

Dakota County
Safe Routes to School

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Safe Routes to School Comprehensive Plan

Friendly Hills Middle School

City of Mendota Heights
Dakota County, MN

June 2011

Prepared by:



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Project Background

The Statewide Health Improvement Program (SHIP) aims to help Minnesotans live longer, healthier lives by reducing the burden of chronic disease. The Dakota County Public Health Department received SHIP funding to work with community partners to develop and implement programs to improve nutrition, increase physical activity, and reduce tobacco use in schools, workplaces, community settings, and healthcare sites. As part of this effort, comprehensive Safe Routes to School (SRTS) plans have been developed for 19 schools in Dakota County that seek to increase walking and biking to school through the following means:

- Education – Teaching children to walk and bike safely.
- Encouragement – Developing programs that get children excited about walking or biking to school, such as walk/bike incentive programs or Walk to School Day. May also include methods that help parents and guardians feel comfortable letting their child walk or bike, such as walking school buses or adult crossing guards.
- Enforcement – Having law enforcement support, such as speed zone enforcement or increased patrols, along the designated routes to school.
- Engineering – Identifying infrastructure barriers to walking and biking, such as sidewalk/trail gaps, hazardous crossings, or the need for secure bicycle parking.
- Evaluation – Measuring the effectiveness of the various components of the SRTS project.

The following sections describe the development of a Safe Routes to School Plan for Friendly Hills Middle School in the City of Mendota Heights, Dakota County, Minnesota.

Existing Conditions

Friendly Hills Middle School is one of two middle schools in District 197 serving the West St. Paul, Mendota Heights, and Eagan communities in the Twin Cities suburbs. The school is located in southern area of Mendota Heights and the surrounding area is primarily residential.

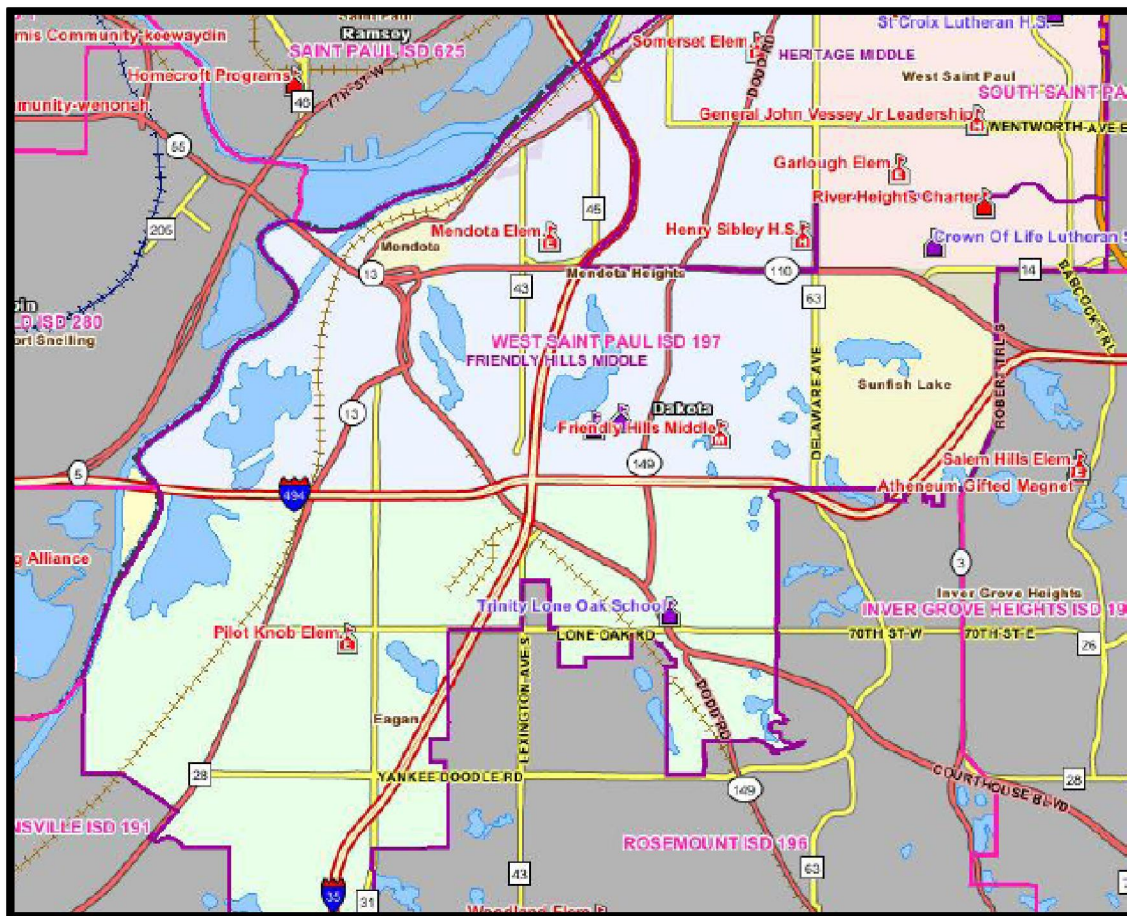
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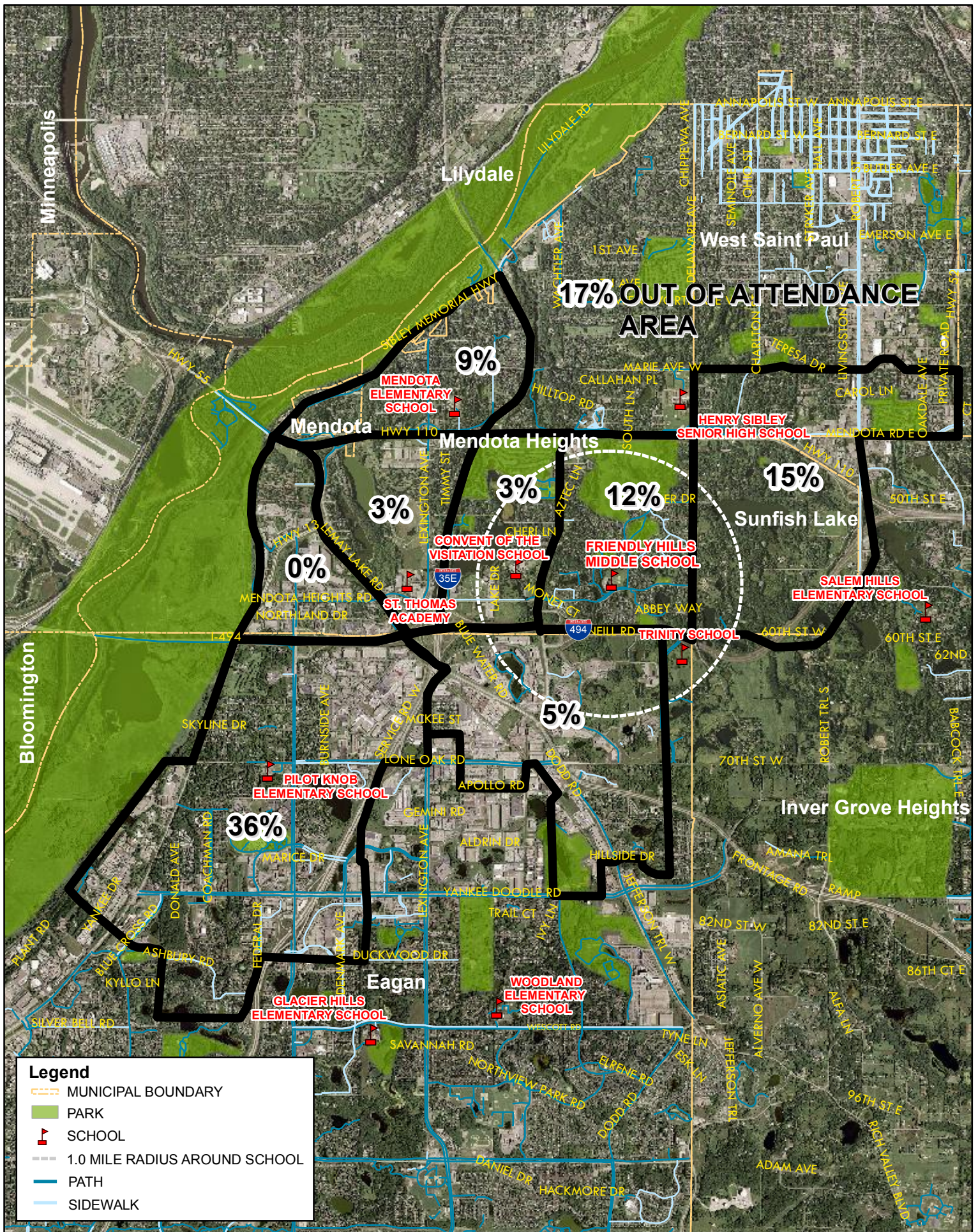
Student Data

