Walking School Buses...
The Right Path for Baltimore

JOHNS HOPKINS BLOOMBERG SCHOOL of PUBLIC HEALTH

Johns Hopkins Center for Injury Research & Policy

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Greetings,

I appreciate this opportunity to discuss an issue of critical importance, the health and safety of children in our community.

The materials included in this packet describe the importance of walking to school, the relationship between physical activity and health, and results from research conducted here in Baltimore which explored barriers to walking to school. I created the materials with support from the Robert Wood Johnson Foundation through its Active Living Research program.

The bottom line is that we know that kids who walk to school get more physical activity than those who travel to school by bus or car. This is why it's so important all kids have the opportunity to walk to school, and that we create opportunities to allow them to do so safely.

Thank you for your time and interest.

Sincerely,

Keshia M. Pollack, PhD, MPH
Johns Hopkins Bloomberg School of Public Health

Safe Routes To School: What Is It And Why It Matters

- Safe Routes to School (SRTS) is a program which promotes health and physical activity among children by encouraging travel to school via safe, active transportation, such as walking or biking.[1,2] These programs generally include engineering changes such as the construction of new pedestrian crosswalks; education about safe walking and biking; enforcement through partnership with local police; and evaluation.

- 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.[1,2]

- SRTS programs emphasize collaboration and often include health officials, educators (teachers, principals), city planners, transportation engineers, elected officials and community leaders.[1] Federal highway funds administered through state Departments of Transportation provide most of the support for SRTS programs.

- **Through the SRTS program, infrastructure improvements are being made in several school zones in Baltimore City with the support of $2 million in federal grant funding.**

SRTS PROVIDES SIGNIFICANT HEALTH BENEFITS TO CHILDREN:

Problem	Solution
Motor vehicle collisions are the leading cause of death among children ages 3 to 14 and in nearly one in five of these fatalities, the children involved were pedestrians.[3,4] In 2008, more than 2,000 people were involved in pedestrian and bicycle crashes in the Baltimore region. [5]	Improved Pedestrian Safety: Making changes in road and sidewalk design, and teaching kids pedestrian safety, can reduce the risk of pedestrian-related crashes by slowing down vehicles, separating pedestrians from cars and increasing pedestrian awareness.
Kids who are less active are more likely to be obese. Today, nearly one third of children and adolescents—more than 23 million young people—are overweight or obese.[8] In 2007, a survey of high school students in Baltimore found that 1/5 were obese and as of December 2006, 12 percent of City children receiving WIC were overweight. [9]	More Physical Activity: Safe Routes to School programs have been associated with a 20 percent to 200 percent increase in biking and walking.[6] Active commuting to and from school is also associated with a decrease in body fat in children ages 12 to 19.[7]
In 2010, 9.6 percent of children in the U.S. had asthma.[10] The prevalence of asthma is higher among children than adults, and higher among black populations than white populations.[10] Air pollution, including from cars idling in school zones, has been correlated with asthma attacks.[10,11]	Cleaner Air: When schools are designed to encourage active transportation as a form of commuting, the local community can have significantly better air quality due to the decrease in nearby traffic.

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The Walking School Bus:
Combining Safety, Fun, and Walking to School

WHAT IS IT?

- A group of children walking to school together with one or more adults.
- A program intended to get kids active by supporting safe transportation to and from school for elementary and middle school-age children.

HOW DOES IT WORK?

- May be structured or informal: May have a specific "bus route", including stops and pick-up times, and a regularly rotating schedule of volunteers.

HOW IS IT BENEFICIAL?

- Children arrive to school more alert, on time, and ready to learn.
- Increases social interactions and community cohesion.
- Increases physical activity in children and chaperons.
- Adult supervision and an emphasis on pedestrian safety ease danger concerns.
- Lowers traffic congestion and decreases vehicle emissions in the school zone.

WHAT ARE SOME CHALLENGES?

- Identifying volunteers.
- Having an alternate reliable plan during inclement weather.

ADDITIONAL RESOURCES

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Interview with Dr. Keshia Pollack,

Safe Routes to School Researcher, Assistant Professor, Johns Hopkins Center for Injury Research and Policy
Johns Hopkins University

Neighborhood Incivilities, Perceived Neighborhood Safety, and Walking to School Among Urban-Dwelling Children.

