

# **Bond Case Briefs**

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## **IMMUNITY - ILLINOIS**

### **Barr v. Cunningham**

**Supreme Court of Illinois - March 23, 2017 - N.E.3d - 2017 IL 120751 - 2017 WL 1090571**

Student filed personal injury complaint against gym teacher and school district, alleging willful and wanton misconduct for failing to provide protective eyewear during a floor hockey game that resulted in student's eye injury.

The Circuit Court granted teacher's and district's motion for directed verdict on the basis of supervisory immunity. Student appealed, and the Appellate Court reversed and remanded. Teacher and district petitioned for leave to appeal, which was granted.

The Supreme Court of Illinois held that:

- Teacher did not engage in willful and wanton conduct by failing to require students to wear safety goggles while playing floor hockey, and
- Teacher's alleged awareness that ball could fly above players' waists and hit them in the eye did not raise a fact question as to willful and wanton conduct.