In the 2010-2011 school year, there are approximately 620 students in grades 5 through 8 at Friendly Hills Middle School and the school day runs from 8:40 am to 3:15 pm. The attendance area for Friendly Hills, as shown on the map below, is relatively large and includes all of Mendota Heights and Sunfish Lake, as well as portions of West St. Paul and Eagan. However, approximately 10 percent of the students live outside the attendance area and 7 percent of the students live outside District 197.



Source: www.isd197.org/se3bin/clientgenie.cgi

District 197 has a 1-mile walk area for middle schools as a general policy, but some students within the walk area are provided bus transportation within the walk area due to a hazardous crossing, such as I-494. A full breakdown of the Friendly Hills student distribution (2010-2011 school year) is shown on the map on the following page.



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Safe Routes to School Activities

Currently, there isn't a targeted Safe Routes to School program at Friendly Hills Middle School, but there are estimated to be about 50 students that regularly walk or bike to school, representing about eight percent of the student population. However, nearly 15 percent of students live in the neighborhoods right around the school, bound by I-494, TH 110, Delaware Avenue, and Dodd Road. Due to the size of the attendance area and the concentrations of students that live more than one mile from school, the largest percentage of students are either driven or take a bus to and from school.

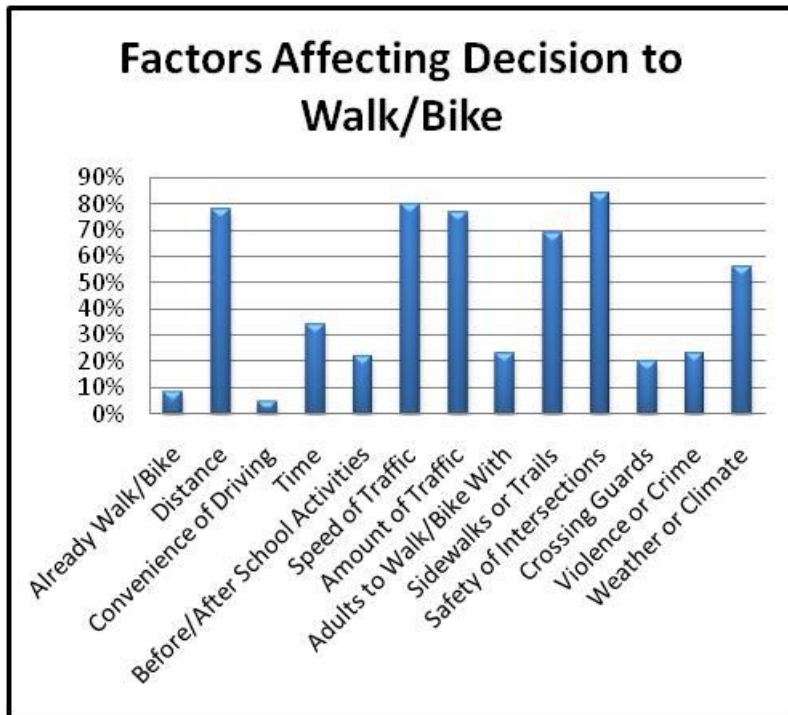
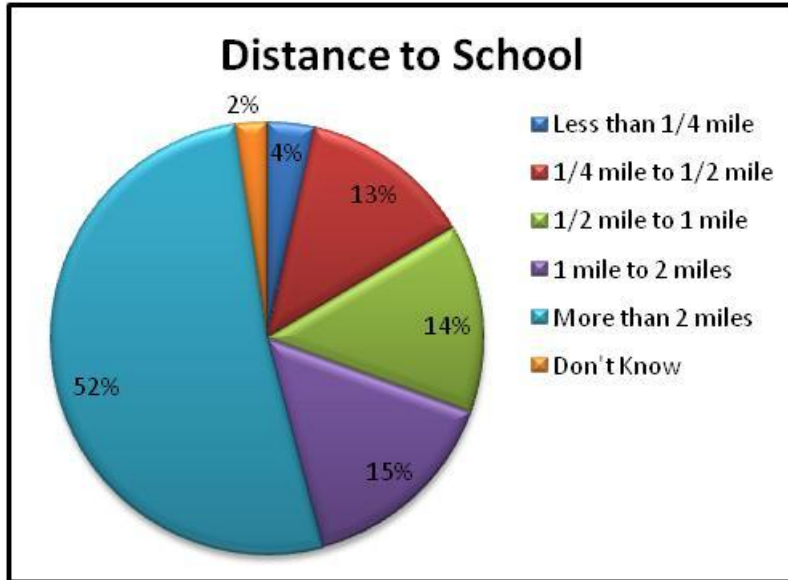


Students walking home from school along Mendota Heights Road.

