

2013 -- S 0440

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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: Senators DiPalma, Lombardi, Sheehan, Pichardo, and Satchell

Date Introduced: February 28, 2013

Referred To: Senate Education

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 for recreation or sport, provided such use
5 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
7 be 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.

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

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

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

16 (2) "School" means any public elementary, middle, and/or secondary school as outlined
17 in title 16.

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

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

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

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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

4 This act would take effect upon passage.

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