Journal of Physical Activity and Health 2011, 8, 262-271.

Contact: kpollack@jhsph.edu

WHY IS IT IMPORTANT TO CHANGE HOW KIDS ARE GETTING TO SCHOOL?

We know that kids who walk to school get more physical activity than those who travel to school by bus or car. Kids need to be active before, during, and after school. This is why it's so important all kids should have the opportunity to walk to school. However, we also know neighborhood safety has been identified in some studies as an important barrier for parents and children when deciding to walk to school. It is important to know whether this is a problem for Baltimore school children.

DESCRIBE WHAT YOUR RESEARCH IN BALTIMORE FOUND.

We found that over half of the children in our study reported walking to school most of the time. What was really interesting is that children who live in high crime neighborhoods are actually ***more likely*** to walk to school, in spite ***of lower levels of perceived safety***. Our conclusion was that many elementary school kids who live within a mile from school are walking out of necessity.

SO WHAT NEEDS TO BE CHANGED?

We need to continue to encourage more students to walk to school in a safe way. One idea is to implement a "walking school bus" program. A walking school bus is a group of children walking together with one or more adults. They are a proven way to get kids active by supporting safe transportation to and from school. We could also make improvements to sidewalks and street crossings to make walking school buses attractive and safe. Walking with adults and in a group would increase students' and parents' perceptions of safety.

WHAT ARE THE NEXT STEPS?

Parents or caregivers, teachers, principals, and policy-makers may not be aware of the hazards children face walking to and from school. That is why we're working to get the word out about our study. And we're educating these groups on the importance of walking school buses for Baltimore. We know walking school buses are an effective way to address safety perceptions, since children will be walking in groups and with adult supervision, which may help them arrive at school unafraid and ready to learn.

WHAT MAKES BALTIMORE A GOOD FIT FOR WALKING SCHOOL BUSES?

First, Baltimore City has a Safe Routes to School office and it is working with many schools throughout Baltimore to improve the environments immediately surrounding schools, educate kids on pedestrian safety, and improve traffic enforcement. Second, several schools are already implementing walking school buses, and many more are interested in getting one going at their school. Getting kids to and from school safely is important for City leadership, and consistent with the Mayor s interest in promoting transportation safety for all City residents. There is truly a lot of momentum on this issue now, and I expect we will continue to see this program continue to grow and succeed.

THE SUN

Baltimore Sun Op-Ed

Walking to School: Steps Toward Health

'Walking school bus' is one way to build healthy activity into Baltimore schoolchildren's daily routine

October 04, 2011

By Keshia Pollack and Alicia Samuels

On Wednesday, Baltimore schoolchildren will join students from around the world by participating in International Walk to School Day. Now in its 15th year, this global initiative aims not only to help keep students healthy but also to improve air quality (fewer motor vehicles, less pollution) and decrease traffic congestion (nationally, as much as 20 percent to 30 percent of morning traffic is generated by parents driving their children to school).

To many readers, walking to school may not seem like news. If you were born before 1960, almost half of your peers likely walked or biked to school. Currently, however, only 13 percent of children ages 5 to 14 do, meaning the vast majority are missing out on this daily opportunity for physical activity.

The reasons behind this are complicated, but urban planning is one important factor. Many of us now live in communities that were designed for driving at the expense of walking, and the distance from our homes to resources such as shops or schools is prohibitive. (The "neighborhood school" may be quite far from the neighborhood). Indeed, research shows that among children who do not usually walk to school, distance is the most common barrier, followed by traffic danger.

The consequences of this decline are profound. A lack of physical activity plays a leading role in rising rates of obesity, diabetes and other health problems among children, and being able to walk or bicycle to school offers the opportunity to build activity into the daily routine. Kids who walk to/from school each day are more likely to meet their daily recommended level of 60 minutes per day of activity than kids who do not walk to/from school. And over time, walking or biking to school helps children develop an early habit of engaging in physical activity, which can lead to a healthier and more active population.

While distance is the primary factor in many communities across America, the situation in Baltimore is unique. Researchers at the Johns Hopkins Bloomberg School of Public Health recently surveyed families across Baltimore and found many children felt that their route to/from school was not safe. More alarming, many of the children who reported feeling unsafe in their neighborhoods were actually more likely to report walking to school (presumably out of necessity).