A parent survey of concerns and attitudes related to walking and biking was also conducted in April and May 2011, with approximately 85 responses. Approximately 30 percent of the respondents reported that they live less than 1 mile from school and nearly 50 percent said they live less than 2 miles from school. About 30 percent of parents said their child had asked for permission to walk or bike to school in the last year, compared with only 10 to 15 percent that said their child normally walks or bikes to school. Intersection safety and speed/volume of traffic were the key factors that parents cited as influencing their decision to allow students to walk or bike, followed by distance. The charts on the following pages show some of the key results from the survey. A sample of the parent comments from the survey is also included in the Appendix.

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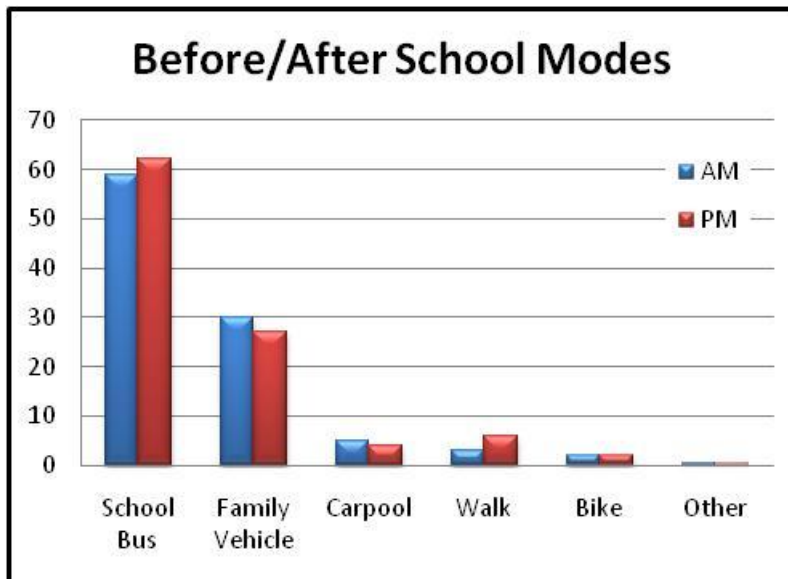
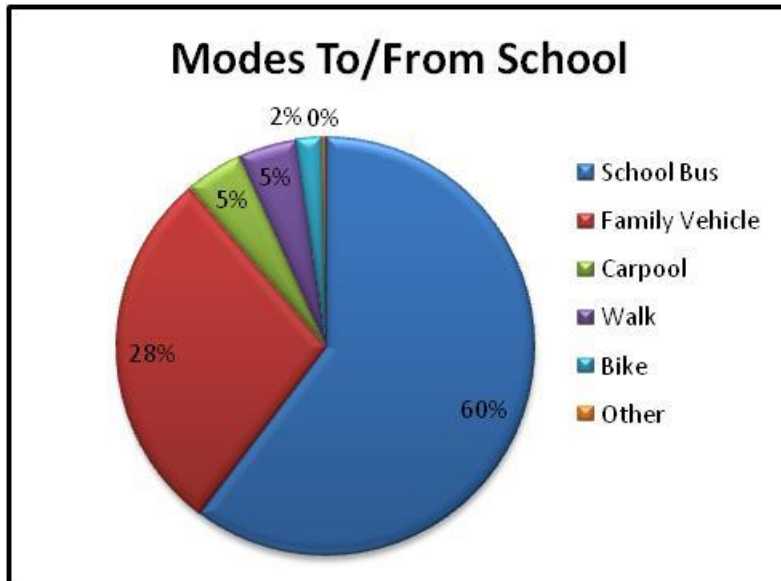
In-classroom tallies of students' arrival and departure modes were conducted at Friendly Hills Middle School in May 2011. As shown in the charts on the following page, an average of five percent of students currently walk to school and an average of two percent of students currently bike to school. These

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percentages mean that only about half of the students that live in the neighborhood around the school currently walk or bike. The tallies also showed that more students walked home from school in the afternoon, which is a typical pattern for many elementary and middle schools.



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Infrastructure

Vehicle access to the Friendly Hills Middle School site is only from Mendota Heights Road. The north parking lot is primarily used for staff, as well as parents and visitors. The parking and turnaround south of the school is used only for bus loading and unloading.

The collector roadways surrounding the school, such as Mendota Heights Road and Huber Drive, generally have a good system of trails and several of the local streets also have a system of sidewalks. Mendota Heights Road has a continuous trail along the south side, but is missing a segment on the north side of the roadway just west of Friendly Hills due to a pond. This results in several crossings of Mendota Heights Road for students walking or biking to school from the west. Some of these crossings are a source of concern because of the limited sight lines due to curves and hills along the roadway. Each of the following crossings is signed as a designated school crossing and has a marked crosswalk:

- Mendota Heights Road/Huber Drive
- Mendota Heights Road/Lockwood Drive
- Mendota Heights Road/Concord Way
- Mendota Heights Road/Mendota Heights Circle
- Mendota Heights Road/Bridgeview Court



View of school crossings on Mendota Heights Road, looking eastbound.

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Dodd Road (TH 149) does not have sidewalks or trail, but the shoulders are sufficiently wide to accommodate bikes or pedestrians. There are no trails or sidewalks on Delaware Avenue (County Road 63) and the roadway section is generally too narrow to provide a safe route for pedestrians or bicyclists..

The bike parking at Friendly Hills Middle School is located adjacent to the bus loading area on the south side of the school. During the site observation in April 2011 there were approximately 7 bikes parked in the racks during the school day.



Bike parking at the south entrance to Friendly Hills Middle School.

A review of the crash history for the past ten years (2000-2009) was completed for the area around the school bounded by I-494, Dodd Road, TH 110, and Delaware Avenue. There have been only one pedestrian crash and one bicycle crash that have occurred, neither of which appeared to be related to travel to or from school, based on the time of year and time of day. The bicycle crash occurred on Concord Way and the pedestrian crash occurred on Field Stone Drive.

In addition to the pedestrian/bicycle crash history, the vehicle crash history on Mendota Heights Road between Concord Way and Huber Drive was also reviewed for the same 10-year time period. During that time, there was only one reported crash that occurred in December during snow and ice conditions. Overall, the crash history does not show any traffic safety issues around the school.

