

2014 -- S 2366

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

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A N A C T

RELATING TO EDUCATION -- SCHOOL COMMITTEES AND SUPERINTENDENTS

Introduced By: Senators DiPalma, Metts, Kettle, and Satchell

Date Introduced: February 12, 2014

Referred To: Senate Judiciary

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 [See Title 16 Chapter 97 - The Rhode Island Board of Education Act]" is hereby
3 amended by adding thereto the following section:

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

7 (b) A municipality, school department, school committee or school personnel shall not be
8 liable for any claim from a loss or injury arising from the use of indoor or outdoor school
9 property made available for public recreation or sport, regardless of fee structure.

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

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

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

16 (2) "Recreation" means any indoor or outdoor game or physical activity, either organized
17 or unorganized, undertaken for exercise, relaxation, sport, or pleasure; any creative art such as
18 theatre or musical productions; or any other purpose of importance to the community.

19 (3) "School" means public elementary and secondary school as described in title 16.

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

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

6 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

1 This act would encourage school committees to allow public use of indoor and outdoor
2 school property for recreation or sport and would provide immunity from suit for claim or injury
3 arising therefrom unless the claims result for acts or omissions constituting gross negligence or
4 willful or wanton conduct.

5 This act would take effect upon passage.

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