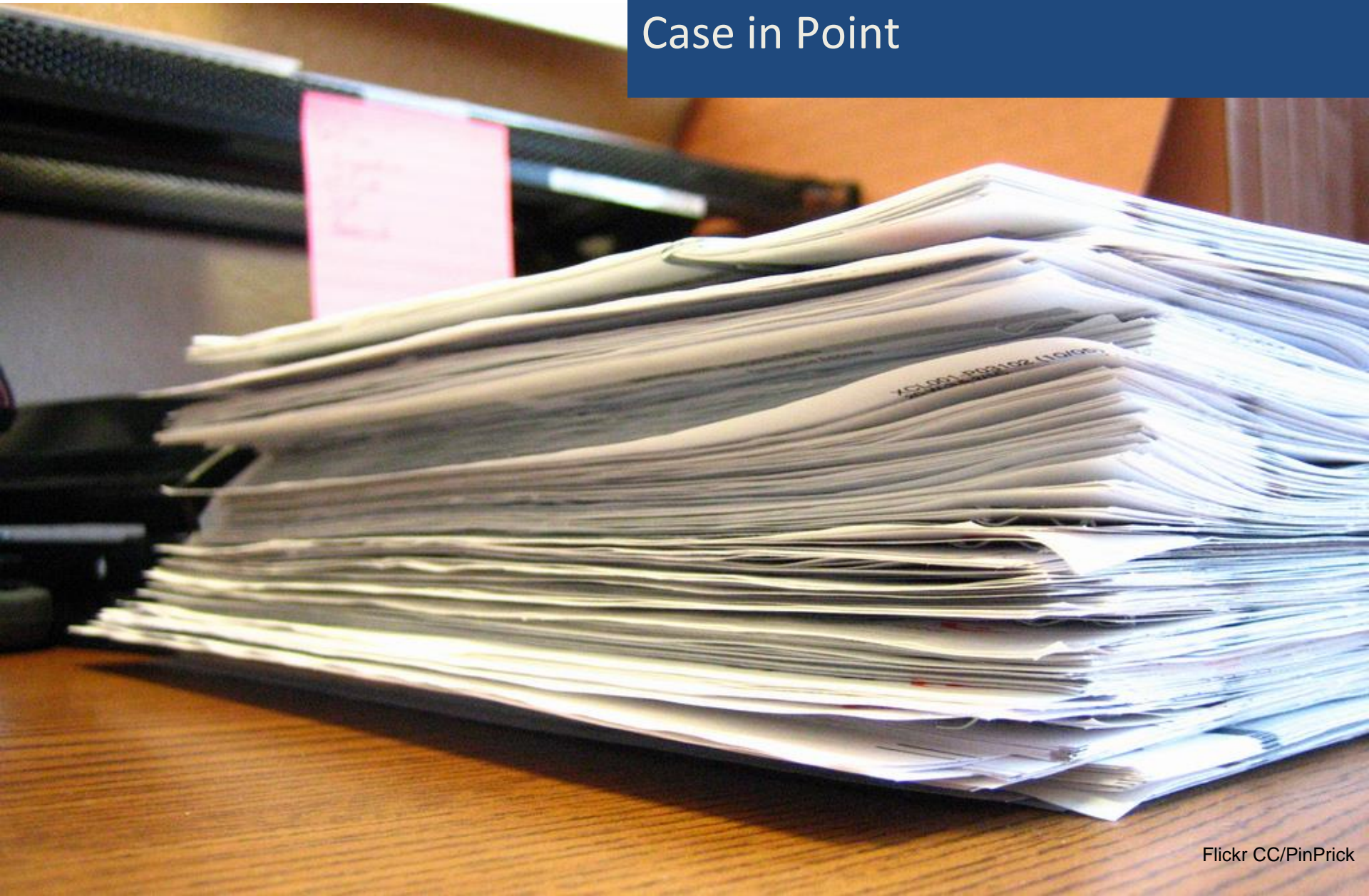
CROSSING GUARDS

Let's talk in generalities...



CROSSING GUARDS

Case in Point



CROSSING GUARDS

- ✓ Structure
- ✓ Training



REMOTE DROP OFFS

Benefit for...

- Those who live far away, or
- Those whose commute is obstructed by an unsafe physical/social situation



REMOTE DROP OFFS



Existing routines versus new ones

REMOTE DROP OFFS

Communication



REMOTE DROP OFFS

Documentation



REMOTE DROP OFFS



- ✓ Be clear in communication - who is responsible for students at which points
- ✓ Be responsible in decision making - choice of location; set up of program; etc.

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FACT SHEETS

changelabsolutions.org | nplan.org

July 2010



Safe Routes to School: Minimizing Your Liability Risk

Safe Routes to School (SRTS) programs can help reduce schools' risk of liability while making it safer for students to walk or bike. This fact sheet explains why liability fears shouldn't keep schools from supporting SRTS programs, and offers practical tips for schools and community advocates.