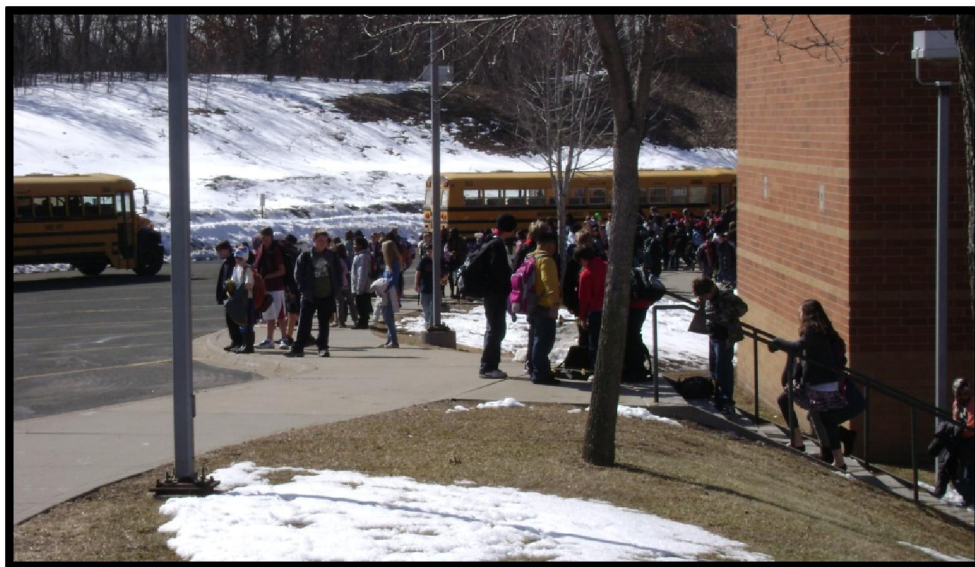
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Site Evaluation

A site evaluation was completed at Friendly Hills Middle School in March and April 2011 that included walking around the site and observing the typical arrival and dismissal processes. There are approximately 14 buses on the site and an estimated 50 to 70 parent vehicles. All students riding the bus or biking enter and exit the building via the south entrance and all students being driven by parents use the north entrance. Students that walk to and from school can use either entrance, but have to cross the vehicle driveways to get to the entrances, except for the students walking along the trail north of the school.



Students exiting the school to the bus loading area.

The queue of parent vehicle extends out of the parking area and nearly to Mendota Heights Road, however all vehicles cleared within about 15 minutes. The pedestrian and bike routes from the school building to Mendota Heights Road conflict with the parent vehicle traffic either in the driveway or at the driveway intersection at Mendota Heights Road.

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One of the marked crossings on the school site. The crosswalk connects the sidewalk in front of the school building to the parking lot.



Queue of parent vehicle waiting for dismissal at Friendly Hills Middle School.

The observed primary pedestrian routes to and from the middle school are along the trail north of the school toward Friendly Hills Park and along Mendota Heights Road.

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Students walking home from school along the trail north of the school.

Existing Issues and Challenges

In addition to the data collection and site evaluation completed as part of this project, input was gathered from the school principal, the City of Mendota Heights, Dakota County, and District 197.

The existing challenges to walking and biking to Friendly Hills Middle School are summarized in the following bullets, as well as the Existing Conditions/Issues map at the end of this report:

- Pedestrian routes to the school building must cross the on-site driveway, which carries all the parent vehicle traffic.
- Vehicle congestion on the school site creates a perception that it is not safe to walk or bike.
- The large size of the attendance area results in many students living outside the walk area.
- Mendota Heights Road has trail facilities, but requires several crossings, and the sight line constraints due to hills and curves in the roadway lead to the perception of safety issues.
- Vehicle speeds on Mendota Heights Road and Delaware Avenue are a concern.
- Plowing of trails and sidewalks is a deterrent to walking and biking during the winter.
- Due to the lack of trail or sidewalk and narrow shoulders, Delaware Avenue is a barrier to walking and biking.

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Recommendations

Despite some of the current challenges to walking and biking to Friendly Hill Middle School, the school's location within a neighborhood that is well-connected by sidewalk and trail does provide opportunities to increase the numbers of students regularly walking and biking to school. The following recommendations have been developed specifically for Friendly Hills Middle School to address the identified challenges to walking and biking. The short-term recommendations are actions that could be implemented during the 2011-2012 school year, while the long-term recommendations may require policy changes, additional discussion and coordination, or significant funding sources. In addition to the recommendations, the group that should take the lead in implementing the recommendation has also been identified.

Short-Term Recommendations

The short-term recommendations included in this section primarily consist of low-cost improvements that can be implemented in the next six to twelve months, although some are dependent on funding availability. The recommendations are generally prioritized in terms of actions that are easiest or most necessary to complete first. The infrastructure recommendations are also summarized on the Recommendations map included at the end of this report.

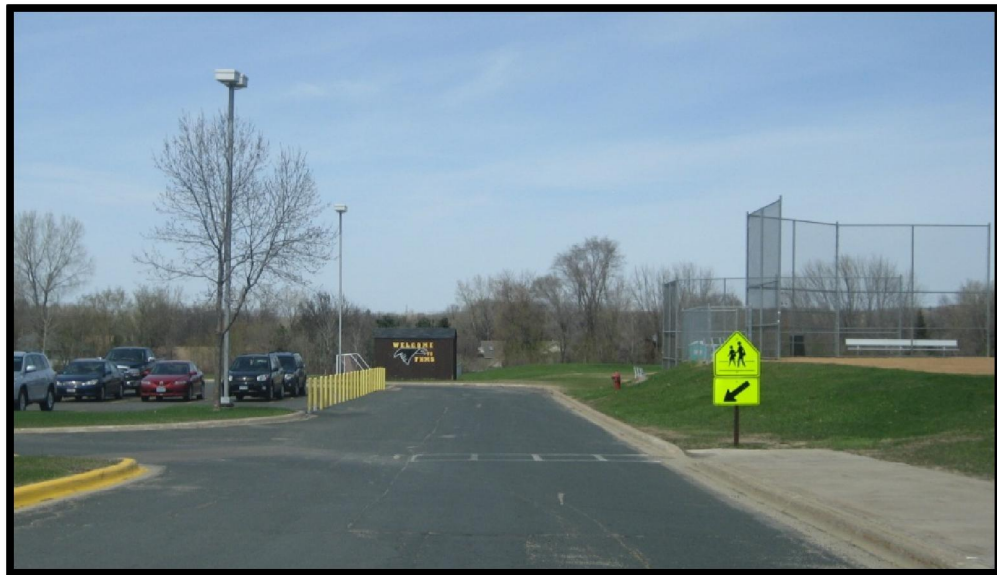
1. Implement staggered dismissal times to allow students walking and biking to exit the school site five to ten minutes before the vehicle and bus traffic. This eliminates conflicts between pedestrians, bikes, and vehicles, and also serves as an incentive for students to walk and bike to school by allowing them to leave earlier. Implementation lead – Friendly Hills.

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2. The on-site crosswalks at the front entrance of the school and in the school driveway are key crossing locations for pedestrians, especially those walking to/from east of the school. The crosswalk should be repainted to make them more visible. Implementation lead – District 197.



Existing crosswalk on-site crosswalk at Friendly Hills.

3. Start a weekly or monthly Walk/Bike to School Day with incentives for students that walk and bike, such as water bottles, gift cards, or getting out of class early. The events could be organized or supported by the student green team or student council, in support of the district's Live Green sustainability program. Implementation lead – Friendly Hills.

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Walk to School Day held at Rosemount High School in May 2010. The event was organized by the Green Team, and students that walked to school received water bottles.

4. Conduct a bike/walk mapping project with the Safe Routes committee or as a student project. The maps are developed by collecting information about available routes and develop maps of routes to and from school, as well as other key "safe" locations like libraries, parks, police stations, other schools, or community centers. Implementation lead – Friendly Hills.