So, how can we ensure our children are not only able to walk to school but to get there safely? Walking school buses (WSB), a strategy promoted through the Safe Routes to School program, is one promising approach. A walking school bus is a group of children walking to school with one or more adults. It can be as informal as two families taking turns walking their children to school, or as structured as a route with meeting points, a timetable and a regularly rotated schedule of trained volunteers.

The benefits of walking school buses are plentiful. Crime is less likely when more people are outside keeping an eye on their neighborhood. Neighbors have more opportunities to get to know each other and become friends. Evaluations of walking school bus programs in several states across the U.S., including Washington, New Mexico, California and Nebraska, show that WSBs increase physical activity, promote social cohesion and reduce traffic-related injuries.

Starting this fall and throughout the year, the Johns Hopkins researchers will be partnering with the Baltimore City Safe Routes to School Program; an Abell Foundation-funded Baltimore City Public Schools initiative called School Every Day!; and other city agencies and community groups to implement walking school buses in several city schools. Principals in particular have expressed interest in walking school buses, as anecdotal reports indicate they help combat absenteeism and tardiness.

There is reason to feel optimistic about the potential of walking school bus programs in Baltimore. During the Democratic primary, Mayor Stephanie Rawlings-Blake ran an ad in which she stated: "It won't be easy, but I am determined that every child is able to walk to school in a safe neighborhood, no matter where he or she lives." Additional support from city leaders and community members will be critical to replicating the success of walking school bus programs in Baltimore. By working together, we can ensure Baltimore children are staying active and safe.

Dr. Keshia Pollack is an assistant professor with the Johns Hopkins Center for Injury Research and Policy, part of the Johns Hopkins Bloomberg School of Public Health.

Alicia Samuels (alsamuel@jhsph.edu) is the center's director of communications.

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. The following information 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.

BACKGROUND

By walking or bicycling to school, children get more physical activity, lower their risk of obesity, and improve their overall health.[1] When children exercise before school, they arrive focused and ready to learn.[2] Walking and bicycling to school reduces air pollution and traffic congestion around schools and neighborhoods. Because fewer car trips mean lower greenhouse gas emissions, walking and bicycling to school also helps the environment.[3]

Although some children walk or bicycle without an organized program, many schools, parent groups, nonprofits, and collaborations have adopted formal SRTS programs to encourage more children to walk and bike to school. SRTS initiatives can range from the exploratory—hosting a Walk to School Day once a year, for instance—to the robust, involving safety audits that result in stepped-up infrastructure and law enforcement near schools; maps and recommendations for safer routes; and organized "walking school buses" or "bicycle trains" in which adults supervise groups of children as they walk or bike to school together. The federal government, via state departments of transportation, helps to fund these programs as well as SRTS safety improvements to sidewalks and street crossings near schools.[4]

Despite the important benefits of SRTS, fear of liability can keep schools from embracing these programs. But these fears can be largely alleviated by bearing these key facts in mind:

- To date, there are no known lawsuits involving an injury to a child in an organized SRTS program, although there are SRTS programs in place at over more than 4,500 schools around the country.
- Concerns about liability are often much greater than actual risks.[5]
- Commonsense precautions go a long way toward avoiding liability risk. In fact, SRTS programs can *decrease* schools' liability exposure by addressing hazards systematically.[6]
- In most states, school districts have meaningful protection against liability through "governmental immunity" (discussed later in this fact sheet).

UNDERSTANDING NEGLIGENCE

The key to preventing liability is to avoid being negligent. *Negligence* occurs when a person or entity doesn't act as carefully as an ordinary, reasonable person would under the circumstances, and as a result someone is injured or property is damaged. The biggest reason to avoid negligence in setting up and running SRTS programs is to protect the safety of the children involved, of course, but avoiding negligence is also crucial to minimizing the risk of liability.

Liability for negligence requires all four of the following elements: *duty*, *breach*, *causation*, and *damages*.

> ***Duty*** refers to a legal obligation to act with a required level of care toward another person. As a general matter, schools have a duty to exercise "reasonable care" in supervising children during the school day, but not once the children have left the school's custody and control.8 (Whether or not a school had a duty in a given case, however, can be a complex question.9)

> ***Breach*** is a failure to comply with a duty. In this case, it is usually a failure to act with reasonable care.

