Bond Case Briefs

Municipal Finance Law Since 1971

NEGLIGENCE - NEW YORK

A. R. v. Bay Shore Union Free School District

Supreme Court, Appellate Division, Second Department, New York - August 23, 2023 - 219 A.D.3d 850 - 195 N.Y.S.3d 124 - 2023 N.Y. Slip Op. 04389

Student who was allegedly injured during a gym class golfing activity brought personal injury action against school district, alleging that it was negligent in its supervision of student.

The Supreme Court denied school district's motion for summary judgment. School district appealed.

The Supreme Court, Appellate Division, held that school district failed to establish, prima facie, that student was adequately supervised and instructed.

On motion for summary judgment in student's negligent supervision action, school district failed to establish, prima facie, that student was adequately supervised and instructed as to safe use of golfing equipment and proper positioning on field prior to injury which occurred when her partner struck her in mouth during back-swing; gym class teacher was unable to testify at deposition as to specifics of lesson plan or safety instructions he provided, and did not recall if students who had received their clubs were properly positioned.

Copyright © 2026 Bond Case Briefs | bondcasebriefs.com