Example of a school walk/bike route map.

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5. Replace the roadside post-mounted S1-1 signs (STATE LAW STOP FOR PEDESTRIAN IN CROSSWALK) with a mobile in-street pedestrian sign on Mendota Heights Road at Lockwood Drive, at the school entrance. The in-street sign is more visible to drivers and can also be moved and used at other locations as necessary. Implementation – City of Mendota Heights.



Existing school crossing signing on Mendota Heights Road near Friendly Hills Middle School.



Existing in-street school crossing signing on Mendota Heights Road near St. Thomas Academy.

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6. Designate a Safe Routes coordinator at the district level and each of the individual elementary and middle schools in the district, similar to the way bus transportation is currently coordinated. The district-level coordinator would share information and coordinate Safe Routes activities and best practices among all the District 197 schools. Implementation lead – District 197.
7. Consider prioritizing plowing of trails and sidewalks that are identified as preferred walking/biking routes to school. Implementation lead – City of Mendota Heights.



View of the trail on the south side of Mendota Heights Road near Friendly Hills Middle School.

Long-Term Recommendations

The long-term recommendations included in this section primarily consist of higher cost improvements or actions that would require a significant policy change, either of which would be expected to take longer than six months to occur. These recommendations are generally prioritized in order of importance, however funding availability may mean that the highest priority recommendations are not the first to be implemented. The infrastructure recommendations are also summarized on the Recommendations map included at the end of this report.

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1. Consider adding walking and bicycling curriculum to physical education classes and a bicycle repair shop as an after school club. Implementation lead – Friendly Hills/District 197.
2. Investigate the feasibility of a school speed zone on Mendota Heights Road, with dynamic speed display signs that are activated only during school arrival/dismissal periods, in order to maximize their effectiveness. Implementation lead – City of Mendota Heights.



Example of a solar-powered driver feedback sign in a school speed zone in Anoka County.

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3. Construct a trail connection on the Friendly Hills site from the crossing at Huber Drive/Hampshire Drive to the school building. This would provide a more direct route to the school from the east, which would not have any conflicts with on-site traffic. Implementation lead – District 197.



Existing crosswalk at Huber Drive/Hampshire Drive.

4. Install pedestrian/bicycle wayfinding signing in the community and on the middle school site to provide improved links between the school, neighborhoods, and community destinations such as parks. Implementation lead – City of Mendota Heights.



Examples of bicycle wayfinding signs in Chicago (left photo) and Minneapolis (right photo).

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5. Pursue opportunities for construction of new sidewalk and trail segments, such as along Delaware Avenue, to better connect the existing trail system in Mendota Heights to surrounding communities. Sidewalk and trail construction could be completed in coordination with adjacent roadway projects or as independent projects.
Implementation lead – City of Mendota Heights, in cooperation with Dakota County.



View of Delaware Avenue at Salem Church Road. The existing sidewalk and trail network on Mendota Heights Road, Huber Drive, and Copperfield Drive ends at Delaware Avenue.

6. Install additional bike racks when the capacity of the existing racks is reached.
Implementation lead – Friendly Hills Middle School/ District 197.

Funding and Implementation

Funding for the various recommended projects may come from a variety of sources depending on the type of project and who is implementing it. Some potential funding opportunities that currently exist and may be used to fund these recommendations include, but are not limited to:

- Blue Cross Blue Shield of Minnesota
- Mini-grants through the National Center for Safe Routes to School
- Federal Transportation Enhancement (TE) funds through the Metropolitan Council

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- Federal Safe Routes to School funds through the Minnesota Department of Transportation. The federal Safe Routes to School program was originally funded through fiscal year 2009, but Mn/DOT currently held an infrastructure grant solicitation for 2011. Future funding beyond 2011 will be dependent on passage of the Federal Surface Transportation Reauthorization Bill, which is still being discussed in the United States Congress.

The status of future funding for the Statewide Health Improvement Program (SHIP) is unknown at this time because the Minnesota Legislature has not yet established the biennial state budget and the existing funding will end on June 30, 2011. Over the past two years, SHIP funds have been administered by Dakota County Public Health in the form of Safe Routes to School grants, Active Living grants, and assistance with preparing grant applications for other programs. These funds may be available in some form in the future, and continued communications between school districts, cities, and counties will help identify opportunities and needs for funding in the future.

Increased liability of the school, school district, or adult volunteers as a result of encouraging walking and biking to school is a frequent concern when implementing Safe Routes to School programs. In general, encouraging walking and biking to school does not increase the liability of the school or the district. Some tips and guidelines from the National Center for Safe Routes and the Public Health Law Center are included in the Appendix of this report as a reference. Links to additional resources such as an overall Safe Routes to School guide, walking school bus guide, and safety education materials are also provided in the Appendix.

No one of the E's of Safe Routes to School will by itself increase walking and biking, which emphasizes the need for cooperation among school, city, county and other agencies. The process used to develop this plan is only the start of on-going efforts that will be needed to result in cultural changes and significant increases in walking and biking.





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Appendix

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Parent Survey Comments

Kids bike more often in spring and fall - when they ride to school, need safe/dry place to lock bikes in case they take bus home (rainy days...).

We walked every day rain or shine (rare exceptions for extreme cold) to Mendota Elementary. Crossing guards would help for middle school. Thanks.

We live within walking distance of FHMS, but to get to the school, my son needs to cross a bridge over the pond, and then cross Mendota Heights Road two times - or - he has to take the bike paths through the wooded areas. The issues I have are that the sidewalks and paths are not plowed during the winter, making them unsafe or inaccessible, and also the fact that the sidewalk on Mendota Hgts Road does not follow along both sides the entire way, also it is not plowed. Mendota Hgts Road is not safe for crossing at any of the crossing points in any weather - cars drive too fast. During summer months, the trail path is a good option for walking or biking, but again in winter, it's not walkable.

We would like to be biking to school more and I would absolutely love to let my kids bike on their own -- but -- Friendly Hills is 4+ miles from our house and the most direct route includes two very busy highway intersections (Mendota Heights Road and Highway 55; Mendota Heights Road and Dodd/149). There's no crossing guards. There's no other families in our area interested in biking, so there's no safety in numbers, so to speak. At grade 6, there's no way I'm letting them bike on their own. Maybe when they're in 9th grade and at Henry Sibley. Maybe.

My child walks or bikes to school for none of the options available. She walks because we live .7 miles away from school, I work, and it is her only option. I still think it's healthy, physically and mentally. It is a bit much in the dead of winter, though. All in all I'm glad my daughter gets the exercise.

This is a difficult problem in a school district like ours that is spread over a great distance. We live over 6 miles from Friendly Hills. There is no way for us to walk or bike that distance.

Why can't we have pathway and pedestrian bridge like other transit-aware first ring suburbs (see Hwy 55 in Golden Valley and others too).