> ***Causation*** means that the breach of duty must cause the harm that occurred.

> ***Damages*** refer to the injury or harm that results from the breach.

Even where these four elements are shown, the negligent person or entity may have some protection from negligence. For instance, some individuals and entities are granted immunity as a matter of public policy.10 If immunity applies, no liability will be found even if negligence can be shown.

Negligence is very dependent on the circumstances: many actions are reasonable in some situations but not in others. It might be negligent to let a young child in your care run ahead of you on a busy street, for example, but not in a park.

At its core, negligence is a practical, commonsense concept that turns on whether a person has behaved with reasonable care in the situation in question. Districts and SRTS programs need to act with reasonable care to anticipate and prevent injuries, but they do not need to guarantee safety to avoid liability.

REDUCING LIABILITY RISK: PRACTICAL TIPS

This checklist offers suggestions to reduce liability and increase children's safety for anyone running a SRTS program—school districts, community and parent groups, or local agencies. For specific recommendations and considerations for school districts, see "Special Tips for Schools," on page 4.

For any SRTS program:

- Think through the possible dangers that exist near your school.
- If it is reasonably easy to eliminate or avoid the danger, do so. Is there something broken or poorly designed that can reasonably be fixed? By working with the city or county, you can potentially increase traffic safety considerably near the school. Children may be able to avoid the danger by entering or leaving the school through a different door or gate, or by taking a different route.
- Take other reasonable actions to reduce the danger. Encouraging certain behaviors—such as holding a buddy's hand while walking past a

  mild danger—can also keep children safer. You'll have to use your judgment to decide whether encouraging a specific action is a good idea under the circumstances.
- Educate students so that they act safely. Local police are often available to provide bicycle, pedestrian, and traffic safety training to students, as are trainers from local bicycle shops and nonprofit organizations.[11]
- If you've put meaningful effort into reviewing and addressing possible hazards, document the steps you've taken.
- Comply with relevant school district policies or state and local laws.
- Where possible, make sure your insurance covers your SRTS activities. In some states, such as California, PTA insurance may provide coverage for some SRTS liability risks if the PTA has endorsed a SRTS program

If your SRTS program creates maps with suggested routes to school:

- Engage your city or county staff—especially transportation, law enforcement, and public works officials—in identifying suggested routes. Providing good routes to schools is part of local government's responsibility, and the collaboration may also help you form relationships that will lead to improved infrastructure and law enforcement near your schools.
- Explain that parents remain responsible for getting their children to and from school safely, and that the school is not taking responsibility for those travels by providing suggested routes.
- Emphasize that new hazards or conditions may arise, and that parents and children should exercise common sense in following the maps.
- Refer to routes as "recommended" or "suggested" routes, rather than "safe routes."

If you are implementing a "walking school bus" or "bicycle train" program:

Identify any hazardous areas on the routes prior to beginning the program and adopt reasonable precautions to avoid or protect against dangers.

Screen, train, and monitor volunteers. (See NPLAN's factsheet *on Volunteers and Liability for more information about liability* protections for volunteers.)

Develop safety rules for the walking school bus or bicycle train, and educate children who are participating about the rules, bearing in mind the ages of the children who will participate. Children's ability to comply with safety rules varies with their age, and negligence law takes these differences into account.

REDUCING RISKS THROUGH SRTS

Before adopting any school program, districts assess the risks and benefits. In SRTS programs, the risks are manageable, while the benefits for children's short-term and long-term health are considerable. As with other school programs, risk management—the process of analyzing exposure to risk and determining how best to handle it—can help school districts adopting SRTS programs minimize their risk.

SRTS programs can play an important role in risk management for districts.7 SRTS programs identify possible dangers to children as they travel to and from school and institute reasonable precautions to protect against these dangers. By reducing the number of cars near schools, and making sure they drive at slower speeds, SRTS programs make areas near schools safer for children. The programs also educate children about traffic safety, and SRTS infrastructure upgrades help eliminate hazards for bicyclists and pedestrians. As a result, SRTS programs actually decrease the likelihood of an injury occurring in the first place, and can reduce the risk of liability if there is an injury—not only for children who begin walking as a result of a new SRTS program, but also for children who are already walking or bicycling to school without a formal program in place.