Some schools have been reluctant to support Safe Routes to School (SRTS) programs due to concerns about being sued if an injury or problem arises. But such fears are largely unwarranted. By acting responsibly and understanding the liability issues in question, schools, nonprofits, and parent groups can help students reap the health and academic benefits of SRTS programs while minimizing the risk of a lawsuit. In fact, well-run SRTS programs can even reduce schools' risk of liability by identifying potential dangers and putting measures in place to protect children against injury.

Because nonprofits, parent groups, and schools may all be involved in SRTS programs, it can be important for each of these groups to understand SRTS and liability. This fact sheet explains why liability fears shouldn't stop school districts from supporting SRTS programs, provides an overview of liability and negligence, and offers practical tips on how school districts and others can reduce their risk of liability.

Because liability issues vary from state to state, consulting with a local lawyer may be helpful in understanding your specific issues, as well as in structuring SRTS programs to minimize liability concerns.



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Volunteers and Liability The Federal Volunteer Protection Act

People who volunteer for a nonprofit or school may be concerned about a lawsuit if an injury occurs. This fact sheet provides an overview of legal protections designed to shield volunteers from liability.

Volunteers are crucial to the fight against childhood obesity—leading kids in physical activity through Safe Routes to School programs and after-school activities, teaching cooking and gardening classes, and encouraging healthy lifestyles through many other programs. Volunteers often make it possible for financially stretched schools, nonprofits, cities, and counties to do more to create healthy communities and help children lead healthier lives.

But people sometimes worry that they could be at risk of liability if an injury occurs while they are volunteering. Fortunately, a federal law—the Volunteer Protection Act—provides volunteers with significant protections from liability associated with volunteer activity¹ in every state but one.² Some states also have laws that provide additional protections for volunteers.

The Volunteer Protection Act protects volunteers under many circumstances, although it does not eliminate the possibility of a lawsuit. It does not shield the nonprofit or governmental agency using the volunteer's services from liability; it only protects the volunteers themselves.



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FORTHCOMING PRODUCTS

- **Fact sheet on liability and crossing guards**
- **Fact sheet on liability and remote drop offs**


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OTHER RESOURCES

The screenshot shows the ChangeLab Solutions website. At the top right, there are links for 'Contact Us' and 'Login', and a search bar. The main navigation menu includes 'Healthy Planning', 'Tobacco Control', 'Childhood Obesity', 'Healthy Housing', and 'Recent Achievements'. Below the navigation, there are links for 'ABOUT NPLAN', 'CHILDHOOD OBESITY', 'NEWS', 'TOOLS', and 'ASK US'. The page title is 'Safe Routes to Schools'. The main content area includes a 'CONNECT WITH US' section with social media icons for Facebook, Twitter, YouTube, and GiveNow. The main text discusses the decline in children walking or bicycling to school and introduces 'Safe Routes to School (SRTS)' programs. It also mentions a list of publications related to SRTS and provides a link to 'model SRTS policies'. There are two 'Related Publications' listed: 'Backing Off Bike Bans' and 'Creating Pedestrian-Friendly Streets'. At the bottom, there is a 'Let's Walk to School!' section with a photo of children walking to school.

Contact Us Login

SEARCH

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Law & policy innovation for the common good.

Healthy Planning Tobacco Control **Childhood Obesity** Healthy Housing Recent Achievements





ABOUT NPLAN CHILDHOOD OBESITY NEWS TOOLS ASK US

Home / Tools / Safe Routes to Schools

Safe Routes to Schools

CONNECT WITH US

Get the latest news, join discussions on public health issues, show us change in your community, or make a donation.


By walking or bicycling to school, children can easily incorporate exercise into their day and increase their overall physical activity. But the percent of children walking or riding bicycles to school has dropped dramatically over the past four decades.


Safe Routes to Schools


Safe Routes to School (SRTS) programs encourage children and their families to walk or bike to school by sponsoring walk-to-school days and organizing "walking school buses" in which children and families walk to school as a group. We work with advocates, school officials, and others to provide legal information that addresses common barriers to SRTS.

See below to review our list of publications related to SRTS. Be sure to check our [model SRTS policies](#).

Related Publications

 **Backing Off Bike Bans**
Most school districts around the nation recognize that whether children are allowed to bike to school is a family choice. But in a few districts, school officials take one look at morning...

 **Creating Pedestrian-Friendly Streets**
How can we make streets more walkable? And how can communities address legal issues that may emerge, especially around liability?
On September 22, we hosted a webinar on key practical and...

 **Let's Walk to School!**
In 1969, approximately 50% of children walked or bicycled to school, including almost 90% of children living within one mile of school. Today, fewer than 15% of schoolchildren walk or bicycle to...

<http://changelabsolutions.org/childhood-obesity/safe-routes-schools>

THANK YOU!

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