Although my children have walked to school, the start time of the school being later has prevented us from dropping them off rather than walking. I believe 5th grade is too young to be walking to school on their own, especially in the fall/winter when it's dark out. I'm more comfortable with walking home - As it relates to winter - It's a strain on families when the weather is cold and kids are walking home - trying to get rides home can be a challenge.

We live on the other side of three major highways i.e., Highway 55, Argenta/Delaware, and Dodd/149. It is NOT safe for anyone (adult or children) to cross or walk along those roads.

My son would have to cross Hwy 110 on his bike and I worry about him being hit. Off road paths and a safe intersection at Dodd and 110 would make me feel more comfortable allowing him to bike to school.

Our problem is the distance and also the route to school is not the best to walk or bike rush hr is not the best for kids to walk around or bike. Traffic is a very strong issue. Also during winter is not much fun to walk.

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I think that if a route, with safe, lit sidewalks and the absence of walking through "paths" through wooded areas where there may be more potential for a crime - abduction to take place, I would have no problem with having children over the 8th grade to walk-bike to school. That said, I think there are very few areas in the Mendota Heights area that would qualify for that..... Sidewalks and lighting are crucial for having kids walk to and from school, we just don't have that around here.

I am discouraged that there are no crossing guards for the kids that do walk to school, or not even a brightly colored "slow" sign to alert drivers.

Delaware is dangerous. Especially South of Hwy 110. There is almost no shoulder. There is no walking or bike path. Cars go too fast. It is straight and hilly. The most dangerous section of Delaware is between Huber and I-494. Narrow Road w/ little shoulder. Straight - nothing to slow cars down. And a big hill with a bad intersection at Salem Church Road.

Friendly Hills is not the closet middle school to our house - we chose to go to FHMS vs Heritage. Based on the distance, I don't know if I would ever have my kids bike to school.

In the afternoon we have no choice but to have our son walk home from school since we both work and live too close for bus service. However, in the winter the paths were not always plowed quickly and that made it VERY dangerous to walk with the busy and curvy Mendota Heights Road. Something should be done about that! I can't believe the district requires 5th graders to walk on Mendota Heights Road in the middle of winter.

Traffic and distance are my prime concerns.

My daughter and I live quite a long way from school (West Saint Paul) and we do not have a car. I wouldn't encourage her to ride her bike or walk to school due to the circumstances stated and also for her security it is best that she would take the school bus at any given time.

My daughter attends FHMS, crossing Hwy 110 and then continuing up Delaware, which is busy in the morning and has many hills, which decreases the visibility of people walking along the side of the road. I am not comfortable allowing my daughter to ride her bike along this busy stretch of road because there are no sidewalks and people drive at least 45mph, if not faster, along Delaware. Additionally, it is not feasible to expect her to ride her bike in the heavy rain or snow, or when the temp is less than 50 degrees.

We are bussed to FHMS however if there were bike paths leading to the school and safer to cross highway 110 we might consider letting our children ride their bikes some days depending on the activity.

Bicycles are great - I rode a bike to school as a kid, but bike theft was a huge problem. Then again, I didn't have the heavy backpacks my kids have to carry each day, or the musical instruments on alternate days, so that's pretty limiting when it comes to bicycles.

FHMS parking lot is gridlocked every afternoon with a long line of cars/drivers waiting to pick up their student(s). Left turns to go east on Mendota Heights Road from the FHMS parking lot should be prohibited in the morning and the afternoon OR the city should consider making a roundabout OR the city provide an officer to direct traffic during those peak traffic times. It is incredibly dangerous for my child to cross Mendota Heights Road in the afternoon. Yesterday a driver attempted an illegal pass

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around another driver stopped on the road and waiting to turn into the FHMS parking lot. In doing so, the passing driver nearly hit my child.

My child has neighbors he walks with. If he were alone, I would be uncomfortable with him walking. When my daughter reaches 5th grade she won't have neighbors to walk with. I will not let her walk alone and don't know how the transportation is going to work at this time.

There are no street lights, stop lights, stop signs, sidewalks, paved roads, in our area - children need to cross hwy 110 or 149 to get to a sidewalk ... Walking or biking will not work in this situation.

My child lives much too far from school to even consider walking or biking. Perhaps if we lived with in a few blocks and there was a group to walk with and a cell phone in her possession I would consider this an option in later years.

I don't like the fact that she has to walk by herself. A lot can happen in 4 blocks from a safety/violence perspective. I worry when she walks, but she's always been ok.

Distance, traffic and weather would keep me from letting my girls bike to school alone.

10 TIPS FOR Safe Routes to School Programs and Liability

SafeRoutes
National Center for Safe Routes to School



TIP SHEET

Background and Overview

Forty years ago, nearly 90 percent of children who lived close to their school walked or bicycled to get there. Today, this number has decreased by about 25 percent.¹ As Safe Routes to School (SRTS) programs have developed to reverse this trend, some have wondered if encouraging walking and bicycling to school may increase a school's liability exposure.

In general, the answer is no. In fact, SRTS programs are designed to help schools and communities identify and address potential safety concerns. Taking concrete steps to make walking and bicycling safer will reduce the likelihood of injury, and thereby minimize exposure to liability.

A SRTS program that simply encourages or promotes bicycling and walking to school should not, in most cases, expose schools to increased liability risk. Even school-sponsored walking and bicycling programs, such as a Walking School Bus or Bicycle Train should not expose schools to any greater liability than other school-sponsored activities. Of course, schools with SRTS programs must ensure they are meeting their responsibilities for children's safety just as they must routinely do with all other forms of school transportation and with other school activities.



SRTS programs can vary greatly, ranging from programs to encourage walking and bicycling to active sponsorship of walking and bicycling programs and providing new infrastructure to support these activities. The school's responsibility for safety will vary according to the individual elements of the SRTS program and the local legal context. The information below provides a brief overview of the relevant legal definitions and identifies several issues you may want to look into as you develop your program to ensure you are addressing any potential liability issues. **This information is not intended as legal advice and should not be used as such. For specific legal guidance, you should consult with an attorney with relevant knowledge and experience.**

Legal Context

Schools and school districts must regularly address issues of liability for a variety of school programs and school sponsored activities. Regardless of whether students walk, bike, take the bus, or are driven to school, there is a possibility that an injury may occur on or off school property. However, not all injuries result in liability. The extent to which a school will be held legally responsible or "liable" for its negligent actions or omissions depends on the facts of a given case, on laws and legal principles that vary from state to state, and even from school district to school district.

In general, to establish liability for negligence, the injured person or someone acting on his or her behalf must show that the school owed a legal duty of care to that person, that the school breached that duty, and that the breach was the "proximate cause" of damages or injury.² (Visit Law.com and search liability and negligence for more detailed definitions and descriptions.)

