In a recent decision, *Sanchez v. San Diego County Office of Education* (2010) ___Cal.Rptr.3d___, WL 1038496, the California Court of Appeal held that a school district that conducts a field trip is immune from liability for student injuries during the trip, even if the injured student is not enrolled in that particular school district.

In *Sanchez*, a county office of education operated a science camp on its property. Children from numerous school districts attended field trips at this camp. In this case, a student from a school district died of an asthma attack while on a field trip at the COE’s science camp. The student’s parents sued the COE that operated the camp.

Education Code section 35330 gives a school district the authority to conduct field trips or excursions. A COE is considered a “school district” for the purposes of Education Code section 35330. Education Code section 35330 also grants districts “field trip immunity.” Specifically under this statute, any person attending a field trip is deemed to have waived all claims against “the district” for injury, accident, illness or death occurring during or due to the field trip.

The COE that operated the camp argued that it was immune from liability under Education Code section 35330’s grant of immunity. The student’s parents argued that the grant of immunity only applies to the district in which the student is enrolled and not to another district whose negligence may have contributed to the injury.

The Court agreed with the COE, finding that nothing in Education Code section 35330 limits the grant of immunity to a student’s home district when multiple districts participate in providing the field trip. The Court reasoned that so long as the school district was a district that “conducted” the field trip, it would be entitled to immunity. Conducting a field trip could include directing or taking part in the operation or management of the trip. Because the COE operated the science camp and played a significant role in conducting the trip, it was immune from liability. The Court also noted that this outcome is consistent with the “broad immunity” created by Education Code section 35330, which was intended to encourage field trips by protecting districts from exposure to liability claims, by lessening costs, and by minimizing public expense potentially associated with the trips.
Please contact one of our five offices should you have any questions regarding Sanchez and its implications.

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