

# **Bond Case Briefs**

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## **IMMUNITY - ILLINOIS**

### **Haase v. Kankakee School District 111**

**Supreme Court of Illinois - November 20, 2025 - N.E.3d - 2025 IL 131420 - 2025 WL 3237814**

Student, who allegedly was injured by second student while playing indoor soccer during gym class in junior high school, and his parent brought action against school district and teacher, asserting claim that teacher engaged in wilful and wanton conduct in failing to supervise class and that school district was vicariously liable and a claim for damages under Family Expense Act for parent's payment of student's medical expenses.

The Circuit Court granted school district and teacher's motion for summary judgment based on immunity under Local Governmental and Governmental Employees Tort Immunity Act. Student and parent appealed. The Appellate Court reversed and remanded. School district and teacher filed petition for leave to appeal, which was granted.

The Supreme Court held that:

- Failure of student and parent to plead in their complaint that school district had duty to inform teachers about second student's history of physical aggression and breached that duty precluded question of whether district acted willfully and wantonly in failing to disseminate history from being genuine issue of material fact;
- Failure of student and parent to refute teacher's sworn deposition testimony that teacher did not know about second student's history of physically violent behavior toward other students required trial court to accept deposition testimony as true; and
- Teacher's failure to be attentive to students when they were playing soccer did not rise to level of willful and wanton conduct, and thus teacher and school district were immune from liability.