10 TIPS FOR

Safe Routes to School Programs and Liability (continued)

A school's duty of care to students and resulting legal liability when students are injured is very situational and can only be assessed in the context of the specific program or activity and with knowledge of the specific facts giving rise to an injury. Relevant factors are likely to include:

- the degree to which the school controls or directs the activity that results in injury,
- the extent to which the school's actions conformed to applicable rules, regulations, policies, or procedures, and
- the extent to which the school knew or should have known of a particular hazard and failed to correct or warn against it.

A school will not ordinarily be held liable for injuries sustained by children while they are walking or bicycling to school simply because the school encourages children to walk or bike, where injuries occur off school property, and parents have been reminded that the school is not responsible for supervising children who walk or bike to school.

To avoid liability for negligence, the school must exercise "reasonable care" under the circumstances. If the school directly sponsors walking or bicycling activities such as a Walking School Bus or Bike Train, the school generally has greater responsibilities just as they would for other school-sponsored forms of transportation. At a minimum, the school should follow the recommended procedures outlined in the National Center for SRTS publication, *The Walking School Bus: Combining Safety, Fun and the Walk to School* (http://www.saferoutesinfo.org/guide/walking_school_bus/index.cfm) as well as any rules, policies, or protocols established by the school district for school-sponsored activities occurring off school property. (For example, volunteer training, screening, or adult to child ratios.)



Minimizing Risk

Even though SRTS programs are designed to make walking and bicycling safer for students, there are certain steps the school should take to minimize the risk that the school will be held liable for negligence in the event that a student is hurt while walking or bicycling to school. Some key measures are detailed below.

References

1. "In 1969, 87 percent of children 5 to 18 years of age who lived within one mile of school walked or bicycled to school. In 2001, 63 percent of children 5 to 18 years of age who lived within one mile of school walked or bicycled to school." U.S. Centers for Disease Control and Prevention. *Kids Walk-to-School: Then and Now — Barrier and Solutions*. Available: http://www.cdc.gov/nccdphp/dnpa/kidswalk/then_and_now.htm Accessed: January 17, 2006.
2. Schools Legal Service, Orange County Department of Education. 2001 "School Districts and School District Employees Liability for Negligence." Costa Mesa, CA.

10 TIPS FOR

Safe Routes to School Programs and Liability (continued)

1 Work with your school district's administrative and legal staff to understand the relevant liability issues and to develop appropriate policies.

Most likely, your school district already has a number of policies in place to help manage its liability for various school programs and activities. A SRTS program is no different. You should work closely with your school district's administrative and legal staff to identify any particular risk management and insurance needs based on your individual SRTS program and the relevant laws of your jurisdiction.

2 Be aware of local laws, regulations, and school policies.

Work with your school's legal counsel to identify the laws and regulations in your jurisdiction that are relevant to walking and bicycling. These may include laws regarding school safety patrols, the designation of school walking routes (some states require them), student bus transportation, and any bicycle safety requirements such as helmets, bells or lights. You should also review the state and local pedestrian laws and portions of the local development code regarding pedestrian safety and provision of pedestrian accommodations. Make sure you are following any applicable school policies, such as parental permission slips, waivers, or required supervision for school-sponsored activities. If appropriate, your school may consider making modifications or exceptions to any school policies that appear to be in conflict with your SRTS activities.

3 Take steps to fix problems.

If you are aware of unsafe walking and bicycling conditions, such as unsafe vehicle drop off and pick up conditions, take steps to fix them. Even if the problem is not subject to the school's control, such as a heavily trafficked local street, the school should warn parents of any known hazards, and take any prudent steps to address conditions under the school's control that might exacerbate the risk of injury.

4 Be proactive. Develop a plan.

Developing a SRTS Plan for an individual school is a great way to identify potential safety problems and prioritize needed improvements. If you identify problems, take steps to address the problems and inform the school community of possible hazards that cannot be or have not yet been corrected.

5 Document your efforts.

If you are aware of potential problems, document your efforts to fix them. For example, if you are made aware of problems with speeding vehicles in the school area, keep records of your communication with law enforcement officials to address the problem and your communications to parents warning them of any uncorrected problems.



10 TIPS FOR

Safe Routes to School Programs and Liability (continued)

6 Be uniform, systematic and consistent in undertaking safety improvements.

In making improvements such as new sidewalks or improved crossings, follow accepted engineering and design practices. Any design exceptions should be carefully reviewed so as not to compromise safety.

8 Consider waivers.

Where a SRTS program sponsors specific transportation activities, such as a walking school bus or bicycle train, a school may decide to require parent volunteers and parents of student participants to sign waivers or permission slips acknowledging that the participants are assuming the risk of injury by engaging in walking and bicycling activities, and waiving any claims against the school for its negligent acts or omissions. Keep in mind that waivers need to be carefully drafted in order to be effective.

9 Obtain adequate insurance coverage for your program.

Your school district is likely to have a large umbrella policy that covers a range of school programs and school sponsored activities. Review this policy to ensure the SRTS activities you are organizing are covered. If they are not, have the policy adjusted to include these activities.

7 Inform and involve parents.

Parents and designated caretakers are ultimately responsible for deciding how their children get to school. Material promoting SRTS programs should make clear that parents should determine their child's readiness and the best route for walking and bicycling. Encourage parents to accompany younger children. Let parents know the location of signalized or marked crossings and locations with crossing guards and recommend that they use them. Provide pedestrian and bicycle safety tips to parents as well as students. (See safety tip sheets at the National Center's Web site at http://www.saferoutesinfo.org/resources/education_tip-sheets.cfm)

10 Provide training.

Make sure crossing guards and school employees working on traffic and safety issues are well trained regarding pedestrian and bicycle safety and their responsibilities for ensuring that children are safe on their journey to and from school. Provide training to volunteers, and if appropriate, screening, where volunteers will be supervising children as part of a SRTS activity, such as a formal Walking School Bus or Bike Train.



LIABILITY FOR VOLUNTEERS IN THE WALKING SCHOOL BUS PROGRAM

A Walking School Bus Program aims to get children walking to and from school in groups accompanied by adults. It encourages students and adults to be more physically active and social. The program is ideal for neighborhoods that have a school within walking distance.

Adult volunteers are essential to the Walking School Bus Program. They are responsible for organizing the program and for walking the children to and from school. Adult volunteers are expected to act responsibly—just as they would with their own children. Provided that adult volunteers act reasonably and with good intention, a Minnesota statute will protect them from liability claims for accidents that occur during the course of volunteering.

Q: What is liability?

A: Put simply, liability is a legal responsibility. Typically, for you to be held liable, someone must prove that:

- ✓ You owed them a duty of care;
- ✓ You failed to perform that duty or did so negligently; *and*
- ✓ Your negligence caused someone harm that could have reasonably been expected to occur.

Q: What is a person's "duty of care?"

A: The duty you owe someone depends on the circumstances. Generally, everyone has the duty to act with reasonable care toward others. What is considered reasonable also depends on the circumstances.

Q: What is "negligence?"

A: Negligence is the failure to act as carefully as an ordinary, reasonable person would in the same situation.

Q: What is "cause of harm?"

