

Liability 201: Addressing Liability Concerns Related to Walking School Buses, Bike Trains, Remote Drop Off and More!!

Safe Routes to School National Partnership



Safe Routes
to School
**National
Partnership**



Safe Routes to School National Partnership

- Founded in 2005
- Over 600 organizations, agencies and schools
- Changes policies at national, state and local levels
- Provides best practices, technical assistance, and builds leadership

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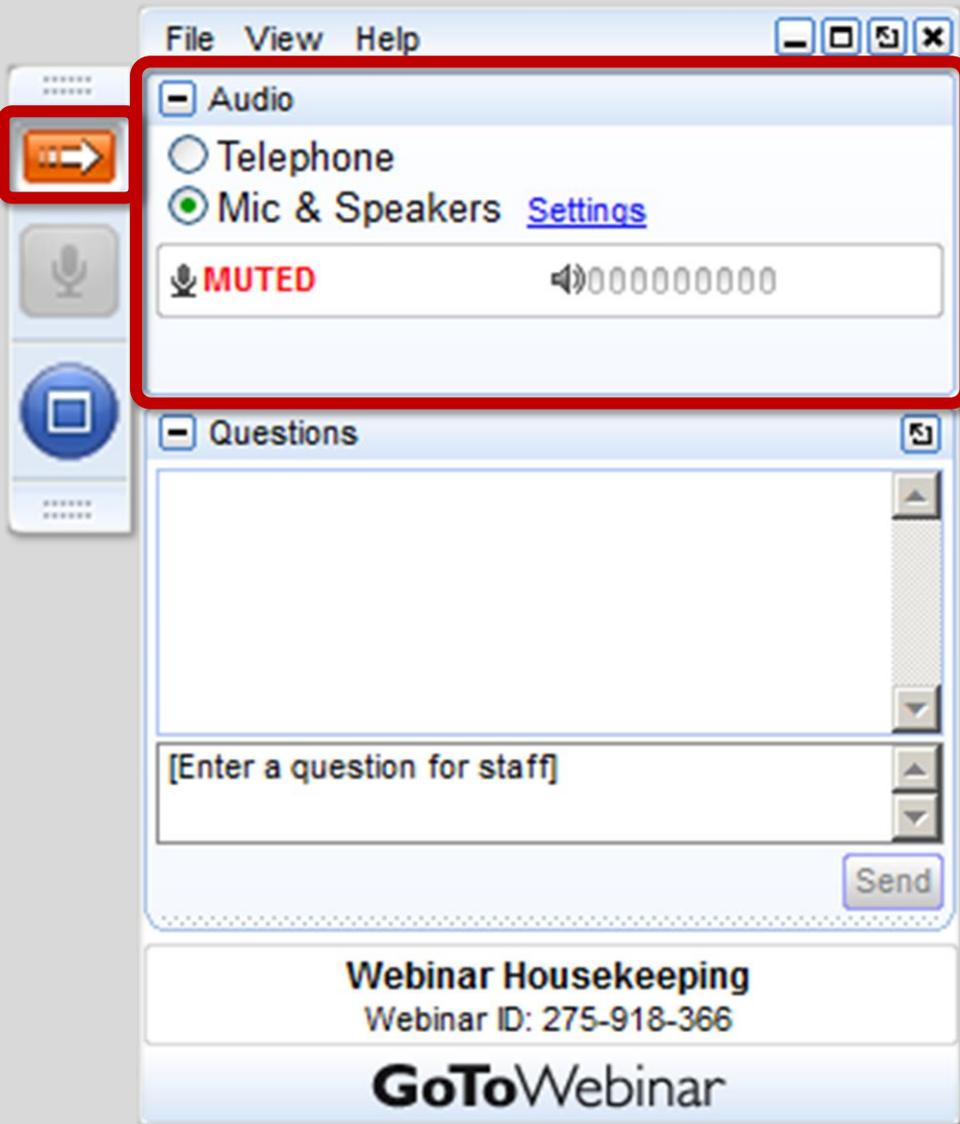
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Beginning in April 2012, our monthly technical assistance webinar series features expert speakers, a chat feature for participants, and archived downloadable post-webinar recordings. The webinars cover advocacy topics such as how to get Safe Routes to School funds awarded and obligated in states, best practices for state Safe Routes to School programs, how to advocate for programs and policies in lower income communities, and much more. See the [National Learning Network](#) page for registration for future webinars. Prior webinars and related materials are archived below.

Our Next Webinar:

Matching Funds Under MAP-21

Thursday, February 7, 2013 @ 2pm Eastern - [Register here](#)

Discover how state and local Safe Routes to School programs are finding the new 20 percent funding match requirement for federal MAP-21 Transportation Alternatives Program (TAP) applications. Speakers:

Agenda:

Sara Zimmerman, technical assistance director
Safe Routes to School National Partnership

Ben Winig, senior staff attorney and program director
ChangeLab Solutions

- 1. Use reasonable care**
- 2. Anticipate potential dangers**
- 3. Take reasonable steps to prevent them**

We have remote drop off program at our school that uses permission slip system for parents to opt in. Recently four kids were dropped off by their parents at the remote drop off site and school staff knew they didn't have permission slips. What should we have done?