SPECIAL TIPS FOR SCHOOLS

School districts should consider some additional points about SRTS that do not apply to other groups.

Sponsoring or endorsing a SRTS program will rarely subject a school district to any direct liability. "Governmental immunity" shields public money and governmental decision-making from lawsuits, and provides some level of protection for school districts in every state.[12] Although the extent of protection provided by governmental immunity varies from state to state,[13] school districts are generally, at a minimum, entirely immune from liability for decisions to *sponsor* or *endorse* a program.[14] Sponsoring a program can involve permitting it to take place, informing families about it, or providing funding or other support. Sponsoring is distinct from *implementing* a program, which involves structuring it, setting it up, and actually running it.

When a school district is simply *sponsoring* a SRTS program that is being run by parents, the city or county, or a separate organization, it is not responsible for how the program is run. However, if the district becomes aware of a safety problem with the program—for example, a volunteer who is failing to supervise children adequately—it should not continue to sponsor the program without taking action. The district should let families know there is a problem, make sure the problem is resolved, and stop supporting the program if the problem is not adequately addressed.

School districts can also plan and run SRTS programs. Districts may also wish to participate in planning or implementing a SRTS program. In some states, districts may have immunity not only for supporting but also for planning and running SRTS programs.15 Districts can engage in these activities even where they are not immune, and should follow the general tips outlined earlier to minimize liability.

Be clear about whether or not you are taking on a new duty toward students. Remember, people and organizations are only liable for negligence if they had a legal obligation to exercise care (a duty) toward the person injured. Schools generally do not have a legal responsibility to protect students from harm on the way to and from school unless they take on such a duty, for example, by busing students.16 Schools should be clear with families about what duties they are or are not taking on. For example, schools may want to explicitly state that they have not assumed a duty to ensure the safety of walking or bicycling routes, and encourage families to determine for themselves whether the routes are suitable for their children.

Exercise "reasonable care" in what you do. When a school has assumed a duty, it must be reasonable in carrying it out. For example, if a school voluntarily chooses to provide a crossing guard, it should not simply discontinue this service without at a minimum providing ample notice to parents and students. Schools should exercise care in how they dismiss children from school for the day, and should take precautions to avoid harm to children from known dangers on or near the school property.

Insurance provides an important back-up protection. Where possible, school districts should make sure their insurance covers their SRTS activities, as protection against the chance that something unexpected could occur.

IN SUMMARY

School districts and nonprofits can manage the risks of liability associated with setting up and running SRTS programs—risks that are often exaggerated—by taking commonsense precautions and addressing hazards responsibly. Supporting and implementing SRTS programs can help schools and other organizations decrease their liability exposure while giving children the physical activity they need to be healthy and learn well.

ADDITIONAL RESOURCES

More resources on SRTS are available from the Safe Routes to School National Partnership, which advocates for safe bicycling and walking to and from school at local, state, and national levels: www.saferoutespartnership.org

- The National Center for Safe Routes to School has a variety of helpful resources on safety and liability, including:
- *10 Tips for Safe Routes to School Programs and Liability:* www.saferoutesinfo.org/resources/collateral/liabilitytipsheet.pdf.
- *Tips for Creating Walking and Bicycling Route Maps:* www.saferoutesinfo.org/resources/collateral/walkbikeroutetipsheet.pdf.
- *Assessing Walking and Bicycling Routes: A Selection of Tools:* www.saferoutesinfo.org/resources/collateral/Assessing_Walking_and_Bicycling_Routes.pdf.

Other liability resources available at **www.nplan.org:**

- NPLAN's *Liability for After-Hours Use of School Facilities* has additional general background on liability, myths and reality of liability, the elements of negligence, governmental immunity, and more.
- NPLAN's fact sheet on *Volunteers and Liability* has more information about protections for volunteers against liability.

The National Policy & Legal Analysis Network to Prevent Childhood Obesity (NPLAN) is a project of Public Health Law & Policy (PHLP). PHLP is a nonprofit organization that provides legal information on matters relating to public health. The legal information provided in this document does not constitute legal advice or legal representation. For legal advice, readers should consult a lawyer in their state.

Support for this fact sheet was provided by a grant from the Robert Wood Johnson Foundation.