A: "Cause of harm" means that your action was an important factor in causing the harm and that you could have reasonably expected the injury to occur.

Q: Are there any Minnesota laws that provide added protection to volunteers?

A: Yes. Under a Minnesota law, volunteers will generally not be liable for a child's injuries if their actions (1) were in good faith, (2) within the scope of their duties, and (3) not willful or reckless.



Q: What does acting in “good faith” mean?

A: This means acting with a good, honest intention or belief.

Good Faith: A volunteer takes the children down a different route one day, believing the traffic will be lighter. The traffic is actually heavier, and a car hits a child while he is crossing the road in a crosswalk.

Not Good Faith: A child misbehaves during the walk. The volunteer makes the child walk home by himself, knowing that the child does not know the way home. The child gets lost and is injured.

Q: What does acting “within the scope of their duties” mean?

A: This means acting according to one’s role or responsibilities as a volunteer.

Within the Scope of Duties: A student slips and is injured while the volunteer is walking the student to school.

Not Within Scope of Duties: After school, a student stays over at a volunteer’s house to play with the volunteer’s children. The student slips and is injured.

Q: What is “willful or reckless” conduct?

A: This means acting with disregard for the safety of others, or failing to act with ordinary care to prevent or discover a danger. Some examples of willful or reckless conduct might include: telling a child to run across the street when the light is red; telling children to cross the road without looking both ways; or making children walk long distances in extreme heat without water.

Q: If I am sued, will insurance cover the costs of the litigation?

A: Check the terms of your homeowner’s or renter’s insurance policy to learn what is covered. Typically, insurance consists of two parts—property coverage and personal liability coverage. The personal liability portion of the policy may protect against a lawsuit brought by someone who is injured by something you do. It will pay for damages or medical expenses if you are responsible for the injury. Also, it will pay for legal expenses to defend you if the lawsuit is unjustified.



Q: How can Walking School Bus Program volunteers reduce the risk of liability?

A: Common sense precautions go a long way toward avoiding liability risk. Most importantly, a parent volunteer should *act like an ordinary, reasonable person*. Additional steps could be:

- Creating safety rules and handing them out to all students and parents. These safety rules should comply with any local school rules.
- Planning a training day for students and volunteers.
- Wearing fluorescent vests while walking with the children.
- Asking the parents or guardians to sign a waiver saying they will not hold you liable for any injuries. (Please refer to the Public Health Law Center’s Waivers and Releases Fact Sheet.)
- Eliminating dangers, where possible.
- Having one adult volunteer for every six children over the age of 10 and one adult volunteer per three children for four to six year-olds.
- Documenting all precautions taken to avoid harm or risk.

For related publications, visit www.publichealthlawcenter.org. Click on “Publications and Resources” link and then on “Fact Sheets.” The Public Health Law Center provides information and technical assistance on issues related to tobacco and public health. The Public Health Law Center does not provide legal representation or advice. This document should not be considered legal advice. For specific legal questions, consult with an attorney. Contact the Public Health Law Center for citations used in this factsheet. Updated July 2010.

TIPS FOR Engaging Middle School Students in Safe Routes to School Programs

SafeRoutes
National Center for Safe Routes to School



TIP SHEET

Middle school students are very energetic and curious and yet engaging them can be a challenge. They have a new level of independence when it comes to walking and bicycling to school compared to when they were younger, but may be reluctant to take advantage of it because they think it “uncool.” They may also resist walking and bicycling safety advice from adults. How can Safe Routes to School (SRTS) practitioners get these students excited about Safe Routes to School? The secret lies in recognizing and building off of the typical attributes of middle school students:

- A desire for self-expression and self-determination
- A preference for hands-on learning that is personally relevant
- An expanding awareness of social, cultural, and environmental issues
- A growing concern for peer approval
- A sense of awkwardness and self-consciousness associated with the onset of puberty



Students at Hall Middle School in Marin County, California prepare to take the stage for a school assembly on the benefits of green transportation that they helped plan.

The following tips offer ways to use these attributes to engage students in a Safe Routes program. In most cases, these ideas require coordination with the school, so it is a good idea to discuss options with administrators and teachers before getting started.

Tip 1—Provide opportunities for self-expression and self-determination.

- Ask students to design logos, posters, computer animations, and web sites with SRTS messages.
- Put students in charge of planning SRTS-related activities, such as assemblies, fundraisers and publicity campaigns.

Tip 2—Create hands-on learning experiences that are personally relevant.

- Ask students to identify locations where changes like sidewalks or crossing guards would improve walking conditions using GPS devices, digital cameras or checklists for assessing walkability and bikeability.
- Establish a build-a-bike program, where students can learn about bicycle repair, maintenance, and safety by fixing up used or donated bikes, which they then get to keep.
- Encourage students to voice their need for improved walking and biking conditions. Suggest a presentation at a public meeting or a letter writing campaign to local decision-makers.



Middle school students use portable computers, digital cameras, and GPS devices to identify blighted properties and other safety concerns around their schools as part of the Mapping Out a Safer Community Program in Detroit, Michigan.

Tips For Engaging Middle School Students in Safe Routes to School Programs (continued)

Tip 3—Highlight the connection between SRTS and social, cultural, or environmental issues that may be important to students.

- Organize lessons, activities, and events about climate change and the benefits of walking or bicycling for transportation.
- Invite local sports personalities to talk about how walking and biking to school promotes physical fitness and health.

Tip 4—Foster positive interactions between middle school students and their peers and provide opportunities for peer identification and acceptance.

- Start a club with a mission that ties into SRTS, such as an after-school bicycling or environmental club.
- Plan events that emphasize fun but also deliver relevant SRTS messages, such as a “Walk to School Day” or “Walk and Roll Day” celebrating walking and biking to school.
- Develop a cross-age teaching program, where older students teach bicycle and pedestrian safety skills to younger students. High-school students can be recruited to teach middle school students and middle school students might decide to teach elementary school kids.



Alexandria, Virginia's Junior Bicycle Ambassadors demonstrate a turn signal during a Bicycle Rodeo at Hammond Middle School.

Tip 5—Be sensitive to the vulnerability, awkwardness, and self-consciousness that often accompany the middle school years.

- Avoid putting middle school students in situations where they may be exposed to ridicule or embarrassment, such as contests that identify losers on an individual basis or where students are allowed to choose teams.
- Be extremely sensitive when addressing the issue of obesity.



Safe Routes to School guide

saferoutesinfo.org



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Adult School Crossing Guard Guidelines



Pedestrian and Bicycle
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The Walking School Bus: Combining Safety, Fun and the Walk to School



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Information Center

SafeRoutes
National Center for Safe Routes to School



Prepared by the National Center for Safe Routes to School and the Pedestrian and Bicycle Information Center, both part of the University of North Carolina Highway Safety Research Center, with funding from the National Highway Traffic Safety Administration

Safe Routes to School Guide

Teaching Children to Walk Safely as They Grow and Develop:

A guide for parents and caregivers



Created July 2008



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