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My principal is thinking about banning bicycling to school because of liability concerns.

What should I say to her?





Legal Risks of Bike Bans

- Overstep authority bestowed by state
- Interfere with parents' constitutional rights re raising children



Why Avoid Bike Bans?

Legally Speaking

- Bike bans can increase the risk of liability for school districts.
- Districts may be overstepping their authority when they try to control how students travel to school.
- Districts may be interfering with parents' constitutional rights to make decisions about how to raise their children when they ban biking.

Practically Speaking

- Biking helps support healthy kids.

Backing Off Bike Bans

The Legal Risks of Banning Bicycling to School

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 traffic and decide that allowing students to bike to school is just too dangerous. For a small percentage of families – around seven percent – restrictive school policies such as bike bans act as a barrier to children walking and biking to school.¹

When students get regular physical activity, their health and academic performance are likely to improve, and active commutes to and from school can help children meet the recommended levels of daily activity despite busy schedules.² That means that bike bans may be doing more harm than good.

We are a local nonprofit that teaches traffic safety education during PE classes. Sometimes I run short on time and end up skipping components of our presentation. What if a kid leaves my class without all the safety information and is later injured because I left an important component out, am I liable?



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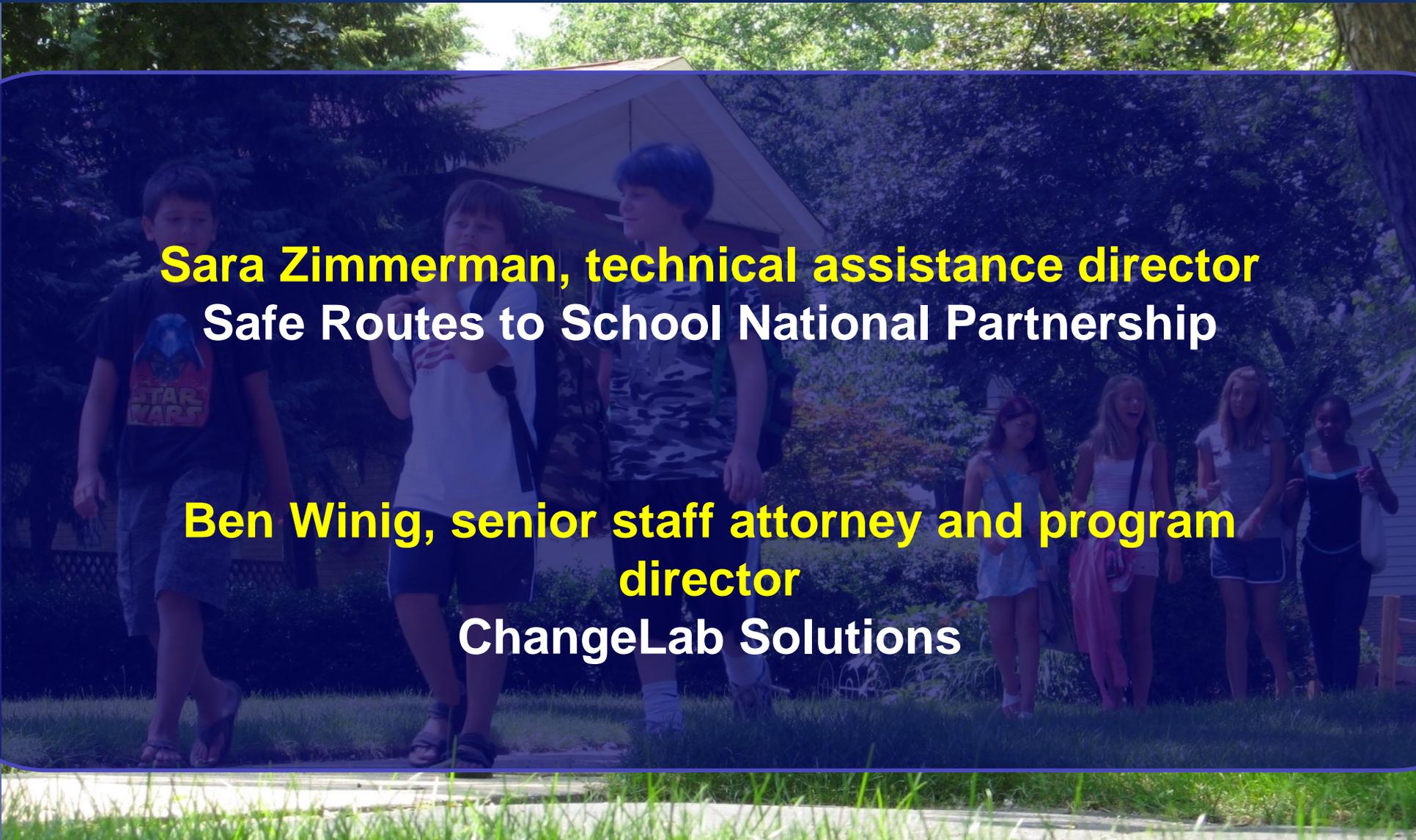
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Q & A

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Bicycle Safety Education: Implement the Best Curricula for Your Community

Thursday, February 20th, 2013 @ 2pm Eastern

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Closing Notes

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