

Pokémon Go... Anywhere But My School

A few weeks ago, no one considered the potential injury and liability exposures associated with Pokémon Go. The overwhelming participation in this new game creates the need to evaluate the potential risk management concerns for schools.

Pokémon Go is an augmented reality (AR) game that allows users to capture pocket monsters known as Pokémon. This app uses your phone's GPS capabilities to locate and capture Pokémon; your phone camera then can be used to take a picture of the Pokémon in the real world setting.

Pokémon have been found in parks, near churches and monuments, at the White House, and probably somewhere in your neighborhood. The Pokémon rage has led people - children and adults - to carelessly walk through public properties, cross busy streets, and drive while distracted. Nationwide, numerous accidents and injuries have occurred, with some injuries being serious.

Your school district may want to consider the following risk management controls to address the Pokémon craze:

- Determine if any Pokémon are on School Premises – It should be pretty easy to observe someone wandering around school grounds while playing the game.
- Inspect the School Grounds – Look for any potential unsafe conditions on school premises that could lead an accident or injury while inattentively walking or riding a bike while searching for a Pokémon. Focus on those areas where vehicular traffic is present.
- Roof Access – Walk around the school building to ensure no one can access the roof by climbing on equipment attached to the building, down spouts, dumpsters, trees, etc.
- Construction Projects – Ensure areas under construction or repair are properly secured and barricaded to prevent someone from wandering into an unsafe area.
- Security Concern - A staff member observes someone taking pictures of the school with their phone. Are they performing surveillance or are they capturing a Pokémon? Do you want staff to report these incidents?
- School Forest – Inspect the trails in the school forest.
- Recreational Limitation of Liability – Review the [Wisconsin State Statute 895.52](#) and [895.523](#) with legal counsel to determine the applicability of liability limitation if someone were to be injured on school property while performing a Pokémon search.

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