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[2] See, e.g., Sibley BA and Etnier JL. "The relationship between physical activity and cognition in children: A meta-analysis." *Pediatric Exercise Science*, 15: 243-256, 2003; Safe Routes to School National Partnership. *Getting Students Active through Safe Routes to School: Policies and Action Steps for Education Policymakers and Professionals.* June 2010, pp. 6-12. Available at: www.saferoutespartnership.org/media/file/EducatorsGuide.pdf; *Active Living Research. Active Education: Physical Education, Physical Activity and Academic Performance.* Summer 2009. Available at: http://216.92.169.205/files/Active_Ed_Summer2009.pdf.

[3] US Environmental Protection Agency. *Climate Change—What You Can Do.* Avaiable at: www.epa.gov/climatechange/wycd/road.html.

[4] Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) 23 U.S.C.A. §§ 148(a)(3)(B)(xix), 402 note (West 2010).

[5] Baker T. *Overview Memo for Liability Risks for After-Hours Use of Public School Property to Reduce Obesity: A Fifty-State Survey.* March 2010, pp. 2-3. Avaiable at: www.nplanonline.org/system/files/Overview_JointUse_Final_SP_KW_20100602.pdf.

[6] Gavin K. *Safe Routes to School: Putting Traffic Safety First - How Safe Routes to School Initiatives Protect Children Walking and Bicycling.* Safe Routes to School National Partnership. December 2009.

[7] Id.

[8] *See, e.g., Stokes v. Tulsa Pub. Schs.*, 875 P.2d 445, 447 (Okla. Civ. App. 1994); *Jackson v. Colvin*, (La. App. 3 Cir. 12/23/98); 732 So.2d 530, 533; Cal. Educ. Code § 44808 (West 2009).

[9] For example, if an action taken while a child is in the school's custody is the cause of later injury—for example, failing to supervise a child so that she wanders away from the school and is later hurt, negligence may be found despite the fact that the school did not have a duty to supervise at the time the injury occurred.

[10] Governmental immunity is one example of such immunity, and is discussed in detail in this fact sheet. In addition, in some states, nonprofit organizations may qualify for a defense of charitable immunity. See, e.g., *Univ. of Va. Health Servs. Found. v. Morris*, 657 S.E.2d 512, 517 (Va. 2008). This doctrine is not as widely available as governmental immunity, but will provide an additional layer of protection for nonprofit organizations when applicable.

[11] In *Castaneda v. Community Unit School District No. 200*, the court, rejecting liability for a collision during a class bicycling outing, emphasized the extensive safety instruction provided to student bicyclists by their teacher. 268 Ill. App.3d 99, 106 (Ill. App. Ct. 1994).

[12] Sovereign and governmental immunity (jointly discussed here under the term "governmental immunity") describe the concept that the government cannot be sued unless it has agreed to allow such suits through, for example, a statute.

[13] Georgia, for example, has extremely broad immunity for school districts and school officials, see *Kaylor v. Rome City Sch. Dist.*, 600 S.E.2d 723, 726 (Ga. App. 2004); *McDowell v. Smith*, 678 S.E.2d 922 (Ga. 2009), whereas the scope of governmental immunity in Oklahoma is considerably narrower, see *Robinson v. City of Bartlesville Bd. of Educ.*, 700 P.2d 1013, 1015-16 (Okla. 1985).

[14] For example, in states such as Louisiana and Oklahoma, school districts are likely to be immune for endorsing SRTS programs, but are not likely to be immune for setting up or running such programs, see *Johnson v. Orleans Parish Sch. Bd.*, (La. App. 4 Cir. 1/30/08); 975 So.2d 698, 711; *Gary v. Meche*, (La. App. 3 Cir. 11/3/93); 626 So.2d 901, 905; *Nguyen v. State*, 788 P.2d 962, 964 (Okla. 1990). For more information about the extent of governmental immunity for school districts in your state, contact a local attorney with expertise in school law. You might consult with your school district's attorney, or contact your state affiliate of the National School Board Association's Council of School Attorneys.

[15] See, *e.g.*, *McDowell*, 678 S.E.2d at 924; *Downing v. Brown*, 935 S.W.2d 112, 114 (Tex. 1996).

[16] See supra note 8.

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