

2013 -- H 5377

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2013

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A N A C T

RELATING TO EDUCATION - SCHOOL COMMITTEES AND SUPERINTENDENTS

Introduced By: Representatives Naughton, E Coderre, Handy, Ackerman, and Palangio

Date Introduced: February 12, 2013

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1           SECTION 1. Chapter 16-2 of the General Laws entitled "School Committees and  
2 Superintendents" is hereby amended by adding thereto the following section:

3           **16-2-15.2. Shared use of school facilities.** – (a) School committees are encouraged to  
4 allow public use of indoor and outdoor school property during non-school hours for recreation or  
5 sport, provided such use does not conflict with the function or purpose of the school department.

6           (b) A municipality, school department, school committee or school personnel shall not be  
7 liable for any claim from a loss or injury arising from the use of indoor or outdoor school  
8 property and facilities made available for public recreation or sport during non-school hours.

9           (c) Nothing in this section limits the liability of a municipality, school department, school  
10 committee or school personnel for acts or omissions constituting gross negligence or willful or  
11 wanton conduct.

12           (d) As used in this section, the following terms shall have the following meanings:

13           (1) "Non-school hours" means during the week prior to and after regular classroom  
14 instruction, and during weekends, holidays and vacation breaks.

15           (2) "Public" means members of the community, including students during non-school  
16 hours and school staff when not working as employees of the school.

17           (3) "Recreation" means any indoor or outdoor game or physical activity, either organized  
18 or unorganized, undertaken for exercise, relaxation, diversion, sport, or pleasure; or any creative  
19 art such as theatre or a musical production.

1           (4) "School" means public elementary and secondary school as outlined in Title 16.

2           (5) "School property" means all indoor or outdoor structures, facilities and land, whether  
3 owned, rented or leased by the school committee or school district.

4           (6) "Sport" means an activity requiring physical exertion and skill, and which by its  
5 nature and organization is competitive, includes a set of rules and generally accepted as being a  
6 sport.

7           SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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RELATING TO EDUCATION - SCHOOL COMMITTEES AND SUPERINTENDENTS

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1           This act would encourage school committees to allow public use of indoor and outdoor  
2 school property during non-school hours. The act would limit the liability of the school  
3 committee and municipality for claims of loss and injury arising from such use.

4           This act would take effect upon passage.

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