

## **HIGH-RISK ACTIVITY DATA SHEET**

### ***Pool Parties***

**Description of the activity:** Pool parties for students at the close of the school year have been a tradition for some member schools. However, these events pose numerous liability implications.

**Relationship to the Public School mission:** School management should give careful consideration in deciding whether pool parties meet the educational objectives of their school and compare the additional education benefit(s) to the additional risk(s) noted below.

**Student injury liability:** The possibility of injuries to students at pool parties is great. The risk of falling, drowning, and other accidents is real and potentially catastrophic.

**Third-party liability:** Minimal.

**Public official liability:** School employees and officials may be held responsible for approving the event if students or members of the public are injured or witness a severe injury.

**Workers' compensation implications:** Costs for medical treatment and rehabilitation for employees injured as a result of the event could be incurred by the Multi-Line Program.

**Property damage implications:** Minimal.

**Contractual liability implications:** Privately run pools may not have adequate insurance coverage. They may require school administrators to sign hold harmless agreements, waivers or other indemnification contracts as a condition for allowing the event. The language in these agreements may be unacceptable and biased in favor of the pool company. In addition, schools must be aware that contracts can be changed from one year to the next.

**Reputation implications:** The school/S.U.'s reputation should be taken into consideration before such an event is approved.

**Additional Considerations:** In planning pool parties, the selection of chaperones is important. Parties that include children of both sexes should include multiple chaperones of the same sex. Children can be especially vulnerable to harassment and/or molestation while engaging in activities such as changing clothes, swimming etc.

### **DISCLAIMER**

This material is provided for informational purposes only and should not be construed as legal advice. Each recipient is encouraged to consult with counsel or obtain other risk management advice as deemed necessary.