

# Eighty Percent of District's Play Areas Called Unsafe

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More than 80 percent of playgrounds in Tucson's largest school district have dangerous conditions, an internal analysis found.

Of the 84 playgrounds in Tucson Unified School District schools, 69 have significant safety hazards.

The findings included climbers that are not secured, slides separating from their platforms, exposed concrete underneath play areas, sharp edges, inadequate surfacing, cracked slides and bare metal that could cause burns.

The safety audit, conducted last summer by a TUSD staffer and a property inspector, did not include an estimate of what it would cost to fix all the problems. But the district is offering to pay the family of a Tucson girl injured at school \$175,000, and it's facing a multimillion-dollar claim for a traumatic brain injury stemming from another a playground accident.

The Arizona Daily Star obtained the report through a public- records request.

While similar evaluations of other school district playgrounds found no similar levels of hazard, TUSD is not the only one struggling with such problems and the cost of fixing them.

The Sunnyside Unified School District has been forced to block off some play areas due to the high cost of replacing broken slides - - roughly \$6,000 a piece -- until a new one can be bought.

Officials from TUSD and other districts say they are committed to maintaining safe play areas for children. But they say high usage, the elements and budgetary constraints create challenges for those who are tasked with addressing such issues.

The TUSD buys wood chips to cushion a child's fall by the semi- truck load, at about \$3,000 a load, with some play areas requiring more than one load.

"If you talk to risk managers, they would remove all of this equipment because there is an inherent danger with anything that allows a kid to run on, climb on or jump around on," said Bill Richards, director of maintenance for the Sunnyside School District. "But obviously, you have to let children play. You have to give them that time to let the mind relax and give the opportunity to burn energy so they can come back into the classroom and refocus.

"There's always that fine line between letting a kid be a kid and trying to insulate them from every harm that could possibly come their way. I think we do a pretty good job of balancing that," he said.

#### Insurance switch prompts review

Site inspections in TUSD, which were conducted in June, July and August 2014, were triggered when the district made changes to its property liability coverage and switched carriers.

A TUSD staff member along with a property inspector visited every site with the intent of gathering baseline data on the properties and identifying issues that could be an immediate or future liability, said Nicole Lowery, TUSD's risk management manager.

Conditions determined to be potentially harmful to students and those urgent to property condition were fixed, Lowery said.

Countless sites had playground equipment with bare metal, and recommendations were made to paint the equipment, but it is not a requirement, Lowery said.

"Certainly paint could reduce heat-related issues, and therefore a recommendation was made to paint the equipment," Lowery said. "However, painting equipment requires an increase to maintenance costs."

Ground cover is also regularly monitored in the district, and schools are told to report needs as they arise.

On at least two occasions over the last several years, insufficient ground cover underneath playground equipment has been cited in lawsuits filed by parents who claim their children were seriously injured as a result.

In one case, the mother of a Fruchthendler Elementary School fourth-grader, Trevor Pahl, filed a claim seeking \$23 million from TUSD after her son fell from a slide and suffered a brain injury.

According to the claim, the then-9-year-old fell about 5 feet from the slide during afternoon recess, striking the left side of his head, his arm and wrist on a piece of concrete embedded in the play area. That lawsuit is pending in court.

Last month, the Tucson Unified School District Governing Board agreed to offer \$175,000 to a student who suffered a concussion in 2012.

Brianna Papst, then a fourth-grader at Bloom Elementary School, participated in a high jump set up for students on the playground at lunchtime.

The equipment was placed on a concrete basketball court, and a thick mat was underneath just beyond the bar on which students were to land after their jump. The mat did not extend to either side, and there was nothing to prevent a student who missed the mat from hitting the concrete.

In Brianna's case, the lower part of her body landed on the edge of the mat, but her head slammed down on the concrete, knocking her unconscious. Her lawsuit argues she suffered a traumatic brain injury and suffers from headaches, fatigue, disequilibrium, reduced memory and difficulty concentrating, among other issues.

The family has 30 days to accept or reject the district's offer, said attorney Carlo Mercaldo, whose firm is handling both the Bloom and the Fruchthendler cases.

"The safety of kids while they are in school is paramount and should be a concern for everybody," Mercaldo said, adding that it is important to make sure schools are held to standards expected of them and that regulations and codes are followed.

The summer inspection showed about a dozen campuses with concrete hazards, including Warren Elementary, where concrete was found to be too close to the fall zone for the balance beam in the kindergarten area.

Before last summer's safety audit, TUSD sites were on a rolling inspection calendar and were looked at by TUSD staffers only. Going forward, risk management will coordinate annual inspections every summer.

Despite the findings, Lowery considers TUSD playgrounds safe, saying that at times storm damage, vandalism or heavy use can result in the temporary closure of a playground until maintenance can address safety concerns. She added that during the summer there are not individuals inspecting playgrounds on a daily basis, which could contribute to the lengthy list.

"Since keeping kids active and at play are important to us, we expedite work to bring playgrounds back on line as quickly as possible," she said.

### **Other districts**

Some other Tucson-area school districts, like Flowing Wells, conduct monthly internal checks of playgrounds and an annual inspection through its insurance company. Superintendent David Baker said the district's playgrounds have no deficiencies and are in good working order.

In Sunnyside, Tucson's second-largest district, schools submit a monthly condition report, and work orders are processed as quickly as possible, usually by the next day.

After hearing of a TUSD incident of concrete in the play area, Richards said he personally inspected all of Sunnyside's playground equipment.

"We're pretty vigilant about making sure there is no foreign material in the sand," he said.

The Amphitheater Public Schools district has a third party evaluate playgrounds, based on national standards, every two years. While some of the district's equipment is very old, it all meets safety standards. Several schools also have new equipment bought with grants and fundraisers.

Most playground equipment in the Sahuarita Unified School District is considered to be in very good shape, as it was bought within the last five or six years for newer schools, and bond money was used to replace equipment at older schools.

Like Flowing Wells, Sahuarita's insurance company conducts a thorough inspection annually. The school district's facilities department also checks equipment before school starts each year, and there are also monthly checks. Playground monitors have been trained to look not only for equipment concerns, but other field-related issues like gopher holes, snakes, rises in sidewalk concrete due to tree roots and other items.

In the Catalina Foothills School District, in addition to annual inspections, groundskeepers are tasked with raking sand and wood chips weekly to fluff them up and ensure there is a 9-inch minimum cushion in fall zones. Wood chips and sand are topped off every six months. Other areas monitored are adequate ground cover, strangulation and entrapment hazards.

**Safe places to play**

Of the 84 TUSD school campuses, the only 15 not found to have significant playground hazards in a recent audit were Carrillo, Grijalva, Holladay and Van Buskirk elementary schools; Safford and Maxwell K-8s; Lawrence 3-8; Pistor, Mansfeld and Dodge middle schools; Catalina, Cholla and Tucson high schools; Mary Meredith K- 12; and the Infant and Early Learning Center at Schumaker.

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